

**TOWNSHIP OF ROCKAWAY
COUNTY OF MORRIS, STATE OF NEW JERSEY**

ORDINANCE NO. O-21-28

**AN ORDINANCE AMENDING CHAPTER 6 “ALCOHOLIC BEVERAGE CONTROL”,
SPECIFICALLY SECTION 3.4 “LICENSE FEES, MAXIMUM NUMBER” OF THE
REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF ROCKAWAY**

WHEREAS, pursuant to N.J.S.A. 40:48-2, the governing body of a municipality may make, amend, repeal, and enforce such other ordinances, regulations, rules and by-laws not contrary to the laws of this state or of the United States, as it may deem necessary and proper for the good government, order and protection of person and property, and for the preservation of the public health, safety and welfare of the municipality and its inhabitants, and as may be necessary to carry into effect the powers and duties conferred and imposed by this subtitle, or by any law; and

WHEREAS, the Township of Rockaway desires to amend Chapter 6 “Alcoholic Beverage Control”, specifically Section 3.4 “License Fees; maximum number” of the Revised General Ordinances of the Township of Rockaway; and

WHEREAS, N.J.S.A. 33:1-12 provides that the fee for Plenary Retail Consumption licenses shall be fixed by the governing board or body of the municipality in which the licensed premises are situated, by ordinance, at not less than two-hundred and fifty dollars (\$250) and not more than two-thousand five-hundred dollars (\$2,500) and that no ordinance shall be enacted which shall raise or lower the fee to be charged for said license by more than twenty percent (20%) from that charged in the preceding license year or five-hundred dollars (\$500.00), whichever is the lesser; and

WHEREAS, N.J.S.A. 33:1-12 provides that the fee for Hotel Exception licenses shall be fixed by the governing board or body of the municipality in which the licensed premises are situated, by ordinance, at not less than two-hundred and fifty dollars (\$250) and not more than two-thousand five-hundred dollars (\$2,500) and that no ordinance shall be enacted which shall raise or lower the fee to be charged for said license by more than twenty percent (20%) from that charged in the preceding license year or five-hundred dollars (\$500.00), whichever is the lesser; and

WHEREAS, N.J.S.A. 33:1-12 provides that the fee for Seasonal Retail Consumption licenses shall be fixed by the governing board or body of the municipality in which the licensed premises are situated, by ordinance, at seventy-five percent (75%) of the fee fixed by said body for plenary retail consumption licenses; and

WHEREAS, N.J.S.A. 33:1-12 provides that the fee for Plenary Retail Distribution licenses shall be fixed by the governing board or body of the municipality in which the licensed premises are situated, by ordinance, at not less than two-hundred and fifty dollars (\$250) and not more than two-thousand five-hundred dollars (\$2,500) and that no ordinance shall be enacted which shall

raise or lower the fee to be charged for said license by more than twenty percent (20%) from that charged in the preceding license year or five-hundred dollars (\$500.00), whichever is the lesser; and

WHEREAS, N.J.S.A. 33:1-12 provides that the fee for Club licenses shall be fixed by the governing board or body of the municipality in which the licensed premises are situated, by ordinance, at not less than sixty-three dollars (\$63) and not more than one-hundred and eighty-eight dollars (\$188); and

WHEREAS, the Township of Rockaway desires to increase the annual fees for liquor licenses in compliance with N.J.S.A. 33:1-12;

NOW, THEREFORE, BE IT ORDAINED, by the Township Council of the Township of Rockaway, County of Morris and State of New Jersey as follows:

SECTION 1. The fees set forth in Chapter 6, Section 3.4 entitled "License Fees; maximum number" shall be amended to read as follows:

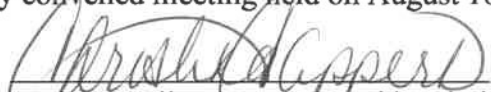
<u>Class of License</u>	<u>Annual Fees</u>
Plenary Retail Consumption	\$1,287.00
Hotel Exception	\$1,287.00
Seasonal Retail Consumption	\$ 965.00
Plenary Retail Distribution	\$ 859.00
Club	\$ 148.00

SECTION 2. All ordinances, resolutions and regulations, or parts of ordinances, resolutions and regulations inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION 3. This Ordinance shall take effect upon final passage and approval in accordance with law.

CERTIFICATION

I, Christina Clipperton, Township Clerk of the Township of Rockaway, County of Morris, State of New Jersey, do hereby certify that the foregoing is a true and accurate copy of an Ordinance introduced by the Township Council of the Township of Rockaway at a duly convened meeting held on July 13, 2021, and adopted at a duly convened meeting held on August 10, 2021.


Christina Clipperton, Township Clerk


Michael Puzio, Mayor


Joe Jackson, Council President

PURPOSE

The Governing Body has deemed it appropriate to raise the annual fees for licenses it issues for the sale of alcoholic beverages within the Township in the amount that is allowable by applicable law.

Introduction:

	Motion	Second	Yes	No	Abstain	Absent
Kelley				X		
Quinn	X		X			
Friedlander			X			
Kritz						X
Salberg			X			
Brookes						X
Noon		X	X			
V.P. Sackett			X			
C.P. Jackson			X			

Adoption:

	Motion	Second	Yes	No	Abstain	Absent
Kelley	X		X			
Quinn		X	X			
Friedlander			X			
Kritz			X			
Salberg			X			
Brookes			X			
Noon			X			
V.P. Sackett			X			
C.P. Jackson			X			