

**TOWNSHIP OF CHESTERFIELD**

**ORDINANCE NO. 2022-2**

**AN ORDINANCE TO AMEND CHAPTER 66 OF THE CODE OF THE TOWN OF CHESTERFIELD RELATING TO ALCOHOLIC BEVERAGES**

**WHEREAS**, the Township of Chesterfield has previously issued two (2) Plenary Retail Consumption Licenses as authorized by N.J.S.A. 33:1-12(1); and

**WHEREAS**, the governing body has determined, based upon the most recent U. S. Bureau of the Census estimates of municipal population, that it is eligible, under N.J.S.A. 33:1-12.14, to issue a third Plenary Retail Consumption License; and

**WHEREAS**, Chapter 66 of the Code of the Township of Chesterfield governing “Alcoholic Beverages” is therefore in need of amendment in order to create a third Plenary Retail Consumption License and provide for the process for the sale of same.

**NOW, THEREFORE, BE IT ORDAINED AND ENACTED** by the Township Committee of the Township of Chesterfield, County Burlington, State of New Jersey, that Chapter 66 of the Code of the Township of Chesterfield is hereby amended as follows:

- I. **AMENDED SECTION.** Section 66-4 is hereby amended to add the following language:
  - Section 66.4.2. Plenary Retail Consumption Licenses; Fees
    - A. Licenses authorized. The issuing of three (3) Plenary Retail Consumption Licenses is hereby authorized.
    - B. Annual Fee. The annual fee for a Plenary Retail Consumption License shall be \$2,500.00.
    - C. Prequalification and Sale Process.

1. Auction. When the governing body determines, in its discretion, to award an available license, it shall sell the license at auction in accordance with the provisions of Title 33 of the New Jersey Statutes, and the Regulations of the New Jersey Division of Alcoholic Beverage Control, and upon such terms and conditions as the Township Committee deems to be lawful, reasonable and in the best interests of the municipality.
2. The governing body may set a minimum bid amount and shall reserve the right to reject all bids for any reasons it determines to be in the best interests of the municipality.
3. Pre-qualification. All bidders shall pre-qualify, in the manner specified by the governing body. In addition to such requirements as the governing body shall impose, the prospective bidders, as part of the pre-qualification process, shall submit: (a) proof of financial ability to undertake the purchase of the License and the contemplated project; (b) information regarding the type, size and special features of the contemplated licensed premises; and (c) records of past alcoholic beverage control violations involving the prospective bidder or the bidder's principals, i.e., owners of more than a ten percent (10%) equity or debt interest. Furthermore, prospective bidders are required to fulfill any and all requirements of the Chesterfield Township Police Department, and shall supply any and all information requested by the Police Department as part of the Township's pre-qualification process.

Failure to do so may, at the discretion of the Township, result in a prospective bidder being found unqualified to bid.

4. Notice.

a. A Notice of Sale shall be issued which specifies the time and place at which bids shall be received and opened, and that all prospective bidders shall be notified of the required qualifications no less than twenty (20) days prior to the bid opening.

b. The Notice shall further specify that at what time, place and manner in which the pre-qualification and bid applications may be obtained, and the date on which they are to be submitted.

D. In the event that Title 33 the Revised Statutes is modified or amended in such a way as to impact these provisions, the State Statute and Administrative Regulations shall control where inconsistent with local Ordinance.

**ARTICLE II. REPEALER, SEVERABILITY AND EFFECTIVE DATE.**

A. Repealer. Any and all Ordinances inconsistent with the terms of this Ordinance are hereby repealed to the extent of any such inconsistencies.

B. Severability. In the event that any clause, section, paragraph or sentence of this Ordinance is deemed to be invalid or unenforceable for any reason, then the Township Committee hereby declares its intent that the balance of the Ordinance not affected by said invalidity shall remain in full force and effect to the extent that it allows the Township to meet the goals of the Ordinance.

C. Effective Date. This Ordinance shall take effect upon proper passage in accordance with the law.

**CHESTERFIELD TOWNSHIP COMMITTEE**

Introduced: February 24, 2022

Adopted: March 10, 2022

RECORD OF VOTE													
INTRODUCTION							ADOPTION						
TWP COMMITTEE	AYE	NAY	NV	AB	ORD	SEC	TWP COMMITTEE	AYE	NAY	NV	AB	ORD	SEC
Blazic	X						Blazic	X					
Koetas-Dale	X					X	Koetas-Dale	X					
Russo	X						Russo	X					X
Liedtka	X				X		Liedtka	X				X	
Panfili	X						Panfili	X					

X – Indicates Vote      NV – Not Voting      AB – Absent      ORD – Motion      SEC - Seconded

4869-6549-6591, v. 1