

**TOWN OF WEST NEW YORK
COUNTY OF HUDSON, STATE OF NEW JERSEY**

ORDINANCE #31/24

AN ORDINANCE TO AMEND ARTICLE IV, § 114 ENTITLED “LOCATION OF ESTABLISHMENTS HAVING ALCOHOLIC BEVERAGE LICENSES”

WHEREAS, pursuant to N.J.S.A. 40:48-2, a municipality may make, amend, repeal and enforce ordinances not contrary to the laws of this State or of the United States, as it may deem necessary and proper for order and protection of persons and property, and for the preservation of the public health, safety and welfare of the municipality and its inhabitants; and

WHEREAS, the Town of West New York (the “Town”), is a municipality as defined by Title 40 of the New Jersey Statutes; and

WHEREAS, the Town wishes to amend Article IV, § 114 entitled “Restrictions on location of licensed premises” to increase the distance that no liquor license shall be issued or transferred to a premises from 250 feet to within 300 feet of another premises wherein or whereon another liquor license of the same type is currently being utilized or in existence.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Board of Commissioners of The Town of West New York, as follows:

SECTION ONE

§114-33 entitled “Restrictions on location of licensed premises” shall be deleted and replaced to provide as follows:

No liquor licenses shall hereafter be issued or transferred to premises within 300 feet of other premises wherein or whereon another liquor license of the same type is then in existence or authorized.

SECTION TWO

The following term set forth within §114-32 entitled “Definitions” shall be amended as follows:

§ 114-32. Definitions.

DISTANCES - All distances, whether for the seven-hundred-fifty-foot restriction or the three-hundred- -foot saving clause, shall be measured as a pedestrian would normally walk, from the main entrance of one premises, along the nearest sidewalk, corner, crosswalk, street crossing or other sidewalk or route, to the main entrance of the second premises.

All other terms set forth within §114-32 shall remain in full force and effect unless specifically amended as set forth herein.

SECTION THREE

Severability. If any term or provision of this Ordinance is held to be illegal, invalid, or unenforceable by a court of competent jurisdiction, in whole or in part, such determination shall not affect the validity of the remaining terms and provisions of this Ordinance.

SECTION FOUR

Repealer. To the extent that any provision of the Code of the Town of West New York is found to conflict with this Ordinance, in whole or in part, this Ordinance shall control.

SECTION FIVE

In order to avoid accidental repeal of existing provisions, the Town Clerk and the Corporation Counsel are hereby authorized to change any chapter numbers, article numbers and/or section numbers in the event that the codification of this Ordinance reveals that there is a conflict between those numbers and the existing Code.

SUMMARY OF ORDINANCE

This Ordinance amends §114-32 entitled “Restrictions on location of licensed premises” to increase the distance from 250 feet to 300 feet.

Introduced: September 4, 2024

Notice

The foregoing Ordinance was adopted for first reading by the Mayor and Board of Commissioners of the Town of West New York, New Jersey, on **September 4, 2024** and ordered published, for consideration before final passage at a public hearing on **October 4, 2024 at 6:30 p.m.** held remotely or in person. Instructions regarding attendance and participation in the meeting will be posted on the Town’s website: <http://www.westnewyorknj.org/>. A copy of this Ordinance has been posted on the bulletin board upon which public notices are customarily posted on in the Town Hall of the Town of West New York, and a copy (at no charge) is available up to and including the time of such meeting to the members of the public of the Town who shall request such copies, at the Office of the Town Clerk in said Town Hall in West New York, N.J.