

1/50-18

TOWNSHIP OF NORTH BERGEN  
HUDSON COUNTY, NEW JERSEY

AN ORDINANCE ESTABLISHING MANDATORY  
CLOSING TIMES FOR PREMISES LICENSED TO  
SELL OR DISTRIBUTE ALCHOLIC BEVERAGES

WHEREAS, mandatory closing time for bars and taverns in the Township of North Bergen had been established by Ordinance at 3:00 A.M.; and

WHEREAS, by Ordinance No. 1053-06, the Board of Commissioners recognized the effect of near by municipalities having modified their municipal ordinances to establish 2:00 A.M. as the mandatory closing time for bars and taverns and the resulting flow of patrons from within such municipalities into bars and taverns within the Township after 2:00 A.M.; and

WHEREAS, by said ordinance, the Township also recognized certain public safety issues caused by the flow of bar and tavern patrons into the Township during those hours and consequently prohibited patrons entering or re-entering Township bars or taverns after 2:00 A.M.; and

WHEREAS, the Board of Commissioners have determined that Ordinance No. 1053-06 has not been sufficiently effective in reducing said public safety issues related to the flow of bar and tavern patrons into the Township after 2:00 A.M.

NOW, THEREFORE BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF NORTH BERGEN that:

Section 1. Ordinance No. 1053-06 be and hereby is repealed.

Section 2. No Plenary Retail Consumption Licensee, Plenary Retail Distribution Licensee, or Limited Retail Distribution License shall sell, serve, deliver or allow, permit or suffer the sale, service or delivery of any alcoholic beverage or allow the consumption of any alcoholic beverage on any licensed premises on any day of the week, except Sunday, between the hours of 2:00

A.M. and 7:00 A.M., nor on any Sunday between the hours of 2:00 A.M. and 12:00 Noon.

Section 3. Notwithstanding anything herein above to the contrary on New Year's Day, no licensee shall sell, serve, deliver or allow the consumption of any alcoholic beverage on any licensed premises, between the hours of 6:00 A.M. and 7:00 A.M., or between the hours of 6:00 A.M. and 9:00 A.M. if New Year's Day falls on a Sunday.

Section 4. Notwithstanding anything herein above to the contrary on any Christmas Eve or Christmas Day or New Year's Eve which falls on a Sunday, no licensee shall sell, serve, deliver or allow the consumption of any alcoholic beverage on any licensed premises, between the hours of 2:00 A.M. and 9:00 A.M.

Section 5. All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed as to the inconsistency thereof.

Section 6. If any article, section, sub-section, sentence, clause, or phrase of this ordinance is for any reason deemed to be unconstitutional or invalid by any court of competent jurisdiction, such decision shall not affect the remaining portion of this ordinance.

Section 7. This ordinance shall take effect upon adoption and publication as required by law.

Attest:	<u>Comm. Cabrera</u>	<u>Yes</u>
	<u>Comm. Ferraro</u>	<u>Yes</u>
<u>Carol Ann Fontana</u>	<u>Comm. Gargiulo</u>	<u>Yes</u>
Township Clerk	<u>President Sacco</u>	<u>Yes</u>

Introduced: September 10, 2008

Published: September 13, 2008 and September 27, 2008

Adopted: September 24, 2008