



## Legislation Text

---

**File #:** 18-1467, **Version:** 1

---

**Dept/Agency:** Law

**Action:** ( ) Ratifying (X) Authorizing ( ) Amending

**Type of Service:** To Waive 20-day period for Ordinance to become effective

**Purpose:** Resolution authorizing an emergency to be declared and further authorizing Ordinance 6F-a adopted on September 6, 2018, amending Title IV, Alcoholic Beverages of the Revised General Ordinances of the City of Newark, New Jersey, 2000, as amended and supplemented by amending portions of Chapter 2 and 3 specifically the hours of sale and certain restrictions for the exceptions to the thousand-foot rule.

**Ordinance No(s):** Ordinance 6F-a, adopted on first reading by the Municipal Council on September 6, 2018. Ordinance 6PSF-b is scheduled for a public hearing, second reading and final passage on September 19, 2018.

**Additional Information:**

**Invitation:** Corporation Counsel

**WHEREAS**, cultivating a vibrant entertainment culture in the downtown area of the City of Newark is essential to its economic vision; and

**WHEREAS**, on September 6, 2018, the Municipal Council approved Ordinance 6F-a, which amends the hours of sale for plenary retail consumption or club license on a Sunday to be 9:00 a.m. through 2:00 a.m.; and

**WHEREAS**, on September 6, 2018, Ordinance 6F-a was advanced and adopted on first reading by the Municipal Council and is scheduled for a public hearing, second reading and final passage on September 19, 2018; and

**WHEREAS**, one of the goals of this ordinance is to change the hours of sale of alcoholic beverages and to amend certain restrictions for exceptions to the thousand-foot rule in the hopes of encouraging more participation by patrons to downtown establishments; and

**WHEREAS**, the month of September is an important month for business establishments, particularly in the downtown area, to boost its visibility, attract patrons, and nurture goodwill to their establishments; and

**WHEREAS**, there is an exigent need to change the hours of sale and to amend the restrictions for exceptions to the thousand-foot rule to prevent the loss of revenue faced by these businesses and by extension loss of revenue to the City of Newark in the critical month of September; and

**WHEREAS**, the delay in the implementation of this ordinance could mean the closure of these businesses in the downtown area and thus the loss of businesses and revenue in the City of Newark; and

**WHEREAS**, N.J.S.A. 40:69A-181(b) authorizes a Governing Body to adopt a resolution declaring an emergency and authorizing that an Ordinance take immediate effect so long as at least two-thirds of all the members of the Governing Body vote in favor of such resolution; and

**WHEREAS**, the Municipal Council recognizes the exigent need for this Ordinance 6PSF-b September 6, 2018, to take immediate effect so that businesses in the downtown area do not lose critical revenue and aid to cultivate an entertainment culture in the City of Newark; and

**WHEREAS**, the Municipal Council has determined that it is therefore necessary and appropriate to adopt this

resolution pursuant to N.J.S.A. 40:69A-181(b) declaring an emergency and determining that Ordinance 6PSF-b is adopted on September 19, 2018 shall take immediate effect upon the Mayor's signature and publication.

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

1. As a result of the reasons set forth herein and the important public policies enunciated, an emergency is hereby declared to exist and Ordinance 6F-a September 6, 2018, amending Title IV, Alcoholic Beverages of the Revised General Ordinances of the City of Newark, New Jersey, 2000, as amended and supplemented by amending portions of Chapter 2 and 3 specifically the hours of sale and certain restrictions for the exceptions to the thousand-foot rule to become effective, once adopted by the Municipal Council after second reading and final passage and signature of the Mayor and publication, in accordance with N.J.S.A.40:69A-181(b) due to the exigent need for businesses in the downtown area in the City of Newark to realize the significant potential revenue during the critical month of September.

#### **STATEMENT**

This resolution hereby authorizes an emergency to be declared, and further authorizes Ordinance 6F-a September 6, 2018, amending Title IV, Alcoholic Beverages of the Revised General Ordinances of the City of Newark, New Jersey, 2000, as amended and supplemented by amending portions of Chapter 2 and 3 specifically the hours of sale and certain restrictions for the exceptions to the thousand-foot rule to become effective, once adopted by the Municipal Council after second reading and final passage and signature of the Mayor and publication, in accordance with N.J.S.A.40:69A-181(b) due to the exigent need for businesses in the downtown area of the City of Newark to realize the significant potential revenue during the critical month of September.