

**BOROUGH OF HARRINGTON PARK
BERGEN COUNTY
STATE OF NEW JERSEY
ORDINANCE #568**

**AN ORDINANCE CONCERNING
POSSESSION AND CONSUMPTION
OF ALCOHOLIC BEVERAGES
BY UNDERAGE PERSONS**

WHEREAS, the Mayor and Council of the Borough of Harrington Park is concerned with the rising abuse of alcohol by underage persons on private property; and

WHEREAS, the Governor and Legislature of the State of New Jersey has amended NJSA 40:48-1 allowing a municipality to adopt an Ordinance prohibiting the possession and consumption of alcoholic beverages without legal authority on private property by underage persons; and

WHEREAS, the Mayor and Council of the Borough of Harrington Park deems that the passage and adoption of such an Ordinance would be in the public interest and helpful in the right to curtail alcohol abuse by underage persons;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Harrington Park as follows:

Section I. It shall be unlawful for any person under the legal age who, without legal authority as hereinafter defined, knowingly possesses or knowingly consumes an alcoholic beverage on private property.

Section II. A person under the legal age shall be deemed to possess or consume an alcoholic beverage without legal authority if said possession or consumption is not in connection with any of the following:

- A. In connection with a religious observance, ceremony or rite; or
- B. In the presence of and with the permission of a parent, guardian or relative who has attained the legal age to purchase and consume alcoholic beverages; or
- C. By any such person while actually engaged in the performance of employment by a person licensed under Title 33 (the Alcoholic Beverage Control Law) or while actively engaged in the preparation of food while enrolled in a culinary arts or hotel management program at a county vocational or post secondary educational institution.

Section III. As used in Section II of this Ordinance:

"Guardian" means a person who has qualified as a guardian of the underage person pursuant to testamentary or court appointment.

"Relative" means the underage person's grandparent, aunt, uncle, sibling or any other person related by blood or affinity.

Section IV. A violation of this Ordinance shall be punishable by a fine of \$250.00 for the first offense, and \$350.00 for any subsequent offense. In addition to any fine imposed, the Court may suspend or postpone for six months the driving privilege of the Defendant in accordance with the procedures set forth in NJSA 40:48-1 as amended.

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

Mayor

Susan S. Nelson
Deputy Borough Clerk

Introduced: May 17, 2004

Passed: