

TOWNSHIP OF SADDLE BROOK
BERGEN COUNTY, NEW JERSEY

ORDINANCE NO. 1214-00

**AN ORDINANCE AMENDING CHAPTER 52 OF THE SADDLE BROOK
CODE, REGULATING CONSUMPTION OF ALCOHOLIC BEVERAGE
BY UNDERAGE PERSONS.**

BE IT ORDAINED by the Township Council of the Township of Saddle Brook, Bergen County, New Jersey, as follows:

SECTION V. That Chapter 52 of the Saddle Brook Code be and hereby is amended and adopted, with the entire text of said amendment to read as follows:

a. It shall be unlawful for any person under the legal age who, without legal authority, knowingly possesses or knowingly consumes an alcoholic beverage on private property.

b. (1) A person found guilty of a violation of this ordinance shall be punished by a fine of \$250 for a first offense and \$350 for any subsequent offense.

(2) The municipal court may, in addition to the fine authorized for this offense, 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 municipal 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 pursuant to this section. If a person at the time of the imposition of a sentence is less than 17 years of age, the period of license postponement, including a 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.

(3) If a person at the time of the imposition of a sentence has a valid driver's license issued by this State, the municipal 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 municipal 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.

(4) The municipal 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 a written notice shall not be a defense to a subsequent charge of a violation of R.S.39:3-40.

(5) If the person convicted under this ordinance is not a New Jersey resident, the municipal court shall suspend or postpone, as appropriate, the non-resident driving privilege of the person based on the age of the person and submit to the Division of Motor Vehicles the required report. The municipal court shall not collect the license of a non-resident convicted under this section.

c. (1) This ordinance shall not prohibit an underaged person from consuming or possessing an alcoholic beverage in connection with a religious observance, ceremony, or rite or consuming.

(2) This ordinance shall not prohibit an underaged person from 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.

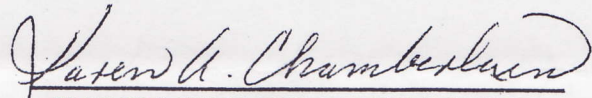
(3) As used in this ordinance:

"Guardian" means a person who has qualified as a guardian of the underaged person pursuant to testamentary or court appointment.

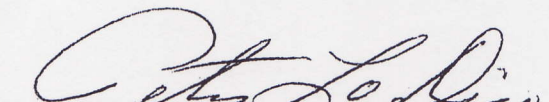
"Relative" means the underaged person's grandparent, aunt or uncle, sibling, or any other person related by blood or affinity.

d. This ordinance shall 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 the Revised Statutes, 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. However, this ordinance shall not be construed to 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.

e. This ordinance shall take effect after publication thereof after final passage as provided by law.


KAREN CHAMBERLAIN, MAYOR

Attest:


PETER LO DICO, TOWNSHIP CLERK

Introduced: August 10, 2000

Adopted: October 12, 2000