

TOWNSHIP OF UPPER DEERFIELD

ORDINANCE 827

AMENDING CHAPTER 114 OF THE UPPER DEERFIELD TOWNSHIP CODE ENTITLED – “ALCOHOLIC BEVERAGES”

WHEREAS, the Township Committee of the Township of Upper Deerfield is desirous of making an amendment and changes to Chapter 114 of the Code of the Township of Upper Deerfield entitled: "Alcoholic Beverages".

NOW THEREFORE BE IT ORDAINED by the Township Committee of the Township of Upper Deerfield that Chapter 114-9A of the Code of the Township of Upper Deerfield is hereby amended and shall hereafter read as follows:

§ 114-9A License restrictions.

A. The holder of a plenary retail consumption license shall be entitled, subject to rules and regulations of the Township and of the State of New Jersey and the limitations set forth in this Article to sell alcoholic beverages for consumption on the licensed premises. The sale of alcoholic beverages shall be limited to facilities that provide Bona Fide Food Services as defined herein. The term “Bona Fide Food Services” as used in this Article shall mean an establishment regularly and substantially used for the purpose of providing on site prepared meals to the public, having an adequate kitchen equipped for the preparing, cooking and serving of food for its customers and in which no other business, except such as is incidental to such establishment, is conducted. The establishment shall provide indoor table service for not less than 75% of available seating and bar service shall not exceed 25% of available seating. Not more than 25% of available indoor seating shall be permitted out of doors and shall be restricted to table service. Food Service shall be available to the public during all hours of operation. Nightclubs, Discotheques, Dance Halls and Concert Venues, and similar operations are specifically prohibited. Permissible establishments include Restaurants (as defined in N.J.S.A. 33:-1.1), Sports Bars and similar operations provided that the Food Service and seating restrictions are met. Catering Facilities that operate as a Restaurant as defined in N.J.S.A. 33:-1.1 and/or engage in providing Food Service to private gatherings, such as weddings and other private parties are permitted.

BE IT FURTHER ORDAINED by the Township Committee of the Township of Upper Deerfield that Chapter 114-11 of the Code of the Township of Upper Deerfield is hereby amended and shall hereafter read as follows:

§ 114-11 Suspension or Revocation of License.

In addition to penalties provided herein, any license issued pursuant to this article may be suspended or revoked for violation of any provision of this Article or for violation of any provision of the Revised Statutes (N.J.S.A. 33:1-1 et seq., as amended) or any of the rules and regulations issued by the Commissioner of Alcoholic Beverage Control (N.J.A.C. 13:2-1 et seq., as amended), or breach of any condition imposed on the issuance of any license.

BE IT FURTHER ORDAINED by the Township Committee of the Township of Upper Deerfield that the remaining provisions of Chapter 114 of the Code of the Township of Upper Deerfield shall remain as heretofore and unaltered by the provisions hereof.

BE IT FURTHER ORDAINED by the Township Committee of the Township of Upper Deerfield that all ordinances or portions thereof inconsistent with this Ordinance are repealed to the extent of such inconsistency.

If any portion of this Ordinance is declared to be invalid by a Court of competent jurisdiction, it shall not affect the remaining portions of this Ordinance which shall remain in full force and effect.

This Ordinance shall take effect in the time and manner prescribed by law.

James Crilley, Chairman

Adopted: June 17, 2021

Attested:

Roy J. Spoltore, Township Clerk

First Reading: June 3, 2021

Publication: June 8, 2021

Publication of Final Adoption: June 23, 2021