

**ORDINANCE #2711-23-0619**

**ELIMINATING CHAPTER 45, ALCOHOLIC BEVERAGES, ARTICLE II-  
CONSUMPTION IN PUBLIC, SECTION 24 (B)**

**BE IT ORDAINED** by the Mayor and Council of the Borough of Somerville,  
County of Somerset, as follows:

1. Section 45-24 **Non applicability of Provisions.** is amended in its entirety  
as follows:

None of the foregoing provisions shall apply to the following:

- A. Any public park or picnic area where the consumption of alcoholic  
beverages at occasions or events held by bona fide non-profit  
organizations or other groups which is specifically permitted by  
resolution of the Mayor and Council.
- B. Restaurants with valid liquor licenses that are operating an  
approved "sidewalk café" where alcoholic beverages are to be  
served in connection with food service and have complied with all  
of the requirements of the Somerville Community Development  
Department, and is specifically permitted by resolution of the Mayor  
and Council.
  - (i) Permit. Restaurants approved for alcoholic beverage service at  
a sidewalk café will be issued a permit which shall be posted. The  
permit is valid only for a period of one year.
  - (ii) Permit Fee. The permit fee shall be one hundred dollars (\$100).

C. These provisions shall not interfere with the authority of the New Jersey Division of Alcoholic Beverage Control and/or the Borough Council to issue temporary licenses for the consumption of alcoholic beverages pursuant to law.

2. Section 45-25 **Violations and Penalties** is hereby amended in part as follows:

Any person found guilty of a violation of any section of the Article shall be punished by a fine of not more than one thousand two hundred fifty dollars (\$1,250.00) or by imprisonment of not more than ninety (90) days or both.

3. Section 102.6.2 **Waiver of Site Plan Requirements** is amended in part as follows:

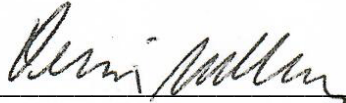
B.5 (i) is repealed and replaced with the following:

(i) a statement that if alcohol is to be served it will be served only with food service on the outdoor portion of the premises; (This provision to apply only to those restaurants with valid liquor licenses).

4. All ordinances or parts of ordinances inconsistent with or in conflict with this ordinance are hereby repealed to the extent of such conflict or inconsistency.

5. This ordinance shall take effect immediately upon publication and final passage, as provided by law.

Introduction: June 19, 2023  
First Publication: June 23, 2023  
Adoption: July 5, 2023  
Final Publication: July 11, 2023



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Dennis Sullivan, Mayor



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Kevin Sluka, Clerk/Administrator