

ASSEMBLY, No. 381

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 24, 1937

By Mr. LITVAK

Referred to Committee on Alcoholic Beverage Control

AN ACT to amend an act entitled "An act concerning alcoholic beverages" passed December sixth, one thousand nine hundred and thirty-three.

1 BE IT ENACTED *by the Senate and General Assembly of the State of New*  
2 *Jersey:*

1 1. Section thirty-seven of the act of which this is an amendment is  
2 hereby amended to read as follows:

3 37. The governing board or body of each municipality, may as regards  
4 said municipality, by ordinance [or resolution], limit the number of licenses  
5 to sell alcoholic beverages at retail; provided, however, that any such limita-  
6 tion heretofore adopted by ordinance or resolution shall continue in full  
7 force and effect until repealed, amended or otherwise altered by ordinance.  
8 The governing board or body of each municipality may, as regards said  
9 municipality, by ordinance or resolution, limit [and] the hours between  
10 which the sale of alcoholic beverages at retail may be made, prohibit the  
11 retail sale of alcoholic beverages on Sunday, and, subject to the approval  
12 of the commissioner first obtained, regulate the conduct of any business  
13 licensed to sell alcoholic beverages at retail and the nature and condition of  
14 the premises upon which any such business is to be conducted. The afore-  
15 said limitations of number of licensees and of hours of sale shall be subject  
16 respectively to appeal to the commissioner as hereinafter provided. The  
17 governing board or body of each municipality shall have power to make,

18 enforce, amend and repeal such ordinances as it may deem necessary to  
19 prevent the possession, sale, distribution and transportation of alcoholic  
20 beverages within its municipality in violation of this act. The governing  
21 board or body of each municipality may, by ordinance, enact that no more  
22 than one retail license shall be granted to any person, corporation, partner-  
23 ship, limited partnership or association in said municipality and that said  
24 license shall cover only the licensed premises; *provided, however*, that nothing  
25 herein contained shall operate to disqualify a guardian, executor, adminis-  
26 trator, trustee, receiver, or any other fiduciary or court officer from obtaining  
27 or from holding more than one such license in different official capacities.

1       2. This act shall take effect July first, one thousand nine hundred and  
2 thirty-seven.

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STATEMENT

To provide that municipal limitations of the number of licenses, hereafter adopted, shall be by ordinance only and not by ordinance or resolution as heretofore, in order that notice and public hearing be afforded to all persons interested.

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