

**AN ORDINANCE
2111-2023**

AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "ALCOHOLIC BEVERAGES" (ORDINANCE NO. 8-72 AS AMENDED)" ADOPTED NOVEMBER 8, 1972, ALSO KNOWN AS CHAPTER 137 ET SEQ OF THE CODE OF THE CITY OF PERTH AMBOY

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PERTH AMBOY:

SECTION 1. That **Chapter 137 Alcoholic Beverages, Section 9, Hours of Sale** is amended as follows:

§ 137-9 Hours of sale.

A. No licensee shall sell, serve, deliver or allow, permit or suffer the sale, service or delivery of any alcoholic beverages, or permit consumption of alcoholic beverages on the licensed premises, on New Year's Day, when it is a weekday, between the hours of 4:00 a.m. and 7:00 a.m.; on New Year's Day, when it is a Sunday, between the hours of 3:00 a.m. and 12:00 noon; on other Mondays through Saturdays, between the hours of 2:00 a.m. and 7:00 a.m.; and other Sundays, between the hours of 2:00 a.m. and 12:00 noon, except that the holder of a plenary retail distribution license may sell packaged goods for off-premises consumption commencing at 9:00 a.m. on Sundays. During the hours that sales are hereinabove prohibited, the entire licensed premises shall also be closed, but this closing of premises requirement shall not apply to clubs, to hotels or to restaurants, as defined in N.J.S.A. 33:1-1t. With respect to each hour above mentioned as the time when sale, service, delivery and consumption shall cease, there shall be an additional 15 minutes in which patrons shall depart the premises. Thereafter, the licensee and/or his employees shall have a right to remain on the licensed premises for purposes connected with the business. This right to remain on the premises shall not have any time limitations. [Amended 11-8-1972 by Ord. No. 8-72; 1-20-1976 by Ord. No. 88-76; 8-4-1987 by Ord. No. 437-87; 6-10-2009 by Ord. No. 1470-2009; 7-10-13 by Ord. No. 1688-2013]

B. No licensee shall sell or deliver, or allow, permit or suffer the sale or delivery of, any alcoholic beverage in original containers for consumption off the licensed premises on Friday, Saturday and holidays ~~Sunday~~ ~~or before~~ between the hours of 12:00 a.m. and 9:00 a.m. or between the hours of 11:00 p.m. and 9:00 a.m. after 10:00 p.m. on a weekday Sunday through Thursday. Licensee must continue to comply with all State of New Jersey statutes and regulations regarding the restrictions on the hours for the sale or delivery of distilled spirits.

SECTION 2. All ordinances or part of ordinances inconsistent with or in conflict with this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 3. The provisions of this Ordinance are declared to be severable, and if any section, subsection, sentence, clause or phrase hereof shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses or phrases of this Ordinance, but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 4. This Ordinance shall take effect immediately upon passage, publication and approval according to law.

MILADY TEJEDA
Council President

ATTEST:
VICTORIA ANN KUPSCH
City Clerk

APPROVED AS TO FORM:
WILLIAM P. OPEL
Director of Law

Adopted on Second and Final Reading: September 13, 2023