

ORDINANCE 2023-14

**AN ORDINANCE OF COLTS NECK TOWNSHIP,
COUNTY OF MONMOUTH, STATE OF NEW JERSEY ESTABLISHING NEW
CHAPTER 89, ENTITLED "BUSINESS HOURS OF OPERATION" OF THE CODE
OF COLTS NECK TOWNSHIP**

WHEREAS, the Township Committee desires to use the police powers of Colts Neck to regulate the hours of operation and closure of various businesses and commercial establishments to which the public is invited, in order to curtail crime, noise, disturbance and public nuisance, to protect the safety and welfare of the employees and patrons of such businesses and establishments and of persons living in proximity to such businesses and establishments, and to enhance the quality of life of Township residents; and

WHEREAS, it is hereby declared to be in the best interest of the health, safety and welfare of the residents of Colts Neck, as well as the employees and patrons of such businesses and establishments, that the businesses and establishments regulated by this Chapter cease the conduct of the business, operation and activities at a reasonable hour.

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of Colts Neck, in the County of Monmouth, and the State of New Jersey as follows: : (additions to text indicated by underline; deletions to text indicated by ~~strikeout~~).

SECTION I That the Code of the Township of Colts Neck is hereby amended and supplemented to add new Chapter 89 entitled "Business Hours of Operation" as follows;

Chapter 89, Business Hours of Operation.

89-1 Business and commercial establishments; hours of operation

No business or commercial establishment to which the public is invited within shall be open to the public or conduct any such business, operations or activities in any manor before 5:00 a.m. on any day and after midnight on the same day, seven days per week

89-2 Exclusions

The following business and commercial establishments, if not otherwise excluded pursuant to Section 89-1 above, shall be excluded from the application of Section 89-1, all being otherwise regulated by law, deemed to involve minimum nuisance characteristics, necessary to the public health, safety, welfare or convenience, or some combination of the foregoing, as follows:

- A. Establishment licensed for the sale of alcoholic beverages pursuant to Chapter 73, Alcoholic Beverages of the Code of the Township of Colts Neck whose hours of and mode of operation are governed by N.J.S.A. 33:1-1 et seq. of the laws of New Jersey pertaining to alcoholic beverages.
- B. Automatic teller machines (ATM's) associated with banks that would otherwise be closed.
- C. Hotels and motels.
- D. In accordance with a special use exception issued the Colts Neck Township Committee. Any special use exception or relief from the provisions contained in this Chapter, in whole or in part, must be sought by way of application made to the Colts Neck Township Committee and only the Township Committee shall have the authority to provide relief from and/or waive the provisions contained in the Chapter in whole or in part.
- E. Incidental activities, noise involving business operations or sales or services, within or about any business or commercial establishment which may be required in advance of or after the hours of operation permitted by Section 89-1 including but not limited to, preparation of food and baked goods for retail sales,

22

SECTION II

SECTION III

SECTION IV

SECTION V

Veterans Way.

Sue Fitzpatrick, Mayor

Trina Lindsey, Municipal Clerk

RECORD OF VOTE										
	First Reading					Second Reading				
	May 31, 2023					June 14, 2023				
	M S	Yes	No	NV	Ab	M S	Yes	No	NV	Ab
Mayor Fitzpatrick		X					X			
Deputy Mayor Rizzuto		X								X
Torchia Buss		X					X			
Viola	S	X				S	X			
Bartolomeo	M	X				M	X			
M - Moved	S - Seconded	X - indicates vote			NV - Not Voting		Ab - Absent			