

**TOWNSHIP OF HAMILTON
COUNTY OF MERCER, NEW JERSEY**

ORDINANCE

No. **22-032**

1ST READING JULY 19, 2022
2ND READING & PUBLIC HEARING Aug. 16, 2022
WITHDRAWN _____ LOST _____

DATE TO MAYOR _____
DATE RESUBMITTED TO COUNCIL _____
DATE EFFECTIVE _____

APPROVED AS TO FORM AND LEGALITY

FACTUAL CONTENTS CERTIFIED TO BY

TOWNSHIP ATTORNEY

TITLE

ORDINANCE AMENDING AND SUPPLEMENTING THE CODE OF THE TOWNSHIP OF HAMILTON, NEW JERSEY, CHAPTER 99, ALCOHOLIC BEVERAGES, ARTICLE II, LICENSING AND REGULATION, § 99-13; LOCATION OF LICENSED PREMISES RESTRICTED

Be It Ordained by the Council of the Township of Hamilton, in the County of Mercer and State of New Jersey, that the *Code of the Township of Hamilton, New Jersey, Chapter 99, Alcoholic Beverages, Article II, Licensing and Regulation, § 99-13, Location of licensed premises restricted*, as amended and supplemented, be further amended and supplemented as follows:

Chapter 99

ALCOHOLIC BEVERAGES

ARTICLE II. LICENSING AND REGULATION

§ 99-13. Location of licensed premises restricted.

- A. No hotel/motel, plenary retail consumption license, plenary retail distribution license or club license shall be issued or transferred to any premises located within 300 feet of any premises for which a club license shall have been previously issued and shall be in effect at the time of adoption of this article. No hotel/motel, plenary retail consumption license or plenary retail distribution license shall be issued or transferred to any premises located within [1,500] 750 feet walking legally door to door of any premises for which any such license shall have been previously issued and shall be in effect at the time of the adoption of this article, nor shall any club license be issued or transferred to any premises located within 300 feet of any premises for which a plenary retail distribution license or a plenary retail consumption license shall have been previously issued and shall be in effect at the time of the adoption of this article; provided, however, that nothing herein contained shall be taken or construed to prevent the renewal for the same premises of any aforesaid license which shall have been issued and shall be in effect at the time of adoption of this article. In addition, no hotel/motel, plenary retail consumption license, plenary retail distribution license or club license shall be issued or transferred to any premises located within 200 feet of walking legally to a religious institution or school. [Notwithstanding any distance restrictions contained in this section, a reduction in the distance between any licensed premises in the Hamilton Marketplace commercial development on Route 130, as well as between any licensed premises located at or adjacent to the Hilton Hotel on Route 130, may be approved upon good cause having been demonstrated to the satisfaction of Council.] The demonstration of good cause by the applicant seeking a reduction in the permitted distance between licensed premises shall include, but not be limited to, a review of the impact the proposed location may have on:

EXPLANATION

Matter UNDERLINED thus in this legislation is new matter.
Matter contained in BRACKETS [thus] is to be omitted from the law.

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- (1) Public safety;
- (2) Traffic;
- (3) Noise;
- (4) Compatibility with neighboring business uses; and
- (5) Residential uses in the area.

B. The applicant shall provide notice to any licensed premises within [1,500] 750 feet of the proposed location of the applicant's request for a reduction in the permitted distance.

C. Any premises for which a license under this article has been issued and valid as of the adoption of this article, may still be licensed under this article in the future under new ownership.

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Any Ordinance or Ordinances in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

PRESIDENT

MUNICIPAL CLERK

RECORD OF VOTE													
First Reading							Second Reading						
COUNCIL	AYE	NAY	NV	AB	ORD	SEC	COUNCIL	AYE	NAY	NV	AB	ORD	SEC
ANTHONY P. CARABELLI, JR.	✓						ANTHONY P. CARABELLI, JR.						
PASQUALE "PAT" PAPERIO, JR.	✓				✓		PASQUALE "PAT" PAPERIO, JR.						
RICHARD L. TIGHE, JR.	✓						RICHARD L. TIGHE, JR.						
CHARLES F. WHALEN	✓					✓	CHARLES F. WHALEN						
NANCY PHILLIPS	✓						NANCY PHILLIPS						

X - Indicates Vote A.B. - Absent N.V. - Not Voting ORD. - Moved SEC. - Seconded

REJECTED _____

JEFFREY S. MARTIN, MAYOR

DATE

APPROVED _____

RECONSIDERED BY COUNCIL _____

OVERRIDE VOTE

AYE _____

NAY _____