

O-12-20

**AN ORDINANCE AMENDING CHAPTER 67, SECTION 4 OF THE REVISED  
GENERAL ORDINANCES OF THE BOROUGH OF WHARTON, COUNTY OF  
MORRIS, STATE OF NEW JERSEY**

BE IT ORDAINED by the Governing Body of the Borough of Wharton that Chapter 67, Section 4: Alcoholic Beverages: Consumption in Public: Exceptions, of the revised general ordinances of the Borough of Wharton is hereby amended as follows:

§ 67-4. Exceptions.

The foregoing provisions shall not apply to:

(A) those persons or groups of persons who are issued a special permit by the Municipal Council and Clerk of the Borough of Wharton and the State Division of Alcoholic Beverage Control for the consumption of alcoholic beverages in public areas, for special functions in specific areas and during specific hours of validity of said permit; **and**

***(B) customers of an establishment to which a valid mercantile license for the service of food on an eat-in or take-out basis is in effect, which customers are 21 years of age or older and, in accordance with regulations promulgated by the State Division of Alcoholic Beverage Control, are consuming wine or beer, when said consumption takes place at tables out-of-doors, in the Borough right-of-way and/or in other locations provided on site by said establishment.***

***Nothing in this section shall be deemed to supersede the provisions of N.J.S.A. 39:4-51a, N.J.S.A. 39:4-51b, or any other statute of the State of New Jersey.***

First Reading: June 22, 2020  
Second Reading: July 13, 2020

ATTEST:

\_\_\_\_\_  
Gabrielle Evangelista,  
Borough Clerk

BOROUGH OF WHARTON

\_\_\_\_\_  
WILLIAM J. CHEGWIDDEN,  
MAYOR