

**CODE OF THE BOROUGH OF RIVER EDGE, NEW JERSEY, v14 Updated  
02-15-2007 / PART II GENERAL LEGISLATION / Chapter 114, ALCOHOLIC  
BEVERAGES / ARTICLE III, Regulations and Restrictions / § 114-14. Persons  
under the age of twenty-one. [Amended 12-16-1996 by Ord. No. 1172]**

**§ 114-14. Persons under the age of twenty-one. [Amended 12-16-1996 by Ord. No. 1172]**

A. See N.J.S.A. 33:1-81.

B. Presumption. Any adult who accompanies a person under the age of 21 years into an establishment in which alcoholic beverages are served and who permits the person under the age of 21 years to possess or consume alcoholic beverages shall be presumed to have misrepresented the age of that person.

C. Possession. No person under the age of 21 shall possess, serve, sell or consume any alcoholic beverage in any public place within the Borough.

D. Consumption or possession on private property. It shall be unlawful for any person under the legal age to, without legal authority, knowingly possess or knowingly consume an alcoholic beverage on private property in the Borough of River Edge. [Added 8-6-2001 by Ord. No. 1344]

E. Exemptions; definitions. [Added 8-6-2001 by Ord. No. 1344]

(1) This section does not prohibit possession of alcoholic beverages by any such person while actually engaged in the performance of employment by a person who is licensed under Title 33 of N.J.S.A., or while actively engaged in the preparation of food while enrolled in a culinary arts or hotel management program at a county vocational school or post secondary educational institution. This section shall not preclude the imposition of a penalty under N.J.S.A. 33:1-81, or any other section of law, against a person who is convicted of unlawful alcoholic beverage activity on or at premises licensed for the sale of alcoholic beverages.

(2) This section shall not prohibit an underaged person from consuming or possessing alcoholic beverages in connection with a religious observance, ceremony, or rite or consuming or possessing an alcoholic beverage in the presence of and with the permission of a parent, guardian, or relative who has attained the legal age to purchase and consume alcoholic beverages.

(3) "Guardian" is defined as a person who has qualified as a guardian of the underaged person pursuant to testamentary or court appointment. "Relative" is defined as the underaged person's grandparent, aunt or uncle, sibling, or any other person related by blood or affinity.

F. Fines and penalties. [Added 8-6-2001 by Ord. No. 1344]



- (1) Those persons who violate this section will be subject to a fine of \$250 for the first offense and \$350 for any subsequent offense. In addition to the imposition of a fine for a violation of this offense, the court may suspend or postpone for six months the driving privilege of the defendant. Upon the conviction of any person and the suspension or postponement of that person's driver's license, the court shall forward a report to the Division of Motor Vehicles stating the first and last day of the suspension or postponement period imposed by the court. If a person at the time of imposition of a sentence is less than 17 years of age, the period of license postponement, including suspension or postponement of the privilege of operating a motorized bicycle, shall commence on the day the sentence is imposed and shall run for a period of six months after the person reaches the age of 17 years.
- (2) If a person at the time of the imposition of a sentence has a valid driver's license issued by the State of New Jersey, the court shall immediately collect the license and forward it to the Division of Motor Vehicles along with the report. If for any reason the license cannot be collected, the court shall include in the report the complete name, address, date of birth, eye color and sex of the person, as well as the first and last date of the license suspension period imposed by the court.
- (3) The court shall inform the person orally and in writing that, if the person is convicted of operating a motor vehicle during the period of license suspension or postponement, the person shall be subject to the penalties set forth in N.J.S.A. 39:3-40. A person shall be required to acknowledge receipt of the written notice in writing. Failure to receive a written notice or failure to acknowledge in writing the receipt of written notice shall not be a defense to a subsequent charge of violation of N.J.S.A. 39:3-40.
- (4) If the person convicted under this section is not a New Jersey resident, the court shall suspend or postpone, as appropriate, the nonresident driving privilege of the person based on the age of the person and submit to the Division of Motor Vehicles the required report. The court shall not collect the license of a nonresident convicted under this section. Upon receipt of a report by the court, the Division of Motor Vehicles shall notify the appropriate officials in the licensing jurisdiction of the suspension or postponement.

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BEVERAGES / ARTICLE III, Regulations and Restrictions / § 114-15.  
Prohibitions. [Amended 3-1-1993 by Ord. No. 1062]**

**§ 114-15. Prohibitions. [Amended 3-1-1993 by Ord. No. 1062]**

**A. Consumption.**

- (1) No person shall consume alcoholic beverages or possess an open container of alcoholic



beverage:

- (a) While in or on a public street, lane or sidewalk, public parking lot, public or quasi-public place other than a place licensed to sell and dispense alcoholic beverages for consumption on the premises or in a public conveyance.
  - (b) In a private motor vehicle or other vehicle.
  - (c) While upon any private property not his own without the express permission of the owner or other person having authority to grant such permission.
- (2) For the purpose of construing the within section, the term "public or quasi-public place" shall mean all areas generally opened to the public and places of public accommodation. Excluded from the definition herein shall be restaurants located within the jurisdiction of the Borough of River Edge.
- B. No person shall possess open containers of alcoholic beverages in any of the places prohibited in Subsection A(1) hereof.
- C. This section shall not apply to any person or member of a group which has obtained a valid permit from any state, county or municipal agency.

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**ARTICLE IV, Administration and Enforcement**

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BEVERAGES / ARTICLE IV, Administration and Enforcement / § 114-16.  
Revocation of licenses.**

**§ 114-16. Revocation of licenses.**

- A. Any license issued under this chapter may be suspended or revoked for violation of any of the provisions of this chapter or any provision of any applicable statute or any of the rules or regulations of the State Director of Alcoholic Beverage Control. Proceedings for suspension or revocation shall be in accordance with the provisions of N.J.S.A. 33:1-31 by service of a five-day notice of charges preferred against the licensee and affording a reasonable opportunity for hearing.
- B. Suspension or revocation of a license shall be in addition to any other penalty which may be



imposed for a violation of this chapter.

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Violations and penalties. [Amended 3-21-1988 by Ord. No. 955EN]**

**§ 114-17. Violations and penalties. [Amended 3-21-1988 by Ord. No. 955<sup>EN(1)</sup>]**

Except as may be provided in N.J.S.A. 33:1-1 et seq., for a violation of any provision of this chapter, the maximum penalty, upon conviction thereof, shall be a fine not exceeding \$1,000, or imprisonment for up to 90 days, or a period of community service not exceeding 90 days, or any combination thereof.

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BEVERAGES / ARTICLE IV, Administration and Enforcement / § 114-18.  
Consumption permitted when authorized by Mayor and Council.**

**§ 114-18. Consumption permitted when authorized by Mayor and Council.**

- A. Notwithstanding the provisions of § 114-15 of this chapter, the Mayor and Council of the Borough of River Edge may by resolution permit the possession or consumption of alcoholic beverages in a designated park at a designated time or times in connection with a specific event, series of events or observance which has been authorized by the governing body.
- B. Notwithstanding the provisions in § 114-15 of this chapter, the Mayor and Council of the Borough of River Edge may by resolution permit the possession or consumption of alcoholic beverages in a quasi-public place other than a place licensed to sell and dispense alcoholic beverages for consumption on the premises where the permission of the owner of such quasi-public place has been obtained and where such possession or consumption shall be in connection with a designated time or times for a specific event, series of events or observance which has been authorized by the governing body.
- C. Any person or persons granted permissions hereunder by the Mayor and Council of the Borough of River Edge or the Borough Clerk shall comply with all statutory provisions and regulations of the Alcoholic Beverage Control Commission and obtain any and all necessary licenses or permits.
- D. Notwithstanding the provisions in § 114-15 of this chapter, the Borough Clerk of the Borough of River Edge is hereby authorized to grant a permit allowing the possession or consumption of beer only between the hours of 12:00 noon and 10:30 p.m. in a designated public park or in a part thereof, where the possession or consumption of said beer is to take



place in a designated park at a designated time or times in connection with a specific event, series of events or observance.

- E. Every permit issued by the Borough Clerk pursuant to § 114-18D shall be in the possession of the person or persons to whom such permit is issued when such person or persons are in the possession of or consuming alcoholic beverages in a designated public park or in a part thereof. The person or persons to whom the permit is issued shall exhibit the permit when requested to do so by any public officer or magistrate, while in the performance of the duties of his office.<sup>EN(2)</sup>

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