

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 100 OF THE BOROUGH CODE, "ALCOHOLIC BEVERAGES", TO INCREASE THE NUMBER OF CLUB LICENSES AND REDUCE THE NUMBER OF PLENARY RETAIL CONSUMPTION LICENSES PERMITTED IN THE BOROUGH OF SPRING LAKE

WHEREAS, Chapter 100, "Alcoholic Beverages" sets forth the regulations within the Borough of Spring Lake regarding the sale and consumption of alcoholic beverages; and

WHEREAS, Section 100-6 authorizes the types and quantities of licenses permitted within the Borough regarding the sale and consumption of alcoholic beverages; and

WHEREAS, the Plenary Retail Consumption License presently owned by the Essex and Sussex Condominium Association, Inc. ("E&S") and sited at 700 Ocean Avenue is to be surrendered and a Club License issued in lieu thereof pursuant to a certain settlement agreement with the Borough dated November 3, 1997 and an Amendment to same dated March 11, 1998; and

WHEREAS, certain non-profit corporation qualifications and proposals regarding social activities prompted the Borough to renew said Plenary Retail Consumption License beyond the period provided for in the above-referenced agreements;

WHEREAS, the E&S now qualifies to hold a Club License and has acknowledge that its social activities will conform to the permitted scope of said license,

NOW, THEREFORE, BE IT HEREBY ORDAINED, by the Mayor and Borough Council of the Borough of Spring Lake, in the County of Monmouth and State of New Jersey, that Chapter 100, "Alcoholic Beverages", "§ 100-6, "License Fees; maximum number" is amended and supplemented with deletions reflected in ~~strikethrough~~ and additions reflected in bold underline as follows:

Section 1.

A. The annual license fees of licenses for the sale and distribution of alcoholic beverages in the Borough shall be as follows:

Class of License	Annual License Fees	Number of Licenses
Plenary retail consumption	\$1,790	2 <u>1</u>
Plenary retail distribution	\$ 746	3
Seasonal retail consumption	\$1,342	1
Club	\$ 188	1 <u>2</u>

B. The limitations imposed hereby shall be subject in all respects to the laws of the State of New Jersey regarding the sale of alcoholic beverages.

Section 2.

If any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provisions so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective; and

Section 3.

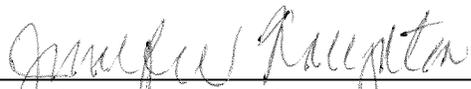
Any ordinances or parts thereof in conflict with the provisions of the Ordinance are repealed to the extent of such conflict; and

Section 4.

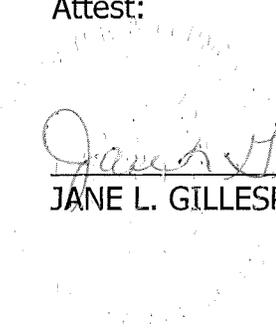
This ordinance shall take effect upon passage and publication in accordance with applicable law.

INTRODUCED: May 24, 2011

ADOPTED: June 14, 2011

APPROVED: 
JENNIFER NAUGHTON, Mayor

Attest:



JANE L. GILLESPIE, Borough Clerk