

2010-16

AN ORDINANCE BY THE TOWNSHIP OF PRINCETON, COUNTY OF MERCER, STATE OF NEW JERSEY CONCERNING CONSUMPTION OF ALCOHOL IN PUBLIC PLACES AND DISORDERLY CONDUCT AND AMENDING CHAPTER XIII OF THE “CODE OF THE TOWNSHIP OF PRINCETON, NEW JERSEY, 1968”.

BE IT ORDAINED by the Township Committee of the Township of Princeton as follows:

1. Section 13-1a of the “Code of the Township of Princeton, New Jersey, 1968” (hereinafter “the Code”) is hereby repealed in its entirety and replaced with the following:

§13-1a. Public nuisance.

No person shall, within the boundaries of the township, by any means or instrumentality, (1) interfere with or annoy the comfort or general well-being of the inhabitants of the township, (2) disturb the public peace and quiet by loud, boisterous or vulgar conduct, (3) create or participate in a diversion, disturbance or disorderly assemblage, in any public place, tending to breach the peace, (4) engage in acts of vice and immorality in any public place, or (5) obstruct or interfere with any person lawfully being in a public place.

2. Section 13-5 of the Code which prohibits alcoholic beverage consumption in public places is amended to read as follows:

§13-5 Alcoholic beverage consumption.

(a) *Prohibitions.* No person of legal age shall consume or possess in any opened container any alcoholic beverage in or upon any public or quasi-public

place, including but not limited to any public street, alley, sidewalk, mall, park, playground, public conveyance, parking facility or in or around any public building. For the purposes of this section, a quasi-public area shall be defined as that portion of private lands which have been made open to the public for their use and enjoyment by the owner of said lands in connection with zoning approvals, dedication of said lands or similar means, and where the mayor and council, upon written application from the owner of said lands, determine that the provisions of this section be made applicable thereto.

No person shall consume any alcoholic beverage in or upon any private vehicle while it is parked upon any such public or quasi-public place.

No underage person shall possess or consume any alcoholic beverage in or upon any private property located within the boundaries of the township.

(b) *Exceptions.* Nothing herein shall be construed to prohibit (1) the possession or consumption of alcoholic beverages within or upon premises duly licensed for the consumption of alcoholic beverages, (2) the possession of beer in pitchers or other unsealed containers as may be lawfully sold by licensed premises while in transit to a lawful place for consumption, (3) the possession, distribution or consumption of alcoholic beverages in any public park, recreation area, public building, or other public area in connection with any organized function or social affair for which express prior permission has been received in writing from the township committee upon prior notice and subject to any terms and restrictions relating to the public safety and the general welfare of the township, (4) the possession or consumption of alcoholic beverages by underage persons in

connection with a religious observance, ceremony or rite, (5) the possession of an alcoholic beverage by underage persons in the preparation of food while enrolled in a culinary arts or hotel management program at a county vocational school or post secondary educational institution, or (6) the possession or consumption of alcoholic beverages by underage persons in the presence of and with the permission of a parent, guardian or relative who has attained the legal age to purchase and consume alcoholic beverages.

(c) *Penalty.* The penalty for the first violation of this section shall be a fine not to exceed two hundred fifty dollars, for a second violation within three years of the first violation, the penalty shall be a fine not to exceed five hundred dollars, a period of community service not to exceed thirty days, and/or a period of incarceration not to exceed ten days; for a third offense within three years of the second offense, or within five years of the first offense, the penalty shall be a fine not to exceed one thousand dollars, a period of community service not to exceed sixty days, and/or a period of incarceration not to exceed thirty days; for a fourth or subsequent offenses, irrespective of the dates of any of the previous offenses, the maximum penalty shall be a fine not to exceed one thousand dollars, a period of community service not to exceed ninety days, and/or a period of incarceration not to exceed ninety days.

The penalty for underage persons for the first violation of this section shall be a fine not to exceed two hundred and fifty dollars, a period of community service not to exceed thirty days, and/or the suspension or postponement of driving privileges for a period not to exceed six months; for any subsequent

offense, the penalty for underage persons shall be a fine not to exceed three hundred and fifty dollars, a period of community service not to exceed ninety days, and/or the suspension or postponement of driving privileges for a period not to exceed six months.

3. This Ordinance shall take effect upon its passage and publication as provided for by law.

I, Kathleen K. Brzezynski, Deputy Clerk of the Township of Princeton, County of Mercer, State of New Jersey, do hereby certify that the foregoing is a true copy of an ordinance adopted by Township Committee at its meeting held May 24, 2010.



Kathleen K. Brzezynski
Deputy Clerk