



Legislation Text

File #: 14-1838, Version: 1

ORDINANCE TO AMEND AND SUPPLEMENT TITLE 13, FOODS, DRUGS AND COSMETICS, CHAPTER 4 MILK AND MILK PRODUCTS, OF THE REVISED GENERAL ORDINANCES OF THE CITY OF NEWARK, NEW JERSEY, 2000, AS AMENDED AND SUPPLEMENTED TO ADD A NEW SECTION, 13:4-16 A, REGULATING THE SALE OF WATER ICES (FLAVORED) CONTAINING ALCOHOLIC BEVERAGES AND AN AMENDMENT TO SECTION 13:4-24 PENALTY TO ADD ENHANCED PENALTIES FOR VIOLATIONS.

Deferred 8-h 120314

WHEREAS, a new and troubling violation of the law is beginning to develop among the street vendors in the City of Newark; and

WHEREAS, some street vendors have begun selling flavored iced drinks with alcoholic beverages illegally added to the mixture; and

WHEREAS, this violation is creating a public safety issue which must be addressed; and

WHEREAS, it is the desire of the Newark Municipal Council to strengthen the existing laws to combat this violation of law.

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

Section 1. The Revised General Ordinances of the City of Newark, 2000, as amended and supplemented, are hereby amended as follows: Title 13 Foods, Drugs And Cosmetics, Chapter 4 Milk and Milk Products is hereby amended by adding a new section, 13:4-16A Regulating The Sale of Water Ices (Flavored) Containing Alcoholic Beverages and to amend Section 13:4-24 Penalty, to add enhanced penalties for violations.

Note: **Bold and Underlined** is an addition and ~~strikeouts~~ are deletions.

13:4-16 **A. Regulating The Sale Of Water Ices (Flavored) Containing Alcoholic Beverages**

No person shall distribute or sell any ice cream, frozen product resembling ice cream or water ices (flavored) containing an alcoholic beverage in the City of Newark.

13: 4-24

Any person who violates the provisions of Section 13:4-16 A shall, upon conviction thereof, be punished by a fine of up to \$500.00 for each offense. For a second or subsequent offense the fine may be up to \$1000.00 for each offense.

STATEMENT

This Ordinance amends Title 13, FOODS, DRUGS and COSMETICS, Chapter 4 MILK AND MILK PRODUCTS regulating the sale of water ices containing alcoholic beverages and provides for enhanced penalties for violations.

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