

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

ORDINANCE

No. **22-050**

1ST READING _____ DEC. 6, 2022

DATE TO MAYOR _____ Dec. 21, 2022

2ND READING & PUBLIC HEARING Dec. 20, 2022

DATE RESUBMITTED TO COUNCIL _____

WITHDRAWN _____ LOST _____

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, AND REPEALING THE PREVIOUS SECTION IN ITS ENTIRETY

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 to include the following:

Section 1. Chapter 99, Article II, LICENSING AND REGULATION, Section 13, LOCATION OF LICENSED PREMISES RESTRICTED, be and hereby is deleted in its entirety and replaced with the following:

Chapter 99

ALCOHOLIC BEVERAGES

ARTICLE II. LICENSING AND REGULATION

§ 99-13 Location of licensed premises restricted.

A. Location/Distance.

1. Premises applying for a hotel/motel license shall be located more than 1300 feet walking legally door to door of any premises currently holding a hotel/motel license as of January 1, 2023. No hotel/motel license shall be issued or transferred to any premises located within 300 feet of any premises for which a club license exists and has been issued as of January 1, 2023.
2. Premises applying for a plenary retail consumption license shall be located more than 1300 feet walking legally door to door of any premises currently holding a plenary retail consumption license as of January 1, 2023. No plenary retail consumption license shall be issued or transferred to any premises located within 300 feet of any premises for which a club license exists and has been issued as of January 1, 2023.
3. Premises applying for a plenary retail distribution license shall be located more than 1300 feet walking legally door to door of any premises currently holding a plenary retail distribution license as of January 1, 2023. No plenary retail distribution license shall be issued or transferred to any premises located within 300 feet of any premises for which a club license exists and has been issued as of January 1, 2023.
4. Premises applying for a club license shall be located more than 300 feet walking legally door to door of any premises currently holding a club license. No club license shall be issued or transferred to any premises located within 300 feet of

EXPLANATION

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

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

ORDINANCE

No. **22-050**

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, AND REPEALING THE PREVIOUS SECTION IN ITS ENTIRETY

any premises for which a hotel/motel license, a plenary retail distribution license, or a plenary retail consumption license exists and has been issued as of January 1, 2023;

- 5. Separate premises holding different categories of a license listed in this article may be located within 1300 feet of each other.
- B. A legally licensed premise may renew for the same premises of any aforesaid license which has previously been issued and in effect as of January 1, 2023.
- C. Any premises for which a license under this article is not in compliance as of January 1, 2023 will be grandfathered in and may still continue to be licensed under this article in the future under new ownership.
- D. Any premises for which a license under this article has been issued and valid as of January 1, 2023, may still be licensed under this article in the future under new ownership.

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 _____

L:\COUNCIL\Ordinance\MUNCODE\Ord.Chpt99.AlcoholicBevProximity.Rewrite2.docx

EXPLANATION

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