

**TOWNSHIP OF MILLBURN**  
**ORDINANCE NO. 2676-24**  
**ORDINANCE CREATING A TEMPORARY OPEN CONTAINER AREA**

**WHEREAS**, effective January 18, 2022, N.J.S.A. 40:48-1, et seq. was amended to delegate municipalities the specific authority to designate an open container area upon which people are permitted to carry and consume open containers of alcoholic beverages outdoors pursuant to N.J.S.A. 40:48-1(36) and N.J.S.A. 33:1-24.4; and

**WHEREAS**, it is now legal for municipalities to designate an “Open Container Area” upon which people are permitted to carry and consume open containers of alcoholic beverages outdoors; and

**WHEREAS**, the Township Committee approved a full closure of Town Hall Plaza between Essex Street and Millburn Avenue for a period between July 2, 2024 and September 2, 2024 for the purpose of outdoor recreation and live entertainment; and

**WHEREAS**, allowing for the consumption of alcoholic beverages will increase the potential use of the space and will support local businesses including beer and wine retailers and restaurants; and

**WHEREAS**, the Township Committee has the authority to create an “Open Container Area” and wishes to do so on Town Hall Plaza between Essex Street and Millburn Avenue for a period between July 2, 2024 and September 2, 2024 with restrictions to days and times of allowance which shall be Wednesday, Thursday, Friday, Saturday and Sunday from 4:00PM to 11:30PM with the exception of Tuesday, July 2<sup>nd</sup>; and

**WHEREAS**, any individual consuming alcohol must be at least 21 years old and must present identification if requested by a police officer; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Millburn Township Committee in the County of Essex and State of New Jersey, hereby creates a Temporary “Open Container Area” on Town Hall Plaza between Essex Street and Millburn Avenue for a period between July 2, 2024 and September 2, 2024 with restrictions to days and times of allowance which shall be Wednesday, Thursday, Friday, Saturday and Sunday from 4:00PM to 11:30PM, with the exception of Tuesday, July 2<sup>nd</sup>, and any violation of the location, times or days stipulated herein will be subject to penalty as prescribed by existing law;

**BE IT FURTHER RESOLVED** that this Ordinance shall take effect upon passage and publication in accordance with applicable law.

Ordinance 2676-24

Introduced: 5/21/2024

Published: 5/30/2024

Public Hearing/Adopted: 6/18/2024

Published: 6/27/2024

ATTEST:

MILLBURN TOWNSHIP

\_\_\_\_\_  
Christine A. Gatti, Municipal Clerk

By: \_\_\_\_\_  
Annette Romano, Mayor

CERTIFICATION

I, Christine A. Gatti, Clerk of the Township of Millburn, in the County of Essex, State of New Jersey, do hereby certify that the foregoing is a true and correct copy of an Ordinance duly adopted by the Township Committee at a regular meeting held on the 18<sup>th</sup> day of June, 2024.

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Christine A. Gatti, RMC  
Municipal Clerk