

R.S. 33:1-12

July 1, 1970

LEGISLATIVE HISTORY OF R.S. 33:1-12  
(Seasonal liquor licenses - extended to Nov. 14)

(1969 amendment)

COPY NO. 1

L. 1969, Chapter 183 - S323  
Introduced January 23 by Beadleston (Monmouth Co.)  
Bill had statement (copy enclosed).  
Not amended during passage.

We searched the following without success:

V.F.--N.J.--Liquor laws.

RSL/PC

SENATE, No. 323

STATE OF NEW JERSEY

INTRODUCED JANUARY 23, 1969

By Senator BEADLESTON

Referred to Committee on Revision and Amendment of Laws

AN ACT concerning alcoholic beverage control, and amending section 33:1-12 of the Revised Statutes.

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

1 1. Section 33:1-12 of the Revised Statutes is amended to read as  
2 follows:

3 33:1-12. Class C licenses shall be subdivided and classified as  
4 follows:

5 Plenary retail consumption license. 1. The holder of this license  
6 shall be entitled, subject to rules and regulations, to sell any  
7 alcoholic beverages for consumption on the licensed premises by  
8 the glass or other open receptacle, and also to sell any alcoholic  
9 beverages in original containers for consumption off the licensed  
10 premises; but this license shall not be issued to permit the sale of  
11 alcoholic beverages in or upon any premises in which a grocery,  
12 delicatessen, drug store or other mercantile business (except,  
13 subject to such rules and regulations established from time to time  
14 by the director, the keeping of a hotel or restaurant including  
15 the sale of mercantile items incidental thereto as an accommodation  
16 to patrons, or the sale of distillers and vintners packaged holiday  
17 merchandise prepacked as a unit with suitable glassware as gift  
18 items to be sold only as a unit, cigars, cigarettes, packaged crack-  
19 ers, chips, nuts and similar snacks and ice at retail as an accommo-  
20 dation to patrons, or the retail sale of nonalcoholic beverages as  
21 accessory beverages to alcoholic beverages, or, in commercial bowl-  
22 ing establishments, the retail sale or rental of bowling accessories  
23 and the retail sale from vending machines of candy, ice cream  
24 and nonalcoholic beverages) is carried on. The fee for this license  
25 shall be fixed by the governing board or body of the municipality  
26 in which the licensed premises are situated, by ordinance, at not

**EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.**

27 less than \$200.00 and not more than \$2,000.00. No ordinance shall  
28 be enacted which shall raise or lower the fee to be charged for this  
29 license by more than 20% from that charged in the preceding  
30 license year or \$500.00, whichever is the lesser. The governing  
31 board or body of each municipality may, by ordinance, enact that  
32 no plenary retail consumption license shall be granted within its  
33 respective municipality.

34 Seasonal retail consumption license. 2. The holder of this license  
35 shall be entitled, subject to rules and regulations, to sell any  
36 alcoholic beverages for consumption on the licensed premises by  
37 the glass or other open receptacle, and also to sell any alcoholic  
38 beverages in original containers for consumption off the licensed  
39 premises, during the summer season from May 1 until November  
40 **[1]** 14, inclusive, or during the winter season from November 15  
41 until April **[15]** 30, inclusive; but this license shall not be issued to  
42 permit the sale of alcoholic beverages in or upon any premises in  
43 which a grocery, delicatessen, drug store or other mercantile busi-  
44 ness (except, subject to such rules and regulations established from  
45 time to time by the director, the keeping of a hotel or restaurant  
46 including the sale of mercantile items incidental thereto as an  
47 accommodation to patrons, or the sale of distillers and vintners  
48 packaged holiday merchandise prepacked as a unit with suitable  
49 glassware as gift items to be sold only as a unit, cigars, cigarettes,  
50 packaged crackers, chips, nuts and similar snacks and ice at retail  
51 as an accommodation to patrons, or the retail sale of nonalcoholic  
52 beverages as accessory beverages to alcoholic beverages) is carried  
53 on. The fee for this license shall be fixed by the governing board  
54 or body of the municipality in which the licensed premises are  
55 situated, by ordinance, at 75% of the fee fixed by said board or  
56 body for plenary retail consumption licenses. The governing board  
57 or body of each municipality may, by ordinance, enact that no  
58 seasonal retail consumption license shall be granted within its  
59 respective municipality.

60 Plenary retail distribution license. 3a. The holder of this license  
61 shall be entitled, subject to rules and regulations, to sell any  
62 alcoholic beverages for consumption off the licensed premises, but  
63 only in original containers. The governing board or body of each  
64 municipality may, by ordinance, enact that this license shall not  
65 be issued to permit the sale of alcoholic beverages in or upon any  
66 premises in which any other mercantile business is carried on,  
67 except that any such ordinance, heretofore or hereafter adopted,  
68 shall not prohibit the retail sale of distillers and vintners packaged  
69 holiday merchandise prepacked as a unit with suitable glassware

70 as gift items to be sold only as a unit, cigars, cigarettes, packaged  
71 crackers, chips, nuts, and similar snacks, ice, and nonalcoholic  
72 beverages as accessory beverages to alcoholic beverages. The fee  
73 for this license shall be fixed by the governing board or body of  
74 the municipality in which the licensed premises are situated, by  
75 ordinance, at not less than \$100.00, and not more than \$2,000.00.  
76 No ordinance shall be enacted which shall raise or lower the fee to  
77 be charged for this license by more than 20% from that charged  
78 in the preceding license year or \$500.00, whichever is the lesser.  
79 The governing board or body of each municipality may, by ordi-  
80 nance, enact that no plenary retail distribution license shall be  
81 granted within its respective municipality.

82 Limited retail distribution license. 3b. The holder of this license  
83 shall be entitled, subject to rules and regulations, to sell any  
84 unchilled, brewed, malt alcoholic beverages in quantities of not  
85 less than 72 fluid ounces for consumption off the licensed premises,  
86 but only in original containers; provided, however, that this license  
87 shall be issued only for premises operated and conducted by the  
88 license as a bona fide grocery store, meat market, meat and grocery  
89 store, delicatessen, or other type of bona fide food store at which  
90 groceries or other foodstuffs are sold at retail; and provided  
91 further, that this license shall not be issued except for premises  
92 at which the sale of groceries or other foodstuffs is the primary and  
93 principal business and at which the sale of alcoholic beverages is  
94 merely incidental and subordinate thereto. The fee for this license  
95 shall be fixed by the governing body or board of the municipality  
96 in which the licensed premises are situated, by ordinance, at not  
97 less than \$25.00 and not more than \$50.00. The governing board  
98 or body of each municipality may, by ordinance, enact that no  
99 limited retail distribution license shall be granted within its  
100 respective municipality.

101 Plenary retail transit license. 4. The holder of this license shall  
102 be entitled, subject to rules and regulations, to sell any alcoholic  
103 beverages for consumption only on railroad trains, airplanes and  
104 boats, while in transit. The fee for this license for use by a railroad  
105 or air transport company shall be \$150.00 and, for use on a boat,  
106 the fee for this license shall be \$25.00 on a boat 65 feet or less in  
107 length, \$50.00 on a boat more than 65 feet in length but not more  
108 than 110 feet in length, and \$150.00 on a boat more than 110 feet  
109 in length; such boat lengths shall be determined in the manner  
110 prescribed by the Bureau of Customs of the United States Govern-  
111 ment or any Federal agency successor thereto for boat measure-  
112 ment in connection with issuance of Marine Documents. A license

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113 issued under this provision to a railroad or air transport company  
114 shall cover all dining and club cars and planes operated by any such  
115 company within the State of New Jersey. A license for a boat  
116 issued under this provision shall apply only to the particular boat  
117 for which issued.

118 Club license. 5. The holder of this license shall be entitled,  
119 subject to rules and regulations, to sell any alcoholic beverages but  
120 only for immediate consumption on the licensed premises and only  
121 to bona fide club members and their guests. The fee for this license  
122 shall be fixed by the governing board or body of the municipality  
123 in which the licensed premises are situated, by ordinance, at not  
124 less than \$50.00 and not more than \$150.00. The governing board  
125 or body of each municipality may, by ordinance, enact that no club  
126 licenses shall be granted within its respective municipality. Club  
127 licenses may be issued only to such corporations, associations and  
128 organizations as are operated for benevolent, charitable, fraternal,  
129 social, religious, recreational, athletic, or similar purposes, and not  
130 for private gain, and which comply with all conditions which may  
131 be imposed by the Commissioner of Alcoholic Beverage Control by  
132 rules and regulations.

1 2. This act shall take effect immediately.

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#### STATEMENT

This bill would extend the terminal date of summer seasonal retail consumption licenses from November 1 to November 14. It is directed particularly at making the terminal date for renewal of the seasonal alcoholic beverage license held by the Freehold race track co-extensive with the racing season at Freehold. For consistency, the same number of additional days is added to the period for which a winter seasonal license may be issued. The fee remains the same, 75% of the annual license fee.