

DELAWARE TOWNSHIP  
ORDINANCE #2011-08

AN ORDINANCE OF THE TOWNSHIP OF DELAWARE, COUNTY OF HUNTERDON AND STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING SECTION 3-8 (USE OF MUNICIPALLY OWNED LAND AND BUILDINGS) OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF DELAWARE. #2011-08

BE IT ORDAINED by the Township Committee of the Township of Delaware, County of Hunterdon and State of New follows:

SECTION 1. Subsection 3-8.3b "Alcoholic beverages are not permitted" in Subsection 3-8.3 Regulations in Section 3-8 USE OF MUNICIPALLY OWNED LAND AND BUILDINGS shall be repealed in its entirety and replaced with the following.

3-8.3b Neither the service nor consumption of alcoholic beverages of any kind shall be permitted on municipally owned land or in municipally owned buildings or structures. The Delaware Township Committee may however permit adults of legal drinking age, at sanctioned events with written authorization by the Delaware Township Committee, to tailgate which shall be defined as permitting adults of legal drinking age to transport and consume alcoholic beverages, which shall be limited to beer or wine, at a Township sanctioned event, and for such event, only on the specifically identified date(s), times and location(s), and subject also to the following:

- 1) Adults of legal drinking age participating in tailgating must have valid identification on their person to exhibit to any inspecting authority or official.
- 2) Adult participants of legal drinking age at such sanctioned events may not transport or consume any alcoholic beverage other than beer or wine.
- 3) Under no circumstances shall any agent, servant or employee of the Township of Delaware or any public or private agency or auxiliary, including but not limited to: the fire department, police department, public works department and/or rescue squad, etc., affiliated or associated with the Township of Delaware, provide, disseminate, distribute and/or serve alcoholic beverages of any kind or nature to any person or party under any circumstance(s).
- 4) Participants who tailgate at a Township sanctioned event shall at all times observe and comply with the laws of the State of New Jersey, the ordinances of the Township of Delaware and any other federal, state or municipal rules or regulations.
- 5) At no time shall the underage consumption of alcohol or providing, disseminating or distributing any alcoholic beverage to an underaged person, be permitted.

- 6) It is specifically understood that Township sanctioned events at which tailgating shall be permitted shall be subject to police inspection, and that on all occasions and under all circumstances, participants shall obey the directions and instructions given by any law enforcement officer.
- 7) No participant, person or party shall consume alcoholic beverages to the point of intoxication. Any person visibly intoxicated or observed to be acting inappropriately, lewd or profane or otherwise observed under conditions or circumstances which may in the reasonable opinion of the inspecting authority give rise to the possibility of damage or injury to any third person or property, may be subject to expulsion from the event or other penalty as prescribed by law or ordinance.

SECTION 2. Severability. The various parts, sections, and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section, or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

SECTION 3. Repealer. Any ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

SECTION 4. Effective Date. This Ordinance shall take effect upon final passage and publication pursuant to law.

ATTEST:

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Kenneth J. Novak, Mayor

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Judith A. Allen, RMC.  
Township Clerk  
July 11, 2011  
Published 7/14/11

PLEASE TAKE NOTICE that the above Ordinance was approved on first reading at a Regular Meeting of the Delaware Township Committee held on July 11, 2011. It will be considered on second reading for final adoption and will have a public hearing at a Regular Meeting beginning at 8:00 p.m. on August 8, 2011 at the Delaware Township Municipal Bldg., 570 Rosemont Ringoes Road (Rt. 604), Sergeantsville, NJ. At that time an opportunity will be given for all interested citizens to be heard.