

ORDINANCE NO. 2021-7

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF ELMER,
SALEM COUNTY, STATE OF NEW JERSEY, AMENDING CHAPTER 3
ENTITLED "POLICE REGULATIONS" OF THE CODE OF THE BOROUGH OF ELMER**

WHEREAS, the Mayor and Council of the Borough of Elmer have determined that certain amendments to Chapter 3 entitled "Police Regulations" at Section 3-1.1. entitled "Sale Prohibited; Liquor Licenses Prohibited" are necessary; and

WHEREAS, in all other respects Chapter 3 entitled "Police Regulations" shall remain in full force and effect;

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Borough of Elmer, County of Salem and State of New Jersey, and it is hereby enacted and ordained by the authority of same as follows:

Section 1.

Chapter 3 entitled "Police Regulations", at §3-1.1.5 entitled "Sale Prohibited; Liquor Licenses Prohibited" shall be amended as follows:

§3-1.1. Sale Prohibited; Liquor Licenses Prohibited.

Except for a winery retail sales room/outlet as permitted by N.J.S.A. 33:1-10(2)(a) and (b) and a limited brewery license, N.J.S.A. 33:1-10(1)(b), the sale of alcoholic beverages in any form is prohibited within the Borough of Elmer. Except for a winery retail sales room/outlet as permitted by N.J.S.A. 33:1-10(2)(a) and (b) and a limited brewery license, N.J.S.A. 33:1-10(1)(b), it is prohibited that any liquor license be issued within the Borough by the Borough Council or any other duly authorized body. The purpose and intent that this subsection is to be consistent with all New Jersey Statutes and administrative regulations.

Section 2.

Repealer.

All prior Ordinances or parts of Ordinances inconsistent with this Ordinance be and the same are hereby repealed to the extent of such inconsistencies.

Section 3.

Severability.

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

Section 4.

When effective.

This Ordinance shall take effect immediately upon final passage and publication in accordance with law.

BOROUGH OF ELMER

**BY: _____
Joseph Stemberger, Mayor**

ATTEST:

**Sarah D. Walker
Registered Municipal Clerk**

ROLL CALL VOTE as follows:

	<u>MOTION</u>	<u>SECOND</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Schneider	_____	_____	_____	_____	_____	_____
Davis	_____	_____	_____	_____	_____	_____
Foster	_____	_____	_____	_____	_____	_____
Nolan	_____	_____	_____	_____	_____	_____
Schalick	_____	_____	_____	_____	_____	_____
Zee	_____	_____	_____	_____	_____	_____

The Ordinance published herein was introduced and passed upon first reading at a meeting of the Mayor and Council of the Borough of Elmer, in the County of Salem and State of New Jersey, held on May 12, 2021. It will be further considered for final passage, after public hearing hereon, at a meeting of said Mayor and Council to be held in the Borough Hall, 120 South Main Street, Elmer, New Jersey 08318, on June 9, 2021, at 7:30 P.M. During the week prior and up to and including the date of such meeting, copies of said Ordinance will be made available at the Clerk's office at Borough Hall, 120 South Main Street, in the Borough, to the members of the general public who shall request the same.

Sarah D. Walker
Registered Municipal Clerk