

**BOROUGH OF RED BANK**

**COUNTY OF MONMOUTH**

**ORDINANCE NO. 2013-20**

**ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER VI, "ALCOHOLIC BEVERAGE CONTROL", SECTION 6-4 "REGULATIONS OF LICENSES" OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF RED BANK**

Mr. DuPont offered the following ordinance and moved its adoption on final reading:

**BE IT ORDAINED** by the Governing Body of the Borough of Red Bank that Chapter VI, "Alcoholic Beverage Control" of the Revised General Ordinances of the Borough of Red Bank, be amended and supplemented as follows:

**SECTION ONE:** Section 6-4 ("Regulation of Licenses") of Article VI ("Alcoholic Beverage Control") of the Revised General Ordinances of the Borough of Red Bank is amended and supplemented as follows (stricken text denotes deletions, underlined text denotes additions):

**§ 6-4. Regulations of Licenses.**

**6-4.1 Hours of sale.** No alcoholic beverages shall be sold, delivered or served to or consumed in any licensed premises on any day between the hours of 2:00 a.m. and 7:00 a.m. except Sundays and New Year's Day each year as hereinafter provided.

**6-4.2 Sundays.** Provisions of Subsection 6.4.1 of this section shall not apply on Sundays. On Sundays, no alcoholic beverages may be sold, served, delivered to or consumed in the licensed premises between the hours of 2:00 a.m. and ~~4:00~~ 9:00 a.m.

**6-4.3 New Year's Day.** Provisions of Subsection 6-4.1 of this section shall not apply on January 1. On that day alcoholic beverages may not be sold, served, delivered to or consumed in the licensed premises from the hours of 4:00 a.m. and 7:00 a.m. unless January 1 is a Sunday, in which case alcoholic beverages may not be sold, served, delivered to or consumed in the licensed premises between the hours of 5:00 a.m. and 12:00 noon.

**6-4.4 Sales to certain persons.** No licensee or employee of a licensee shall sell, serve or deliver, directly or indirectly, any alcoholic beverages to any intoxicated person or person under the legal age, nor permit the consumption of alcoholic beverages on any licensed premises by the persons named above.

**6-4.5 Closing provision.** During the hours in which sales of alcoholic beverages are hereinabove prohibited, the entire licensed premises shall also be closed and no person shall be admitted or permitted to remain therein except the licensee or bona fide employees of the licensee.

**6-4.6 Sale of beverages in original container.** No licensee shall sell or deliver, or allow, permit the sale or delivery of any alcoholic beverage at retail in its original container for consumption off the licensed premises, or allow, or permit the removal of any alcoholic beverage in its original or opened container from retail licensed premises before 9:00 a.m. or after 10:00 p.m. on any day of the week.

**6-4.7 Reserved\***

**6-4.8 Inspections.** Any police officer of the Borough shall be permitted by the licensee to inspect the licensed premises or any part thereof, at all times.

**SECTION TWO:** Any ordinances or portions thereof which are inconsistent with the provisions of this Ordinance are hereby repealed as of the effective date of this Ordinance. All other provisions of the “Alcoholic Beverage Control” Ordinance are ratified and remain in full force and effect.

**SECTION THREE:** If any provision of this Ordinance or the application of such provision to any person or circumstance is declared invalid, such invalidity shall not affect the other provisions or applications of this Ordinance which can be given effect, and to this end, the provisions of this Ordinance are declared to be severable.

**SECTION FOUR:** This Ordinance shall take effect immediately upon its passage and adoption according to law.

Seconded by Ms. Lee and adopted on roll call by the following vote:

	Yes	No	Abstain	Absent
Ms. Lewis	( x )	( )	( )	( )
Mr. Zipprich	( x )	( )	( )	( )
Mr. DuPont	( x )	( )	( )	( )
Ms. Horgan	( x )	( )	( )	( )
Ms. Lee	( x )	( )	( )	( )
Mr. Murphy	( x )	( )	( )	( )

Dated: September 11, 2013