

Mr. Nolan offered the following ordinance for adoption and directed its publication according to law:

O-08-13
ORDINANCE AMENDING CHAPTER VI
“ALCOHOLIC BEVERAGE CONTROL” OF THE
BOROUGH OF HIGHLANDS TO ADD REGULATIONS
ON “TEEN NIGHTS”

WHEREAS, it has come to the attention of the Council that teen nights have been held frequently where adults drinking alcohol are intermingled with minors at alcoholic beverage control licensed facilities; and

WHEREAS, these types of “teen nights” are likely to lead to underage drinking and therefore regulation of these types of events should occur.

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Highlands that Chapter VI of the Code of the revised general ordinances of the Borough of Highlands be amended to add the following new section:

New text denoted by Underline, deletions by ~~Strikeover~~.

SECTION ONE

Teen Nights

A. Definitions. As used in this section, the following terms shall have the meanings indicated:

TEEN NIGHT – A scheduled dance or event wherein any person under the legal drinking age is allowed to enter the premises of a licensed plenary retail alcoholic beverage establishment established by the State of New Jersey. More particularly this definition of “teen night” shall include both teen-only events and events that allow teens and individuals of legal age to consume alcoholic beverages as established by the State of New Jersey.

TEEN NIGHT PARTICIPANTS – Those individuals who attend teen nights as hereinabove defined. This shall not apply to individuals employed by the licensed plenary retail alcoholic beverage establishments.

Restaurant – An establishment regularly and principally used for the purpose of providing meals to the public, having an adequate kitchen and dining room equipped for the preparing, cooking and serving of foods for its customers, and in which no other business, except such as incidental to such establishment is conducted.

B. Prohibited Activity

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Teen nights as defined above are hereby prohibited within the Borough of Highlands and Teen Night participants who would attend are hereby prohibited from participating in any Teen Night event at a licensed plenary retail alcoholic beverage establishment.

C. Exception to Presence of Minor in Licensed Establishments:

- (1) It shall be lawful for a minor to enter a licensed premises for employment Pursuant to N.J.A.C. 13-2-14.2 et seq. A person under the legal age may be Present on a licensed premises if accompanied by a parent or legal guardian 21 Years of age or older, or if the licensed premises is a restaurant.

D. When Effective

This article shall take effect 90 days after final adoption by the Highlands Borough and upon approval of the Commissioner of the Division of Alcoholic Beverage Control.

E. Violations and Penalties

Violations of this section shall be subject to the general penalty provisions.

SECTION TWO

If any section or provision of this ordinance shall be held invalid in any court, the same shall not affect the other sections or provisions of this ordinance except so far as the section or provision so declared invalid and shall be inseparable from the remainder of or any portion thereof.

SECTION THREE

All ordinances or parts of ordinances inconsistent herewith are hereby repealed to extent of such inconsistency.

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SECTION FOUR

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

Seconded by Mr. Caizza and approved on the following roll call vote:

ROLL CALL:

AYES: Mrs. Burton, Mr. Caizza, Mr. Urbanski, Mr. Nolan, Mayor Little

NAYES: None

ABSENT: None

ABSTAIN: None

Introduction: September 24, 2008

Publication: October 2, 2008 NINA LIGHT FLANNERY

2nd Reading: October 15, 2008 Borough Clerk

PHD: October 15, 2008

Adoption: October 15, 2008

Publication:

I, _____ Clerk/Deputy Clerk, do hereby certify this to be a true copy of Ordinance #O-08-11 as adopted on October 15, 2008.