

TOWNSHIP OF WASHINGTON  
BERGEN COUNTY, NEW JERSEY

Re: Ordinance No. 10-03

AN ORDINANCE REGARDING UNDERAGE DRINKING OF  
ALCOHOLIC BEVERAGES ON PRIVATE AND PUBLIC PROPERTY

BE AND IT IS HEREBY ORDAINED by the Township Council of the Township of Washington that Chapter 68 of the Code of the Township of Washington entitled "Alcoholic Beverages" is hereby amended by adding the following §68-15 entitled "Underage Use of Alcoholic Beverages on Private and Public Property" thereto:

1.

"A. No person under the legal age to purchase alcoholic beverages shall consume any alcoholic beverages within the limits of the Township of Washington, nor have in his or her possession any opened alcoholic beverage container with any unconsumed alcoholic beverage therein, while:

(1) In or on a public street, lane, roadway, avenue, sidewalk, public parking place, park, playground, recreation area, school building or grounds or any other quasi public place, not including any municipal building other than school buildings, library or recreation facilities aforesaid or in any other public conveyance.

(2) In a private motor vehicle while the same is in motion or parked in any public street, lane or public parking lot or other public or quasi-public place.

(3) Upon any private property not his or her own without the express permission of the owner or other person having authority to grant such permission.

B. Any person under the legal age to purchase alcoholic beverages who knowingly possess or consumes any alcoholic beverage in or on any school property, public conveyance, public place, or place of public assembly, shall be in violation of this section of the Code. Upon conviction, such underage person shall be in violation of this section of the Code. Upon conviction, such underage person shall be subject to a fine of two hundred fifty dollars (\$250.00) for a first offense and three hundred fifty dollars (\$350.00) for any subsequent offense; shall perform community service for a period not to exceed one hundred eighty days (180); at the discretion of the Court, have New Jersey driving privileges suspended or postponed for six (6) months; and if considered necessary by the Court, be referred to an alcohol treatment program at the such person's expense.

C. This section shall not apply to persons under the legal age to purchase alcoholic beverages who possess or consume alcoholic beverages in the presence of and with the permission of the parent or legal guardian of such person, provided that said legal guardian is of the legal age to purchase alcoholic beverages, or if the alcoholic beverage is being consumed in any religious observance, ceremony or rite. This section shall not apply to possession of an alcoholic beverage by an underage person employed by an alcoholic beverage licensee in the course of performing employment duties.

D. Notwithstanding anything hereinabove contained to the contrary, the Township Council, or any legally constituted municipal agency of the municipality, may issue a permit for the possession or consumption of alcoholic beverages in any designated park or other public place under its jurisdiction at the designated time or times in

connection with a special event which shall have been authorized by the Township Council or other legally constituted municipal body or agency having the authority to issue such permits.

E. Any person, not underage, violating any provisions of this section shall be subject to a fine not exceeding two hundred fifty dollars (\$250.00) for a first offense and a fine of three hundred fifty dollars (\$350.00) for any subsequent offense.

F. The provisions of any alcoholic beverage ordinances heretofore adopted by the Township of Washington which are inconsistent with the provisions hereof are hereby superseded by the terms hereof. "

2. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

3. This Ordinance shall take effect upon final passage and publication and in accordance with the Charter, and subject to such emergency resolution as may be adopted pursuant to Section 17-32 thereof. [R.S. 40:69A-181 (b)].

ATTEST:

APPROVED:  
TOWNSHIP COUNCIL OF THE  
TOWNSHIP OF WASHINGTON

By Mary Ann Ozment  
Mary Ann Ozment,  
Township Clerk

By Joseph D'Urso  
Joseph D'Urso,  
Council President

Dated: March 22, 2010

	Ayes	Nays	Abstain	Absent
D'Urso	_____	_____	_____	_____
Goetz	_____	_____	_____	_____
Hrbek	_____	_____	_____	_____
Spezial	_____	_____	_____	_____
Beckmeyer	_____	_____	_____	_____