

ORDINANCE NO. 686-00

AN ORDINANCE AMENDING AND SUPPLEMENTING
THE REVISED GENERAL ORDINANCES OF THE
BOROUGH OF SAYREVILLE TO CREATE A NEW
SECTION 6-8 REGULATING THE POSSESSION
AND CONSUMPTION OF ALCOHOLIC BEVERAGES
ON PRIVATE PROPERTY BY PERSONS UNDER
LEGAL AGE

BE IT ORDAINED by the Mayor and Council of the Borough of Sayreville,
County of Middlesex and State of New Jersey, as follows:

SECTION 1. That Chapter VI, Alcoholic Beverage Control, of the Revised
General Ordinances of the Borough of Sayreville be and is hereby supplemented to add
a new Section 6-8 entitled "Possession and Consumption of Alcoholic Beverages by
Persons Under Legal Age Prohibited on Private Property" as follows:

6-8 POSSESSION AND CONSUMPTION OF
ALCOHOLIC BEVERAGES BY PERSONS
UNDER LEGAL AGE PROHIBITED ON
PRIVATE PROPERTY.

6-8.1. Definitions. The following definitions shall apply:

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

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

6-8.2. Prohibition. It is hereby unlawful for any person under the
legal age to, without legal authority, knowingly possess or knowingly
consume an alcoholic beverage on private property within the Borough
of Sayreville.

6-8.3. Violation and Penalties. Any person found guilty of violating the
terms of this Section shall be subject to a fine of \$250 for the first offense
and a fine of \$350 for any subsequent offense. In addition to the fine
authorized for this offense, the court may, upon a finding of guilty, suspend
or postpone for six months the driving privileges of the violator, in accordance
with and in the manner provided in P.L. 2000, c. 33.

INTRO & PASSED 1st READING 10-18-00
ADVERTISED ACCORDING TO LAW 10-22-00
ADOPTED ON 2nd & FINAL READING 11-1-00
ADVERTISED ACCORDING TO LAW 11-5-00

BOROUGH CLERK

6-8.4. Exceptions.

A. This Section shall not prohibit an underage person from consuming or possessing an alcoholic beverage 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.

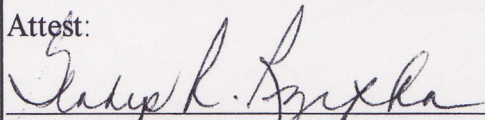
B. This Section shall not prohibit the possession of alcoholic beverages by any person under the legal age while such person is lawfully engaged in the performance of employment by a person who is licensed under Title 33 of the New Jersey Revised Statutes, or while actively engaged in the preparation of food while enrolled in a culinary arts or hotel management program at a county vocational school or post-secondary educational institution; however this Section shall not be construed to preclude the imposition of a penalty under this Section, *N.J.S.A. 33:1-81*, or under any other section of existing ordinance or law against a person who is convicted of unlawful alcoholic beverage activity on or at premises licensed for the sale of alcoholic beverages.

Section 2. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason, held invalid or unconstitutional by any court or federal or state agency of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

Section 3. Any ordinance or part thereof inconsistent with this ordinance is repealed to the extent of such inconsistency.

Section 4. This ordinance shall take effect upon passage and publication as provided by law.

Attest:

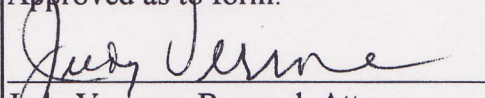

Gladys R. Rzepka, Municipal Clerk


Raymond Skarzynski

Approved:


Kennedy O'Brien, Mayor

Approved as to form:


Judy Verrone, Borough Attorney