

**BOROUGH OF PALISADES PARK
BERGEN COUNTY, NEW JERSEY**

ORDINANCE NO. 2025-8

**AN ORDINANCE AMENDING CHAPTER 84 OF THE CODE OF THE
BOROUGH OF PALISADES PARK ENTITLED "ALCOHOLIC BEVERAGES" TO MODIFY THE
PENALTIES FOR VIOLATIONS.**

BE IT ORDAINED, by the Mayor and Council of the Borough of Palisades Park, County of Bergen, State of New Jersey that Chapter 84: "Alcoholic Beverages" of the Code of the Borough of Palisades Park is hereby amended as follows (~~stricken~~ text deleted; underlined text added):

CHAPTER 84: ALCOHOLIC BEVERAGES

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ARTICLE II: PUBLIC CONSUMPTION

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§ 84-19 Consumption Prohibited in Nonlicensed Premises; BYOB Facilities:

A. Prohibited acts.

- (1) No person owning or operating any restaurant, dining room or other public place where food or liquid refreshments are sold or served to the general public and for which premises a license or permit authorizing the sale of alcoholic beverages for on-premises consumption has not been issued shall permit or allow the consumption of wine or malt alcoholic beverage, except as provided herein.
- (2) No person owning or operating any commercial premises of any kind which are open to the public shall permit or allow the consumption of wine or malt alcoholic beverages on those premises, except as provided herein.

B. BYOB restaurants and other facilities.

- (1) Restaurants and/or eating facilities where food or liquid refreshments are sold or served to the general public, as well as establishments regularly known and referenced to as "karaoke," may allow persons to bring their own wine or malt alcoholic beverages, but under no circumstances shall liquor be sold.
- (2) The following establishments offering BYOB are defined as:

KARAOKE — An establishment regularly and principally used for the purpose of providing a form of entertainment in which amateur singers sing along with recorded music and/or a music video using a microphone and public address system.

RESTAURANT — An establishment regularly and principally used for the purpose of providing meals to the public, having adequate kitchen and dining room equipped for the preparing, cooking and serving of food for its customers and in which no other business, except such as is incidental to such establishment, is conducted.

- (3) Any establishment seeking to be allowed to have its patrons bring their own malt alcoholic beverages or wine must apply to the Borough on forms supplied by the Borough for permission to allow that service to be offered to its customers.
- (4) Forms of the application should provide such information as the Borough determines and at a minimum shall provide for the name and address of the entity seeking such permission and such other information as determined by the governing body.
- (5) The applicant shall agree to comply with the regulations of Chapter 84, Alcoholic Beverages, of the Code of the Borough of Palisades Park, including the provisions of Chapter 84, § 84-20 as it applies to employees as if it held an alcoholic beverage license, and violation of any of those provisions shall result either in fines or revocation of its permit to allow consumption of wine or malt alcoholic beverages on those premises. The applicant shall further agree to comply with New Jersey Statutes Title 2C, Section 33-27. **[Amended 12-18-2019 by Ord. No. 2019-14]**
- (6) Transfer of permit. Under no circumstances may a permit allowing BYOB be transferred in either the ownership and/or location of the approval of the Mayor and Council. Under all circumstances, the permit shall cease and terminate under such transfer. Nothing herein prevents a new or subsequent applicant from applying for a new BYOB permit for such premises.
- (7) The fee to apply for such a permit shall be a nonrefundable filing fee of \$250. After the application to allow the consumption of wine or malt alcoholic beverages to the applicant is approved by a resolution of the governing body, the applicant shall pay to the Borough the sum of \$2,000 as a permit fee.
- (8) The applicant shall apply for a permit for each twelve-month period of time and pay an annual renewal fee of \$1,000. The term for which the initial permit is issued shall commence upon the date of approval by the Mayor and Council and remain in effect until the following June 30. Thereafter, all annual renewal periods shall commence on July 1 and remain in effect until the following June 30.
- (9) Posting. Upon approval by the Mayor and Council of a BYOB permit, such permit must be posted on the inside of the perimeter walls of the establishment so as to be readily visible to the general public.
- (10) Any establishment which has been approved to allow the patrons to bring their own wine or beer may supply glasses, ice, etc., but may not impose a cover, corkage or service charge of any kind and may advertise the fact that wine or malt alcoholic beverages may be brought onto the premises. **[Amended 4-23-2019 by Ord. No. 2019-5]**
- (11) The owner or operator shall not permit the consumption of wine or malt alcoholic beverages during the hours of 12:00 midnight to 12:00 noon.
- (12) Persons under the age of 21 years or persons who are visibly or apparently intoxicated are prohibited from consuming wine or malt alcoholic beverages and are prohibited from bringing wine or malt alcoholic beverages onto the premises.
- (13) Notwithstanding anything contained herein, a violation of this section shall be punishable, upon conviction, by a fine of not more than \$1,000 for a first violation, \$3,000 for a second violation and \$5,000 for a third and all subsequent violations, or imprisonment not exceeding 90 days, or both. Each and every day such violation exists shall constitute a separate offense, and may result in revocation of the permit to allow the consumption of wine and malt alcoholic beverages.

BE IT FURTHER ORDAINED that, if any article, 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 and they shall remain in full force and effect; and
BE IT FURTHER ORDAINED that, if any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Borough, the provisions hereof shall be determined to govern; and
BE IT FURTHER ORDAINED that, if other parts, portions and provisions of the Code of the Borough of Palisades Park are hereby ratified and confirmed, except where inconsistent with the terms hereof; and
BE IT FURTHER ORDAINED that this Ordinance shall take effect upon adoption and publication in accordance with the laws of the State of New Jersey.

ATTEST:

Sophia H. Jang, Borough Clerk

Chong Paul Kim, Mayor

First Reading: February 24, 2025
Second Reading: March 24, 2025