

ALCOHOLIC BEVERAGES

Chapter 19

ALCOHOLIC BEVERAGES

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[HISTORY: Adopted by the Mayor and Council of the Borough of Helmetta: Article I, 9-11-68; Article II, 7-1-47. Amendments noted where applicable.]

GENERAL REFERENCES

Peace and good order — See Ch. 42.

Be it ordained by the Mayor and Council of the Borough of Helmetta, in the County of Middlesex and State of New Jersey:

ARTICLE I
Sale and Distribution
[Adopted 9-11-68]

§ 19-1. Definitions.

For the purposes of this chapter, the words and terms used herein shall be deemed to have the meanings awarded them by N.J.R.S. 33:1 to 33:1-96 (Title 33, Revised Statutes of 1937 of the State of New Jersey) and the rules and regulations from time to time promulgated by the Director of the Division of Alcoholic Beverage Control of the State of New Jersey.

§ 19-2. License required.

No person shall manufacture, sell, distribute, bottle, rectify, blend, fortify, treat, mix, process, warehouse or transport any alcoholic beverage, or import, own, possess, keep or store alcoholic beverage with intent to manufacture, sell, distribute, bottle, rectify, blend, fortify, treat, mix, process, serve, warehouse or transport alcoholic beverages, or own, possess, keep or store in

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this municipality any implement or paraphernalia for the manufacture, sale, distribution, bottling, blending, treating, fortifying, mixing, processing, warehousing or transportation of alcoholic beverages, without having procured the proper license therefor.

§ 19-3. Licenses limited.

The number of plenary retail distribution licenses in the borough shall be limited to one (1) and no plenary retail distribution license shall be issued in excess of the foregoing limitation.

§ 19-4. Fees. [Amended 12-15-83]

The fee for a plenary retail distribution license shall be fixed on an annual basis by resolution of the governing body.

§ 19-5¹. Hours of sale. [Amended 5-11-77 by Ord. No. 5-1977; 12-27-78; 5-13-81; 8-12-81]

No licensee shall sell, serve, deliver, allow, permit or suffer the sale service or delivery of any alcoholic beverage or suffer consumption of any alcoholic beverage on the licensed premises on weekdays and Sundays except during the hours of 7:00 a.m. to 2:00 a.m. The sale of alcoholic beverages in original bottles or can containers by retail distribution licensees shall be permitted between the hours of 9:00 a.m. and 10:00 p.m. on Sunday.

§ 19-6. Sales to minors.

No person shall sell alcoholic beverages to a minor.

¹ Editor's Note: Former § 19-5, Sale during elections, was repealed 1-10-73.

§ 19-7. Use by minors.

No person under the age of twenty-one (21) years shall order or consume, or permit or allow the service to him or her, or have in his or her possession, any alcoholic beverage. Further, no minor shall have, possess, distribute, transport, carry, deliver, sell, serve, dispense, drink or consume any alcoholic beverages on any public street, highway, avenue, alley or road of the Borough of Helmetta, or upon any public grounds, parks or sidewalks in said borough, or in any automobile or other vehicle or in any other means of transportation on said public streets, highways, alleys, avenues, grounds, sidewalks or parks in said borough.

§ 19-8. Purchase for minors.

No person who has attained the age of twenty-one (21) years or above shall purchase for or order, for purposes of consumption, any type of alcoholic beverages solely for another person or persons who have not reached the age or ages of twenty-one (21) years.

§ 19-9. Sale to vagrants and habitual inebriates.

No alcoholic beverages may be sold or otherwise dispensed to any vagrant or habitual inebriate or to any person who may be under the influence of intoxicating liquor.

§ 19-10. Purchase of illicit alcoholic beverages.

No person, other than an officer or other person authorized by and acting pursuant to instruction from such officer, so doing in the course of and for the purpose of enforcing this chapter, shall knowingly purchase, receive or procure any illicit alcoholic beverages.

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§ 19-11. Sale of illegal alcoholic beverages or those upon which taxes or duty is due.

No person shall sell, distribute, own, possess, keep or store any illegal beverages or such beverages upon which taxes or duty has not been paid either to the State of New Jersey or the United States of America, or beverages which have been manufactured, bottled, rectified, blended, fortified, treated, mixed or processed by a firm or corporation not so duly licensed.

§ 19-12. Advertising without license to sell.

No person not holding a license to sell alcoholic beverages shall advertise for sale any alcoholic beverage.

§ 19-13. Right to handle, sell restricted.

The right of employers and employees to sell, serve, deliver or in any manner engage in the actual dispensing of alcoholic beverages shall be limited to the licensees and the regular employees of the licensees.

§ 19-14. Display of license certificate.

It shall be the duty of a plenary retail distribution licensee to display the license certificate issued pursuant to this chapter in the licensed premises in such a manner and place that it may be seen by anyone entering the licensed place of business. Said license certificate shall also be framed under glass.

§ 19-15. Conduct of licensed premises.

No licensee shall allow, permit or suffer in or on the licensed premises any brawl, act of violence, disturbance or unnecessary

noise; nor shall any licensee allow, permit or suffer the licensed place of business to be conducted in such a manner as to become a nuisance.

§ 19-16. Enforcement.

It shall be the duty of the Chief of Police of the Borough of Helmetta and the Police Department of said borough to enforce the provisions of this chapter.

§ 19-17. Suspension, revocation.

Any license issued pursuant to this chapter may be suspended or revoked by the governing body of the Borough of Helmetta for violation of any of the provisions of this chapter or for violation of any of the provisions of R.S. 33:1-1 to 33:1-96 and the rules and regulations from time to time promulgated by the Director of the Division of Alcoholic Beverage Control of the State of New Jersey. Proceedings for suspension and revocation shall be in accordance with provisions of said statutes and rules and regulations.

§ 19-18. Violations and penalties.

Any person who shall violate any of the provisions of this chapter shall, upon conviction, suffer and pay a fine not exceeding five hundred dollars (\$500.) or be imprisoned in the county jail of the County of Middlesex for a term not exceeding ninety (90) days, or by both such fine and imprisonment. Any sentence imposed for such violation shall be within the discretion of the Judge before whom such conviction is had, within the foregoing limitation.

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ARTICLE II
Club Licenses; Hours of Sale
[Adopted 7-1-47]

§ 19-19. Club license fee. [Amended 12-15-83]

The annual fee for a club license shall be fixed on an annual basis by resolution of the governing body.

§ 19-20. Club licenses limited.

Not more than one (1) club license shall be issued and outstanding at the same time in the Borough of Helmetta.

§ 19-21. Hours of sale. [Amended 4-9-58; 6-11-58¹]

¹ Editor's Note: Repealed upon adoption of Code.