

**THE TOWNSHIP OF EWING
COUNTY OF MERCER, NEW JERSEY**

ORDINANCE NO. 18-02

1st Reading 1-9-18

Date to Mayor 1-24-18

2nd Reading &
Public Hearing 1-23-18

Date Returned 1-24-18

Date Adopted:
1-23-18

Date Resubmitted to Council _____

Approved as to Form of Legality

Effective Date:
2-12-18

Township Attorney

AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF EWING IN THE COUNTY OF MERCER, CHAPTER 91 ALCOHOLIC BEVERAGES TO AMEND THE HOURS FOR THE SALE OF ALCOHOLIC BEVERAGES ON SUNDAY

First Reading

MEMBER	AYE	NAY	ABS	NV	RES	SEC
Baxter	X				X	
Keyes-Maloney			X			
Schroth	X					
Steward	X					X
Wollert	X					

Second Reading

MEMBER	AYE	NAY	ABS	NV	RES	SEC
Baxter	X					
Keyes-Maloney	X				X	
Schroth	X					X
Steward	X					
Wollert	X					

By _____ Date _____ Accepted _____ Rejected _____
Mayor

Reconsidered
By Council _____ Override Vote YEA _____ NAY _____

President of the Council

Municipal Clerk

TOWNSHIP OF EWING
Ordinance No. 18-02

AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF EWING IN THE COUNTY OF MERCER, CHAPTER 91 ALCOHOLIC BEVERAGES TO AMEND THE HOURS FOR THE SALE OF ALCOHOLIC BEVERAGES ON SUNDAY

WHEREAS, pursuant to N.J.S.A. 33:1-1 et seq., the Township is authorized to regulate the hours and days of sale of alcoholic beverages; and

WHEREAS, the Township is desirous of amending § 91-4 of the General Ordinances of the Township of Ewing to clarify that the sale of spirituous liquors in original containers (package goods) for consumption off premises is prohibited before 9:00 a.m. or after 10:00 p.m. on any day of the week and to make the sale and consumption of alcoholic beverages on Sunday consistent with the other days of the week.

THEREFORE, BE IT ORDAINED by the Council of the Township of Ewing, County of Mercer that the Code of the Township of Ewing be amended as follows:

Section 1 Chapter 91, ALCOHOLIC BEVERAGES, Section 9, REGULATION OF LICENSES, is hereby amended to read as follows:

§ 91-4 Regulation of Licenses.

- A. Hours of sale; persons on premises prohibited after closing. No alcoholic beverages shall be sold, consumed in or delivered to a licensed premises on any day between the hours of 2:00 a.m. and 7:00 a.m. ~~excepting Sundays and New Year's Day each year, as hereinafter provided.~~ No licensee shall suffer, permit or allow any person on the premises during such hours, except those whose presence is required for a bona fide commercial, business or official reason other than the sale, purchase, consumption or delivery of alcoholic beverages. Additionally, no licensee shall sell spirituous liquors in original containers for consumption off the licensed premises (package goods) before 9:00 a.m. or after 10:00 p.m. on any day of the week.
- ~~B. Sundays. The provisions of Subsection A shall not apply on Sunday. On that day no alcoholic beverages may be sold, served, consumed in or delivered to a licensed premises between the hours of 2:00 a.m. and 12:00 noon., except licensed premises qualifying as restaurants, who may sell alcoholic beverages beginning at 10:00 a.m. on Sundays. "Restaurant" for purposes of this section shall mean an establishment regularly and principally used for providing meals to the public, having an adequate kitchen and dining room equipped for the preparing, cooking and serving of food for its customers.~~
- ~~C. New Year's Day. The provisions of Subsection A shall not apply to January 1 when that day falls on a weekday. On that day a licensed premises may remain open between the hours of 2:00 a.m. and 7:00 a.m. When New Year's Day falls on a Sunday, no alcoholic beverages shall be served between 5:00 a.m. and 12:00 noon.~~
- B. Display of Fetal Alcohol Syndrome (FAS) warning signs. All licensees who sell alcoholic beverages pursuant to this article shall prominently post on their premises a warning sign describing the dangers to the unborn children of women who consume alcoholic beverages while pregnant. The nature and type of warning sign shall be determined by the Board of Health, which shall prepare and distribute the warning signs. Any licensee violating the provisions of this subsection shall be subject to a penalty as provided for in Chapter 1, General Provisions, Article III, General Penalty.

Section 2 Severability. Should any section, clause, sentence, phrase or provision of this article be declared unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the remaining portions of this article.

Section 3 Repealer. All prior ordinances or parts of same inconsistent with any provisions of this article are hereby repealed to the extent of such inconsistency.

Section 4 Effective Date. This ordinance shall take effect upon final adoption and publication in accordance with law.