

BOROUGH OF BEACH HAVEN  
COUNTY OF OCEAN

ORDINANCE #2024-13C

AN ORDINANCE AMENDING the Code of the Borough of Beach Haven, County of Ocean, State of New Jersey amending Chapter 45, "Alcoholic Beverages," Section 10, prohibiting "Teen Nights" within the Borough

WHEREAS, the Borough of Beach Haven previously established Chapter 45 of the Borough of Beach Haven code governing, among other things, the sale and consumption of alcoholic beverages within the Borough; and,

WHEREAS, the Borough desires to amend Chapter 45, Article II, Purchases by Minors, to codify regulations meant to combat underage drinking and otherwise prohibit "Teen Nights" as to be further defined herein; and,

WHEREAS, all additions are shown in ***bold italics with underlines***. The deletions are shown as ~~***strikeovers in bold italics***~~. Sections of Chapter 45, Article II, "Purchases by Minors", that will remain unchanged are shown in normal type.

NOW, THEREFORE, BE IT ORDAINED by Mayor and the Council of the Borough of Beach Haven, in the County of Monmouth, in the State of New Jersey, as follows:

**SECTION ONE.**

**CHAPTER 45 – Alcoholic Beverages, Article II, "Purchases by Minors"**

**§ 45-10 Entering licensed premises for purpose of purchasing alcoholic beverages prohibited.**

**A.** It shall be unlawful for a minor to enter any premises licensed for the sale of alcoholic beverages for the purpose of purchasing or having served or delivered to him or her any alcoholic beverages.

**B. Teen Night.**

**a. Definitions. As used in this subsection, the following terms shall have the meanings indicated:**

**i. TEEN NIGHT. A scheduled dance or event held on the premises of a licensed plenary retail alcoholic beverage establishment and restricted to those patrons under the legal drinking age established by the laws of the State of New Jersey.**

**ii. TEEN NIGHT PARTICIPANTS. Those individuals who are under the legal drinking age as established in the State of New Jersey who attend teen night as defined above. This shall not apply, however, to individuals employed by the licensed plenary retail alcoholic beverage establishment.**

**b. Prohibited. Teen nights, as defined above, are hereby prohibited within the Borough, and that teen night participants who would attend are hereby prohibited from participating in teen night events at licensed plenary retail alcoholic beverage establishments.**

**C. Exceptions. Minors legally employed by a licensed plenary retail alcoholic beverage establishment may enter that licensed premise, but may not purchase, consume or have any alcoholic beverages served and/or delivered to him or her.**

**§ 45-11 Purchasing or consuming alcoholic beverages on licensed premises prohibited.**  
It shall be unlawful for a minor to purchase, consume or attempt to purchase or have another purchase for him or her any alcoholic beverages on any premises licensed for the sale of alcoholic beverages.

**§ 45-12 Misrepresentation or misstatement of age.**  
It shall be unlawful for any minor to misrepresent or misstate his or her age for the purpose of inducing any retail licensee or any employee of any retail licensee to serve, sell or deliver any alcoholic beverage to him or her.

## **SECTION II**

All Ordinances or parts of Ordinances inconsistent herewith are repealed to the extent of such inconsistency. The Borough Clerk is authorized to renumber and/or re-codify any sections affected by such repeal to the extent consistent with this Ordinance.

## **SECTION III**

If any word, phrase, clause, section or provision of this Ordinance shall be found by any Court of competent jurisdiction to be unenforceable, illegal or unconstitutional such word, phrase, clause, section or provision shall be severable from the balance of the Ordinance and the remainder of the Ordinance shall remain in full force and effect.

## **SECTION IV**

This Ordinance shall take effect upon publication thereof after final passage according to law.

**NOTICE**

Public Notice is hereby given that the foregoing Ordinance was introduced and passed on the first reading at a public meeting of the Borough Council of the Borough of Beach Haven, County of Ocean, State of New Jersey, held on May 13, 2024 at 6:00 p.m. A copy of the ordinance can be obtained, without cost, by any member of the general public, at the Office of the Municipal Clerk, 300 Engleside Avenue, Beach Haven, New Jersey 08008 Monday through Friday, 9:00 a.m. to 4:00 p.m.

Further public notice is hereby given that said ordinance shall be considered for final passage and adoption at a public meeting of the Borough Council to be held on May 30, 2024 at 4:00 p.m. at the Beach Haven Municipal Building, 300 Engleside Avenue, Beach Haven, New Jersey 08008.

**CERTIFICATION**

I, Sherry Mason, RMC, Municipal Clerk of the Borough of Beach Haven, do hereby certify that the foregoing Ordinance was duly adopted by the Borough Council of the Borough of Beach Haven at a public meeting held on the 30<sup>th</sup> day of May, 2024, a quorum being present and voting in the majority.

IN WITNESS WHEREOF, I have hereunto set my hand an official seal this 30<sup>th</sup> day of May, 2024.

  
Sherry Mason, RMC, Borough Clerk

<i>Introduction:</i>	<i>May 13, 2024</i>
<i>First Publication:</i>	<i>May 23, 2024</i>
<b><i>Adoption:</i></b>	<b><i>May 30, 2024</i></b>
<i>Second Publication:</i>	<i>June 6, 2024</i>
<i>Effective Date:</i>	<i>June 19, 2024</i>