

**BOROUGH OF WRIGHTSTOWN
COUNTY OF BURLINGTON
STATE OF NEW JERSEY**

ORDINANCE NO. 2014-01

**ORDINANCE AMENDING SECTION 29-4.A AND CREATING SECTION 29-4.E OF
THE CODE OF THE BOROUGH OF WRIGHTSTOWN LIMITING AND
REGULATING THE HOURS OF SALE, DELIVERY, SERVICE, OR
CONSUMPTION OF ALCOHOLIC BEVERAGES AT LICENSED PREMISES
WITHIN THE BOROUGH OF WRIGHTSTOWN**

WHEREAS, Article 29 entitled “Alcoholic Beverages” of the Borough of Wrightstown (“Borough”) Code governs the regulation of alcoholic beverages throughout the Borough; and

WHEREAS, pursuant to N.J.S.A. 33:1-1 et seq., the Borough is authorized to issue licenses and regulate the sale, delivery, service and consumption of alcoholic beverages within the Borough; and

WHEREAS, Section 29-4.A of the Borough Code currently prohibits the sale, delivery, service or consumption of alcoholic beverages at any licensed premises on any day between the hours of 4:00 a.m. and 7:00 a.m., except New Year’s Day; and

WHEREAS, the Borough has experienced a pattern wherein patrons from other bars in the surrounding area relocate from bars that close at 2:00 a.m. and drive to the Borough where certain bars remain open until 4:00 a.m.; and

WHEREAS, this relocation of potentially intoxicated patrons to bars in the Borough from 2:00 a.m. until 4:00 a.m. causes a variety of serious problems within the Borough including disorderly conduct and criminal activities, loitering, littering, public drinking, public urination, fighting, drug dealing, noise, disturbance, nuisance and other unlawful acts during the late night/early morning hours; and

WHEREAS, in recent years there has been a large number of calls for EMS services to local bars, most of which were calls for medical assistance; and

WHEREAS, the Borough has also received complaints from residents and business owners related to noise, fights and broken bottles left on the sidewalks, streets and parking lots in the vicinity of establishments which are open until 4:00 a.m.; and

WHEREAS, in recent years residents have attended Borough Council meetings and complained of bar patrons yelling and fighting in the street, publicly urinating on buildings, panhandling from passing vehicles, and causing a general public nuisance between the hours of 2:00 a.m. and 5:00 a.m. in the vicinity of bars that were open until 4:00 a.m.; and

WHEREAS, based upon the above and in consideration of input provided by the residents of the Borough, Borough officials, and by the State Police, the Borough believes that an earlier closing time for licensed premises where alcoholic beverages are sold, delivered, served or consumed may significantly reduce the incidence of disorderly conduct and criminal activities, including loitering, littering, public drinking, public urination, fighting, drug dealing, noise, disturbance, nuisance and other unlawful acts during the late night/early morning hours, which would lead to a commensurate reduction in the need for EMS services, police presence and calls for police and other services in the Borough; and

WHEREAS, the Mayor and Borough Council of the Borough of Wrightstown, County of Burlington, State of New Jersey, have, therefore, deemed it in the best interest of the public health, safety and welfare of the Borough and its residents to amend Section 29-4.A of the Borough Code to prohibit the sale, delivery, service or consumption of alcoholic beverages at any licensed premises on any day between the hours of 2:00 a.m. and 7:00 a.m., except New Year's Day and to create Section 29.4.E of the Borough Code to allow for issuance of an unlimited number of special event permits during the hours of 2:00 a.m. and 4:00 a.m. at licensed premises within the Borough.

NOW, THEREFORE, be it ordained by the Borough Council of the Borough of Wrightstown, County of Burlington, State of New Jersey as follows:

SECTION 1: SECTION 29-4.A. of the Borough Code shall be hereby amended as

follows:

- A. Hours of sale. No alcoholic beverages shall be sold, delivered, or served to or consumed in any licensed premises on any day between the hours of 2:00 a.m. and 7:00 a.m. except New Year's Day, each as hereinafter provided.

SECTION 2: SECTION 29-4.E. of the Borough Code shall be hereby created as follows:

- E. Special Event Permits. The sale, delivery, service or consumption of alcoholic beverages may be permitted at a licensed premises between the hours of 2:00 a.m. and 4:00 a.m. upon the issuance of a special permit by the Borough.

- 1. Each licensed premises within the Borough may obtain unlimited special event permits per calendar year upon application to the Borough Clerk.

- 2. The licensee shall provide the date of the event for which each special event permit is requested as well as the name, address and phone number of the customer requesting such event.

- 3. The licensed premises shall remain open only for the customer requesting the special event and his/her identified guests, and shall not be open to the general public between the hours of 2:00 a.m. and 4:00 a.m.

- 4. All special events shall conclude and the licensee shall close the licensed premises to all customers, including the customer who requested the special event and his/her identified guests by 4:00 a.m.

- 5. The licensee shall operate the licensed premises consistent with all laws related to the sale, delivery, service and consumption of alcoholic beverages during any special event.

SECTION 3: All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 4: If the provisions of any section, subsection, paragraph, subdivision, or

clause of this Ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this Ordinance.

SECTION 5: This Ordinance shall take effect immediately upon final passage and publication in accordance with law.

NOTICE

The ordinance published herewith was introduced and passed upon first reading at a regular meeting of the Borough Council of the Borough of Wrightstown, held on April 9, 2014. It will be further considered for final passage after a Public Hearing at the regular meeting to be held on May 14, 2014, at the Borough Hall, 21 Saylor's Pond Road, Wrightstown, New Jersey at 6:30 P.M. at which time and place any persons desiring to be heard upon the same will be given an opportunity to be so heard.

Freda H. Gorman, RMC
Municipal Clerk

Introduction/First Reading April 9, 2014

Motion: Mr. Grove

Second: Mrs. Knapp

Roll Call Vote:

Ayes: Mr. Grove, Mr. Lownds, Mrs. Knapp, Mr. Borsavage

Nays: None

Absent: Mr. Bird

Abstain: Mr. Timberman

Second Reading/Public Hearing May 14, 2014

Motion: Mr. Borsavage

Second: Mr. Grove

Roll Call Vote:

Ayes: Mr. Grove, Mr. Lownds, Mr. Borsavage

Nays: None

Absent: Mr. Bird, Mrs. Knapp
Abstain: Mr. Timberman

Thomas E. Harper, Mayor

CERTIFICATION

I HEREBY CERTIFY that the foregoing is a true copy of the ordinance that was introduced after first reading at a meeting of the Borough Council of the Borough of Wrightstown held on April 9, 2014 and adopted after a public hearing at a meeting of the Borough Council of the Borough of Wrightstown held on May 14, 2014.

Freda H. Gorman, RMC
Municipal Clerk

Dated: May 14, 2014

Ord2014-01 Limiting Hours of ABC Licensed Premises