

TOWNSHIP OF RIVERSIDE

AN ORDINANCE OF THE TOWNSHIP OF RIVERSIDE, COUNTY OF BURLINGTON, STATE OF NEW JERSEY AMENDING CHAPTER 106 OF THE CODE OF THE TOWNSHIP OF RIVERSIDE ENTITLED "ALCOHOLIC BEVERAGES" REQUIRING BEER KEGS TO BE REGISTERED PRIOR TO SALE

WHEREAS, underage drinking is serious problem affecting communities through the country; and

WHEREAS, beer kegs are often a main source of alcohol at teenage parties and, in addition, kegs may encourage drinking greater quantities of beer increasing the risk of driving under the influence of alcohol and other alcohol-related problems; and

WHEREAS, when police arrive at underage keg parties, people often scatter, leaving the police no way of determining who purchased the alcohol for the underage drinkers; and

WHEREAS, adults who purchase alcohol for underage youth may be deterred only if they believe they will face legal or financial consequences for providing alcohol to people under 21 and keg registration encourages people to think twice before purchasing kegs and allowing underage youth to drink from them; and

WHEREAS, the Township believes that the registration of kegs will provide additional protection from liability to licensed establishments within the municipality.

NOW THEREFORE BE IT ORDAINED, that the Township of Riverside, County of Burlington, State of New Jersey does hereby amend Chapter 106 of the Code of the Township of Riverside entitled "Alcoholic Beverages" to add the following new section

§ 106-8 Keg Registration

A. **DEFINITIONS.** For purposes of this section:

"Beer keg" means any brewery-sealed, single container that contains not less than seven gallons of malt liquor.

"Retailer" means a holder of a license under this chapter to sell alcoholic beverages under § 106-1(B).

B. **STANDARDS.** No retailer shall sell beer kegs unless that retailer affixes an identification label or tag to each beer keg. An identification label or tag shall consist of paper, plastic, metal, or another durable material that is not easily damaged or destroyed. Identification labels used may contain a nonpermanent adhesive material in order to apply the label directly to an outside surface of a beer keg at the time of sale. Identification tags shall be attached to beer kegs at the time of sale with nylon ties or cording, wire ties or other metal attachment devices, or another durable means of tying or attachment of the tag to the beer keg. The identification information contained on the label or tag shall include the licensed retailer's name, address, and telephone number; a unique beer keg number assigned by the retailer; and a prominently visible warning that intentional removal or defacement of the label or tag is a criminal offense. Upon return of a beer keg to the retailer that sold the

beer keg and attached the identification label or tag, the retailer shall be responsible for the complete and thorough removal of the entire identification label or tag, and any adhesive or attachment devices of the label or tag. The identification label or tag must be kept on file with the retailer for not less than 90 days from the date of return.

C. IDENTIFICATION REQUIRED. A retailer may not sell a beer keg unless the beer keg has attached an identification label or tag complying with the standards established under paragraph B of this section.

D. RETAILERS TO KEEP RECORDS.

(a) An retailer who sells a beer keg must at the time of the sale record:

(1) the number of the purchaser's driver's license, government-issued identification card, military identification card, or valid United States or foreign passport;

(2) the date and time of the purchase;

(3) the beer keg identification number required under paragraph C of this section; and

(4) the purchaser's signature.

(b) The record must be retained for not less than 90 days after the date of the sale.

E. ACCESS TO RECORDS. A retailer required to retain records under paragraph D of this section must make the records available during regular business hours for inspection by a peace officer or an agent or employee of the New Jersey Division of Alcoholic Beverage Control.

F. VIOLATIONS.

(a) A person required to record information under Paragraph D of this section may not knowingly make a materially false entry in the book or register required under that section. In a prosecution under this subdivision, it is a defense for the defendant to prove by a preponderance of the evidence that the defendant reasonably and in good faith relied upon the identification provided by the purchaser of a beer keg.

(b) No person other than a retailer, a licensed wholesaler of malt beverages, a peace officer or an agent or employee of the New Jersey Division of Alcoholic Beverage Control may intentionally remove identification placed on a beer keg in compliance with Paragraph C. No person may intentionally deface or damage the identification on a beer keg to make it unreadable.

(c) Any person found guilty of violating any provision of this ordinance may, upon conviction, be subject to a fine of up to Two-Thousand Dollars (\$2,000.00), be sentenced to jail for up to 90 days or be required to perform community service at the discretion of the court. Each and every violation shall constitute a separate offense.

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