

City Clerk File No. Ord. 18-078

Agenda No. 3.1 1st Reading

Agenda No. 4.1 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 18-078

**TITLE: ORDINANCE OF THE CITY OF JERSEY CITY TO AMEND CHAPTER 84 OF THE
CITY CODE TO PERMIT HOLDER OF RETAIL CONSUMPTION LICENSES TO SELL
ALCOHOLIC BEVERAGES BEGINNING AT 10:00 A.M. ON SUNDAYS**

- I. The following amendment to Chapter 84 (Alcoholic Beverages) Article I (Plenary Retail Consumption and Distribution Licenses) are hereby adopted:

Chapter 84 Alcoholic Beverages

ARTICLE I Plenary Retail Consumption and Distribution Licenses

§84-22.- Plenary Retail Consumption Licenses; additional restrictions.

- A. The holder of a plenary retail consumption license shall be entitled, subject to rules and regulations, to:
- (1) Sell for consumption on the licensed premises any alcoholic beverage by the glass or open receptacle.
 - (2) Sell all alcoholic beverages in original containers for consumption off the premises between the hours of 9:00 a.m. and 10:00 p.m. only.
 - (3) Sell wine and malt alcoholic beverages in original containers for consumption off the premises during permitted business hours.
- B. No holder of a plenary retail consumption license shall conduct the licensed business or suffer or permit any person whatsoever, except the licensee and the licensee's actual employees and agents, in or upon the licensed premises during other than the hours indicated. Hotels, restaurants, and other operating businesses on the same licensed premises, other than for the sale of alcoholic beverages, may keep said premises open after the hours herein specified for the conduct of such other business only. There may be no glasses containing alcoholic beverages or open receptacles containing alcoholic beverages in or upon the licensed premises after the hours herein specified.
- (1) Outside the Downtown Restaurant Overlay Zone:
 - (a) Monday through Thursday, inclusive: 6:00 a.m. to 2:00 a.m. the following day; and
 - (b) Fridays and Saturdays: 6:00 a.m. to 3:00 a.m. the following day; and

- (c) Sundays ~~[12:00 noon]~~ 10:00 am to 2:00 a.m.; and
 - (d) New Year's Eve; the opening hours herein specified to 4:00 of the following day.
 - (e) As to golf facilities defined by N.J.A.C. 13:2-5.3 the hours of operation during any golf tournament or special event directly related to playing golf on Sunday shall be from 10:00 a.m. to 2:00 a.m.
- (2) As the Restaurants within the Downtown Restaurant Overlay Zone:
 - (a) As used in this section, the term Restaurant shall mean a place of business where food and drink are prepared and consumed on the premises and which contains:
 - (i) A minimum of sixty percent (60%) of the total area of the licensed premises allocated to restaurant functions (i.e. kitchen, food preparation area, storage, offices and nonbar seating); and
 - (ii) A commercial kitchen as defined in N.J.A.C. 5:70-4.7(g).
 - (b) For a Restaurant as defined above, the permitted hours of operation shall be the same as for a restaurant located outside the Downtown Restaurant Overlay Zone, provided the kitchen of such Restaurant is open until 11:59 p.m. on Sundays through Thursdays and until 1:00 a.m. of the day following Fridays and Saturdays;
 - (c) For a Restaurant as defined above, Sundays through Thursdays, no entry of new patrons to the premises or the re-entry of patrons to the premises shall be permitted after 1:00 a.m. of the following day;
 - (d) For a Restaurant as defined above, Fridays and Saturdays, no entry of new patrons to the premises or the re-entry of patrons to the premises shall be permitted after 2:00 a.m. of the following day;
 - (e) All Restaurants located within the Downtown Restaurant Overlay Zone shall post in a conspicuous location on the front of the licensed premises a sign provided by the Division of Commerce listing the hours of operation and rules regarding entry and re-entry to the premises;
- C. During hours of sales of alcoholic beverages hereinabove, all shades, screens and other obstructions whatsoever are prohibited and shall be removed so as to permit a clear view of the bar and the inside of the licensed premises.
- II. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- III. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code
- IV. This ordinance shall take effect at the time and in the manner as provided by law.
- V. The City Clerk and the Corporation Counsel may change any chapter numbers, article numbers and section numbers if codification of this ordinance reveals a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

Note: All new material is underlined; words in [brackets] are omitted. For purposes of advertising only, new matter is in **boldface** and repealed matter by *italics*.

BD/mma
06/21/18

APPROVED AS TO LEGAL FORM



Corporation Counsel

APPROVED:  _____

APPROVED:  _____
Business Administrator

Certification Required ☐
Not Required ☐

RESOLUTION FACT SHEET – NON-CONTRACTUAL

This summary sheet is to be attached to the front of any ordinance that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the resolution.

Full Title of Ordinance/Resolution

ORDINANCE OF THE CITY OF JERSEY CITY TO AMEND CHAPTER 84 OF THE CITY CODE TO PERMIT HOLDER OF RETAIL CONSUMPTION LICENSES TO SELL ALCOHOLIC BEVERAGES BEGINNING AT 10:00 A.M. ON SUNDAYS

Initiator

Department/Division	City Council	
Name/Title	Rolando Lavarro	Council President
Phone/email	(201) 547-5204	RLavarro@jcnj.org

Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

Ordinance Purpose

The purpose of this Ordinance is to amend and supplement Chapter 84 (Plenary Retail Consumption and Distribution Licenses). Many restaurants which hold consumption licenses would like to expand their business by opening for brunch and serving alcoholic beverages to their customers who request them at 10:00 a.m. rather than noon.

I certify that all the facts presented herein are accurate.

Rolando Lavarro
Council President

Date

Ordinance of the City of Jersey City, N.J.



ORDINANCE NO. Ord. 18-078
TITLE: 3.1 JUN 27 2018 4.1 JUL 18 2018

Ordinance of the City of Jersey City to amend Chapter 84 of the City Code to permit holder of retail consumption licenses to sell Alcoholic Beverages beginning at 10:00 a.m., on Sundays.

RECORD OF COUNCIL VOTE ON INTRODUCTION JUN 27 2018 7-0-1											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
RIDLEY	✓			YUN	✓			RIVERA	✓		
PRINZ-AREY	✓			SOLOMON	✓			WATTERMANN	✓		
BOGGIANO	ABSENT			ROBINSON	ABSTAIN			LAVARRO, PRES.	✓		
RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING JUL 18 2018 8-0											
Councilperson <u>RIVERA</u> moved, seconded by Councilperson <u>RIDLEY</u> to close P.H.											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
RIDLEY	✓			YUN	✓			RIVERA	✓		
PRINZ-AREY	ABSENT			SOLOMON	✓			WATTERMANN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

MIKE KULOWSKI
YVONNE BALGER
SHEILA SLAUGHTER

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY											
Councilperson moved to amend* Ordinance, seconded by Councilperson & adopted											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
RIDLEY				YUN				RIVERA			
PRINZ-AREY				SOLOMON				WATTERMANN			
BOGGIANO				ROBINSON				LAVARRO, PRES.			
RECORD OF FINAL COUNCIL VOTE JUL 18 2018 8-0-1											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
RIDLEY	✓			YUN	✓			RIVERA	✓		
PRINZ-AREY	✓			SOLOMON	✓			WATTERMANN	✓		
BOGGIANO	✓			ROBINSON	ABSTAIN			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on JUN 27 2018
Adopted on second and final reading after hearing on JUL 18 2018

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on JUL 18 2018

Robert Byrne, City Clerk

*Amendment(s):

APPROVED:

Rolando R. Lavarro, Jr., Council President

Date JUL 18 2018

APPROVED:

Steven M. Fulop, Mayor

Date JUL 23 2018

Date to Mayor JUL 19 2018