

## **ORDINANCE #2014-08**

### **AN ORDINANCE TO TEMPORARILY AMEND THE CODE OF THE BOROUGH OF ALLENHURST, CHAPTER VI ALCOHOLIC BEVERAGE CONTROL, REGULATION OF LICENSSED PREMISES, §6-4.4 “SALE OF ALCOHOLIC BEVERAGE FOR CONSUMPTION OFF THE LICENSED PREMISES.”**

**WHEREAS**, Several business establishments have requested that the Borough of Allenhurst (“Borough”) consider an amendment to the permitted hours of sale for beer and wine for Consumption Off the Licensed Premises currently governed by §6-4.4 of the Borough Code; and,

**WHEREAS**, The Borough is willing to modify the hours of sale for beer and wine for Consumption Off the Licensed Premises, on a temporary investigatory basis, in order to assess the effects of the modification in advance of any permanent change;

**NOW, THEREFORE, BE IT ORDAINED**, By the Board of Commissioners of the Borough of Allenhurst that the statements contained in the foregoing preamble be and are hereby incorporated into this Ordinance as if more fully set forth herein at length; and,

**BE IT FURTHER ORDAINED**, That Chapter VI, Alcoholic Beverage Control, Regulation of Licensed Premises, Section 6-4.4 entitled, “Sale of Alcoholic Beverage for Consumption Off the Licensed Premises” be temporarily amended as follows:

- (a) On Mondays through Fridays, Alcoholic beverages may be sold between the hours of 9:00 AM and 10:00 PM.
- (b) On Saturdays, Alcoholic beverages may be sold at retail in original containers for consumption off the licensed premises between the hours of 9:00 AM and 10:00 PM. Beer and wine ONLY may be temporarily sold at retail in original containers for consumption off the licensed premises between the additional hours of 10:00 PM and 11:30 PM. This temporary beer and wine extension shall automatically expire if not extended by the subsequent ordinance no later than September 1, 2014.
- (c) On Sundays, Alcoholic beverages may be sold at retail in original containers for consumption off the licensed premises between the hours of 10:00 AM and 8:00 PM. Beer and wine ONLY may be temporarily sold at retail in original containers for consumption off the licensed premises between the additional hours of 8:00 PM and 11:30 PM. This temporary beer and wine extension shall automatically expire if not extended by subsequent Ordinance no later than September 1, 2014.
  - (i) When December 24 and December 31 fall on a Sunday in any given calendar year, alcoholic beverages may be sold on December 24 and December 31 between the hours of 9:00 AM and 10:00 PM.

- (d) Holders of special permit licenses operating within the Borough of Allenhurst may sell alcoholic beverages for consumption “on premises” on Sundays between the hours of 9:00 AM and 1:00 AM.

Except as herein provided, the Codified Ordinances of the Borough of Allenhurst shall remain in full force and effect.

The provisions of this ordinance are declared to be severable, and if any section, subsection, sentence, clause or phrase hereof shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, subsections, clauses and phrases of this Ordinance shall stand notwithstanding the invalidity of any part.

This Ordinance shall take effect after publication and adoption according to law.

**APPROVED: June 10, 2014**

**ADOPTED: June 24, 2014**