



Legislation Text

File #: 12-1675, Version: 1

ORDINANCE AMENDING TITLE IV, ALCOHOLIC BEVERAGES, CHAPTER 3, REGULATION OF LICENSES TO REQUIRE THE USE OF SECURITY CAMERAS OUTSIDE ALCOHOLIC BEVERAGE ESTABLISHMENTS.

Invitation: Alcoholic Beverage Control Director, October 16, 2012

AN ORDINANCE AMENDING TITLE IV, ALCOHOLIC BEVERAGES, CHAPTER 3, REGULATION OF LICENSES TO REQUIRE THE USE OF SECURITY CAMERAS OUTSIDE ALCOHOLIC BEVERAGE ESTABLISHMENTS.

WHEREAS, on February 1, 2012 the Municipal Council adopted "Motion" 7Mb requesting that the Newark Police Department explore the feasibility of drafting legislation, which would require businesses that are involved in alcohol consumption and purchase, provide and maintain security equipment during their hours of operation; and

WHEREAS, the Police Director and the Executive Secretary of the Alcoholic Beverage Control Commission of Newark believe it is in the best interest of the City of Newark to amend Title IV as proposed and recommend that this amendment be adopted; and

WHEREAS, the Police Director and the Executive Secretary of the Alcoholic Beverage Control Commission of Newark have approved the use of security cameras outside alcoholic beverage establishments; and

WHEREAS, some of the issues plaguing the City of Newark are those of public drinking, panhandling, loitering and narcotic activity outside of establishments selling alcoholic beverages; and

WHEREAS, the use of security cameras outside alcoholic beverage establishments would aid the Police Department in investigating crimes that take place in the vicinity.

NOW, THEREFORE, BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE CITY OF NEWARK, NEW JERSEY, THAT:

[NOTE: Underlined text represents additions and strikethroughs represent deletions]

Section 1. Title IV, Chapter 3, Regulation of Licenses of the Revised General Ordinances of the City of Newark, New Jersey, 2000 is hereby supplemented for the purpose of providing an amended Section 5 to read as follows:

Chapter 3: Regulation of Licenses

4:3-5 RESERVED VIEW OF THE EXTERIOR

a. Any holder of an Alcoholic Beverage Control license, which permits the sale of alcoholic beverages, shall place and maintain security cameras that can monitor and record all entrances and exits of the establishment, as well as the front perimeter of the same extending to the curblin and parking lot if within licensees care and control.

b. The security camera(s) shall be operational twenty-four (24) hours, seven (7) days a week. The recordings contained therein shall be made available to sworn officers of the Newark Police Department and Newark's Alcoholic Beverage Control Inspector pursuant to any investigation being conducted regarding activity at or in the immediate area of the establishment.

c. Any recording contained therein shall be maintained for a minimum of ninety (90) days, unless directed otherwise by the Executive Secretary of the Alcoholic Beverage Control Commission of Newark and shall also be made available to sworn officers of the Newark Police Department and Newark's Alcoholic Beverage Control Inspector to aid in the investigation of crimes occurring at the establishment or in the immediate area of the establishment.

d. Any owner in violation of this Ordinance shall be subject to a fine of no less than \$500.00 and no more than \$1,000.00.

Section 2.

REPEALER

Any existing ordinances or parts there of inconsistent with this ordinance are hereby repealed

Section 3.

SEVERABILITY

If any section, part of any section, or clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the remaining provisions of this Ordinance. The Newark Municipal Council declares that it would have passed the Ordinance, each section and subsection thereof, irrespective of the fact that any one or more of the subsection, sentences, clauses or phrases may be declared unconstitutional or invalid.

Section 4.

EFFECTIVE DATE

This Ordinance shall take effect upon final passage and publication in accordance with the laws of the State of New Jersey.

STATEMENT

This Ordinance amends Title IV, Alcoholic Beverages, Chapter 3, Regulation of Licenses to require the use of security cameras outside Alcoholic Beverage Establishments.