

## **ARTICLE IV Possession or Consumption by Underage Persons [Added 4-4-2001 by Ord. No. 2001-5]**

### **§ 36-12. Possession of alcoholic beverages on private property or on public property.**

No person who is under 21 years of age, i.e., the legal age established by law for the purchase or consumption of alcoholic beverages, shall possess alcoholic beverages on private property; nor shall any such person possess alcoholic beverages while upon any public street, road, sidewalk, parking lot, or other public place or in any private vehicle while the vehicle is in motion, stopped or parked in or on any public street, road or parking lot, except as provided herein.

### **§ 36-13. Consumption of alcoholic beverages on private property or on public property.**

No person who is under 21 years of age, i.e., the legal age established by law for the purchase or consumption of alcoholic beverages, shall consume alcoholic beverages on private property; nor shall any such person consume alcoholic beverages while upon any public street, road, sidewalk, parking lot, or other public place or in any private vehicle while the vehicle is in motion, stopped or parked in or on any public street, road or parking lot, except as provided herein.

### **§ 36-14. Exceptions.**

As provided by law, this article shall not apply to underage persons 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 or consume alcoholic beverages nor shall this article prohibit the possession of alcoholic beverages by any underage 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 provision 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.

### **§ 36-15. Others subject to penalties.**

Any person, firm, corporation or other entity which aids, supports, promotes, assists, encourages or permits any individual under 21 years of age to violate any provision of this article shall be in violation of the provisions herein and shall, upon conviction, be subject to the penalties set forth herein.

### **§ 36-16. Violations and penalties.**

Any person found guilty of underage possession and/or consumption shall be fined \$250 for a first offense and \$350 for any subsequent offense. In addition to the above fine, as provided by N.J.S.A. 40:48-1.2, the Court may suspend or postpone the person's driving privilege for a period of six months. If the person is under the age of 17 years, 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 said person reaches the age of 17 years of age. If the person convicted under this article is not a resident of the State of New Jersey, the Court shall suspend or postpone, as appropriate, the nonresident driving privilege of the person based on the age of the person.