



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

ORDINANCE O-19-23

AN ORDINANCE ADDING SECTION 6-6 OF THE BOROUGH CODE TO ESTABLISH IDENTIFICATION CARD REQUIREMENTS FOR EMPLOYEES SERVING ALCOHOL

WHEREAS, Chapter VI of the Borough Code entitled Alcoholic Beverage Control regulates the sale and transportation of alcoholic beverages in the Borough of Highlands, in accordance with the applicable State Statutes and the Rules and Regulations of the State Director of Alcoholic Beverage Control; and

WHEREAS, N.J.S.A. 33:1-24 authorizes municipal authorities to “to do, perform, take and adopt all other acts, procedures and methods designed to insure the fair, impartial, stringent and comprehensive administration” with respect to alcoholic beverages; and

WHEREAS, the governing body of the Borough of Highlands has determined that it is in the best interest of the Borough to add Section 6-6 to provide identification card requirements for employees who sell, serve, solicit the sale of, mix, process, or prepare alcoholic beverages.

NOW, THEREFORE, BE IT ORDAINED by the governing body of the Borough of Highlands as follows:

SECTION I.

Borough Code Section 6-6 “Identification Cards” shall be added as follows:

6-6 IDENTIFICATION CARDS.

6-6.1 Identification Cards.

All persons, corporations, partnerships or other entities applying for an initial or renewal of alcoholic beverage sale and/or distribution licenses in the Borough of Highlands shall be required to obtain identification cards for all persons who sell, serve, solicit the sale of, mix, process, or prepare alcoholic beverages during the course of duties required by the licensee. All applicants shall apply to the Highlands Police Department for an identification card within ten days from the initial application for or renewal of the alcoholic beverage sale or distribution license, or within ten days of the employment of any employee connected with the licensed

premises, or within ten days of the effective date of this Section if employed at that time. The fee for the issuance of an identification card shall be twenty (\$20.00) dollars.

6-6.2 Fingerprinting and Photographing Requirements.

It shall be the responsibility of the licensee to ensure that all persons who sell, serve, solicit the sale of, mix, process, or prepare alcoholic beverages have fingerprints and photographs taken by the Highlands Police Department to perform a criminal background investigation.

6-6.3 Identification Cards; On File; Expiration Date.

The Borough of Highlands Police Department shall furnish to the licensee and to all persons who sell, serve, solicit the sale of, mix, process, or prepare alcoholic beverages an identification card demonstrating compliance with the provisions of this section. A copy of this card shall be on file on the licensed premises and shall be exhibited upon demand at any time requested by any law enforcement officer or official of the Borough of Highlands. If any individual is employed by multiple licensed establishments in the Borough, he or she shall obtain a duplicate identification card for each such establishment; duplicate identification cards shall be available for a fee of five (\$5.00) dollars. Such identification card shall expire two years from the date of issue, at which time new photographs shall be taken by the Highlands Police Department and a new fee therefor paid by the licensee. Every licensee and all persons who sell, serve, solicit the sale of, mix, process, or prepare alcoholic beverages shall make application for liquor sale or distribution identification cards within ten days of employment or association with the licensed entity, or within ten days of the effective date of this Section if employed at that time, and shall secure the identification card as provided for in this section.

6-6.4 Information on Employees to be Submitted to Police.

In addition to fingerprinting and photographing, all persons who sell, serve, solicit the sale of, mix, process, or prepare alcoholic beverages shall, in addition, provide the Highlands Police Department with the following information:

- a. Name and description of the applicant and permanent home address and full local address.
- b. Name and address of the licensed employer.
- c. The applicant's date of birth and social security number.
- d. Such other information as may be required by the Borough of Highlands Police Department.

6-6.5 Notification of Police of Changes Regarding Employees.

Every licensee shall be responsible for notifying the Highlands Police Department of any change of employment or association of any holder of an identification card from the Highlands Police Department, and shall forthwith report to said police department the employment or association of all persons who sell, serve, solicit the sale of, mix, process, or prepare alcoholic beverages who may hereinafter be associated with the said licensed premises.

6-6.6 Violations and Penalties.

Any licensee violating the provisions of this section shall, upon conviction thereof, forfeit and pay a fine of one hundred (\$100.00) dollars for the first offense, two hundred fifty (\$250.00) dollars for a second offense, and five hundred (\$500.00) dollars for a third offense. A licensee convicted of a fourth or subsequent offense shall forfeit and pay a fine of not less than five hundred (\$500.00) dollars and not exceeding two thousand (\$2,000.00) dollars. Each and every nonconformance with this section shall be construed as a separate and distinct violation thereof.

6-6.7 Display of State Penalties.

Each licensed premises shall be required to display in a prominent place, visible to the public, a statement setting forth the penalties for driving while intoxicated, refusal to submit to breath tests and possession of an open container of an alcoholic beverage in a motor vehicle as is provided in Title 39 of the New Jersey Statutes.

SECTION II. SEVERABILITY. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance, which shall otherwise remain in full force and effect.

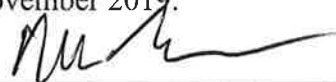
SECTION III. REPEALER. All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION IV. EFFECTIVE DATE. This ordinance shall take effect beginning on January 1, 2020.

Motion to Introduce Ordinance 19-23:

	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
BRASWELL			X			
BROULLON			X			
MAZZOLA		X	X			
RYAN	X		X			
O'NEIL			X			

I, Matthew Conlon, RMC, Municipal Clerk of the Borough of Highlands, in the County of Monmouth, State of New Jersey, hereby certify this to be a true copy of the action of the Governing Body, at its Council Meeting, held November 13, 2019. WITNESS my hand this 13th day of November 2019.

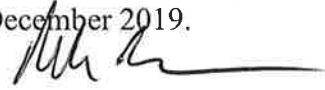


Matthew Conlon, RMC
Municipal Clerk
Borough of Highlands, New Jersey

Public Hearing, Final Reading and Adoption
PUBLIC HEARING DATE December 4, 2019 of Ordinance 19-23:

	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
BRASWELL				X		
BROULLON				X		
MAZZOLA		X	X			
RYAN	X		X			
O'NEIL			X			

I, Matthew Conlon, RMC, Municipal Clerk of the Borough of Highlands, in the County of Monmouth, State of New Jersey, hereby certify this to be a true copy of the action of the Governing Body, at its Council Meeting, held December 4, 2019. WITNESS my hand this 5th day of December 2019.



Matthew Conlon, RMC
Municipal Clerk
Borough of Highlands, New Jersey

Mayor: 

Clerk: 