



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

ORDINANCE 16-27

AN ORDINANCE AMENDING CHAPTER 6-3.4 OF THE BOROUGH CODE CONCERNING LICENSE FEES FOR THE SALE OR DISTRIBUTION OF ALCOHOLIC BEVERAGES IN THE BOROUGH

WHEREAS, Chapter VI of the Borough Code entitled Alcoholic Beverage Control regulates the sale and transportation of alcoholic beverages in the Borough of Highlands, in accordance with the applicable State Statutes and the Rules and Regulations of the State Director of Alcoholic Beverage Control; and

WHEREAS, Chapter 6-3.4 of the Borough Code regulates the annual license fees charged for the sale or distribution of alcoholic beverages in the Borough; and

WHEREAS, N.J.S.A. 33:1-12, et seq. regulates the permissible fees by class of license for the sale or distribution of alcoholic beverages in the Borough and permits the governing body to fix the fees within a permissible range and to raise or lower the fees charged from that charged in the preceding license year;

WHEREAS, the Governing Body has determined that it is in the best interests of the residents of the Borough to amend Code Section 6-3.4 to raise the license fees charged for the sale or distribution of alcoholic beverages in the Borough by 20% from that charged in the preceding year in accordance the aforesaid statutory provisions.

NOW, THEREFORE, BE IT ORDAINED by the governing body of the Borough of Highlands, the County of Monmouth, in the State of New Jersey, as follows:

SECTION I.

The following section of Chapter 6-3.4 entitled "License Fees; Maximum Number" of the Borough Code shall be amended to provide as follows: (All additions are shown in **bold italics with underlines**. The deletions are shown as ~~***strikeovers in bold italics***~~. Sections of Chapter 6-3.4 that will remain unchanged are shown in normal type).

6-3.4 License Fees; Maximum Number.

The annual license fees and maximum number of licenses for the sale or distribution of alcoholic beverages in the borough shall be as follows:

<i>Class of License</i>	<i>Annual License</i>
Plenary Retail Consumption	\$864.00 <u>\$1,036.00</u>
Plenary Retail Distribution	\$628.00 <u>\$753.00</u>
Club License	\$100.00 <u>\$120.00</u>

The provisions of this subsection with respect to the limitation on the number of licenses shall not apply to the renewal or transfer of licenses presently issued.

BE IT FURTHER ORDAINED, by the governing body of the Borough of Highlands, the County of Monmouth, in the State of New Jersey that the aforesaid annual license fees shall become effective January 1, 2017.

SECTION II. SEVERABILITY. 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, which shall otherwise remain in full force and effect.

SECTION III. REPEALER. All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION IV. EFFECTIVE DATE. This Ordinance shall take effect after final passage as provided by law.

Introduction O-16-27	MOVED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
BROULLON			X			
CARD	X		X			
D'ARRIGO			X			
WELLS				X		
NOLAN		X	X			

I, Dwayne M, Harris, Acting Municipal Clerk of the Borough of Highlands, in the County of Monmouth, State of New Jersey, hereby certify this to be a true copy of the action of the Governing Body, at its Regular Meeting, held December 07, 2016. WITNESS my hand this 8th day of December 2016.



Dwayne M. Harris, RMC
Municipal Clerk

Public Hearing and possible adoption will be on December 21, 2016.

Adoption O-16-27	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
BROULLON			X			
CARD						X
D'ARRIGO		X	X			
WELLS				X		
NOLAN	X		X			

I, Dwayne M, Harris, Acting Municipal Clerk of the Borough of Highlands, in the County of Monmouth, State of New Jersey, hereby certify this to be a true copy of the action of the Governing Body, at its Regular Meeting, held December 21, 2016. WITNESS my hand this 23rd day of December, 2016.



Dwayne M. Harris, RMC
Acting Municipal Clerk

X

Frank Nolan
Mayor

December 27, 2016