

TOWNSHIP OF FRANKLIN
O-3-19

**ORDINANCE AMENDING CHAPTER 143-6, ALCOHOLIC BEVERAGES, OF
THE FRANKLIN TOWNSHIP CODE**

WHEREAS, the Township of Franklin, County of Gloucester, State of New Jersey has within its code §143-6 which was amended in 1970 by Ordinance O-3-70, again in 1975 by Ordinance O-15-75, in 2009 by Ordinance O-3-09, in 2010 by Ordinance O-11-10 in 2011 by Ordinance O-5-11; in 2012 by Ordinance O-1-12; in 2013 by Ordinance O-2-13; in 2014 by Ordinance O-4-14, in 2015 by Ordinance O-4-15, in 2016 by Ordinance O-4-16, in 2017 by O-7-17, and in 2018 by O-1-18 ; and

WHEREAS, The Township Committee of the Township of Franklin believes that it is appropriate to amend §143-6 to reestablish the fees associated with yearly renewals of liquor licenses.

NOW THEREFORE, BE IT ORDAINED, by the Township of Franklin, Committee of the Township of Franklin, County of Gloucester, State of New Jersey that §143-6 be and is hereby rescinded and replaced with the following:

A.

Plenary retail consumption license. The holder of this license shall be entitled, subject to rules and regulations, to sell any alcoholic beverages for the consumption on the licensed premises by the glass or other open receptacle, and also to sell any alcoholic beverages in the original containers for consumption off the licensed premises; but the license shall not be issued to permit the sale of alcoholic beverages in or upon any premises in which a grocery, delicatessen, drugstore or other mercantile business (except the keeping of a hotel or restaurant, or the sale of cigars and cigarettes at retail as an accommodation to patrons, or the retail sales of nonalcoholic beverages as accessory beverages to alcoholic beverages) is carried on. The annual fee for this license shall be \$2500.00. The maximum number of plenary retail consumption licenses the Township Committee shall be authorized to issue shall be the maximum number allowed by population pursuant to N.J.S.A. 33:1-12.14, provided that the Township Committee shall not be precluded from issuing one more licenses to any person, firm or corporation owning and operating a bona fide hotel in accordance with NJSA 33:1-12.20.

B.

Plenary retail distribution license. The holder of this license shall be entitled, subject to rules and regulations, to sell any alcoholic beverages for consumption off the licensed premises, but only in original containers. Such license shall not be issued to permit the sale of alcoholic beverages in or upon any premises in which any other mercantile business is carried on. The fee for this license shall be \$2136.16. Licenses of this class shall be the maximum number allowed by population pursuant to N.J.S.A. 33:1-12.14.

BE IT FURTHER ORDAINED, that if any section, sentence, clause, provision or portion of this Ordinance shall be held to be invalid or unconstitutional by any Court of competent jurisdiction, such holdings shall not effect or impair any other section, sentence, clause, provision or portion of this Ordinance.

BE IT FURTHER ORDAINED, that this ordinance shall take effect immediately upon its final passage, adoption and publication as provided by law.

ATTEST:

TOWNSHIP OF FRANKLIN

Barbara Freijomil, Clerk

David Deegan, Mayor

CERTIFICATION

I, Barbara Freijomil, Clerk of the Township of Franklin, County of Gloucester, do here certify that the foregoing Ordinance was introduced at the Regular Meeting of the Township of Franklin held on February 12, 2019 and thereafter duly advertised in the legal newspaper of the Township at least seven (7) days prior to it being considered for final passage and adoption at a subsequent meeting to be held on March 12, 2019 at which time any person interested therein will be given an opportunity to be heard.

Barbara Freijomil, Municipal Clerk

Introduced February 12, 2019

Name	Yes	No	Abstain	Absent
Vassallo				
Flaim				
Bruno				
Petsch-Wilson				
Deegan				

Adopted March 12, 2019

Name	Yes	No	Abstain	Absent
Vassallo				
Flaim				
Bruno				
Petsch-Wilson				
Deegan				