

TOWNSHIP OF MOORESTOWN

ORDINANCE NO. 29-2019

**AN ORDINANCE OF THE TOWNSHIP OF MOORESTOWN
AMENDING CHAPTER 46 OF THE CODE OF THE
TOWNSHIP OF MOORESTOWN ENTITLED “ALCOHOLIC BEVERAGES” TO
PROVIDE FOR THE REGULATION OF CLUB LICENSES**

WHEREAS, Chapter 46 of the Code of the Township of Moorestown regulates the sale and consumption of alcoholic beverages within the Township of Moorestown; and

WHEREAS, the Township of Moorestown does not presently have any regulations concerning issuance of “Club Licenses” which are a form of a Class C license defined at N.J.S.A. 33:1-12, No. 5; and

WHEREAS, the Township Council of the Township of Moorestown recognizes that a Club License may be issued directly by the Division of Alcoholic Beverage Control without regard to the presence or absence of any municipal regulation; and

WHEREAS, the Township Council finds it is in the best interest of the Township and its residents to provide regulations for the issuance of Club Licenses in the Township.

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Moorestown, County of Burlington, State of New Jersey that Chapter 46 of the Code of the Township of Moorestown is hereby amended as follows:

Section 1. Section 4 entitled “Licensing authority” is hereby renumbered as Section 3.

Section 2. Chapter 46 shall be amended by adding the following as section 4:

§ 46-4 Club Licenses

- A. No more than two (2) club licenses shall be issued and outstanding at one time in the Township.
- B. Except as stated in this Chapter, the provisions of the Act, as the same may be hereafter amended, shall control the eligibility for a club license. In the event the Act is modified or amended in such a way as to impact these provisions, the appropriate state statute and administrative regulations shall control where inconsistent with this article.
- C. No club license shall be issued for the sale of alcoholic beverages by the Township Council of the Township unless the same has been approved by the majority of the members of the Township Council.

All language with an underline shall be added.

All language with a ~~strike through~~ shall be deleted.

- D. A club license may only be issued for a licensed premises (including contiguous lots under common ownership) measuring no less than ten (10) acres in size.
- E. No license shall be issued except upon written application therefor, signed by the applicant, setting forth the information as required by statute, together with any and all other information which may be deemed necessary by the Township Council in accordance with said Act and deemed necessary for a proper consideration of said application. Such application is to be made in the form as supplied by the Alcoholic Beverage Control Commission, and same is to be verified by the oath or affirmation of the applicant and advertised according to law.

Section 3. Existing Section 6 of Chapter 46 is hereby amended as follows:

§ 46-6. ~~Plenary retail consumption license; fFees.~~

- A. The annual fee for a plenary retail consumption license shall be \$2,500.
- B. The annual fee for a club license shall be \$188.

The remaining paragraphs shall be re-lettered accordingly.

Section 4. Existing Section 10 of Chapter 46 is hereby amended as follows:

§ 46-10. Hours of sale.

- A. No plenary retail consumption licensee shall sell, serve, deliver or allow, permit or suffer the sale, service or delivery of any alcoholic beverages on the licensed premises between the hours of 2:00 a.m. and 10:00 a.m. on any day of the week; except and provided, however, that on the first day of January no alcoholic beverage shall be sold in the said Township between the hours of 3:00 a.m. and 10:00 a.m. of said day; or permit any consumption of any alcoholic beverages on the licensed premises between the hours of 2:00 a.m. and 10:00 a.m. on any day of the week; except and provided, however, that on the first day of January no alcoholic beverage shall be consumed on licensed premises between the hours of 3:00 a.m. and 10:00 a.m. on said day.
- B. No club licensee shall sell, serve, deliver or allow, permit or suffer the sale, service or delivery of any alcoholic beverages on the licensed premises between the hours of 1:00 a.m. and 10:00 a.m. on any day of the week; except and provided, however, that on the first day of January no alcoholic beverage shall be sold in the said Township between the hours of 2:00 a.m. and 10:00 a.m. of said day; or permit any consumption of any alcoholic beverages on the licensed premises between the hours of 1:00 a.m. and 10:00 a.m. on any day of the week; except and provided,

however, that on the first day of January no alcoholic beverage shall be consumed on licensed premises between the hours of 2:00 a.m. and 10:00 a.m. on said day.

The remaining paragraphs shall be re-lettered accordingly.

Section 5. All other sections of Chapter 46 shall remain as written.

Section 6. Repealer. Any and all other ordinances inconsistent with any of the terms and provisions of this ordinance are hereby repealed to the extent of such inconsistency.

Section 7. Effective Date. This ordinance shall take effect upon proper publication and in accordance with law.

Section 8. Short Title. This Ordinance shall be known as Ordinance No. 29-2019.

NOTICE

The ordinance published herewith was introduced and passed upon first reading at a meeting of the Township Council of the Township of Moorestown, County of Burlington, State of New Jersey, held on October 7, 2019. This ordinance will be further considered for final passage by the Township Council at a meeting to be held in the Council Chamber of the Municipal Complex, 111 West Second Street, Moorestown, NJ on October 21, 2019 at 7:30 pm or at any time and place to which such meeting may be adjourned. All persons interested will be given the opportunity to be heard concerning such ordinance. During the week prior to and including the date of such further consideration, copies will be made available at the Municipal Clerk's Office to any member of the general public who shall request such copies.

Patricia L. Hunt, RMC
Township Clerk