

RESOLUTION MC-24: 9444
On Motion Of: Jannette Ramos
APPROVED: May 14th, 2024

R-2

FUENTES
5/14/2024

RESOLUTION ESTABLISHING AN AD HOC COMMITTEE TO EXAMINE AND MAKE RECOMMENDATIONS TO THE ADMINISTRATION AND THE CITY COUNCIL OF THE CITY CAMDEN CONCERNING WHETHER SECTION 181-7 OF THE CAMDEN CODE SHOULD BE AMENDED OR MODIFIED IN ANY WAY

WHEREAS, the Administration and the City Council of the City of Camden seek to examine and obtain recommendations as to whether Chapter 181, Alcoholic Beverages, Article I, Licensing and General Regulations, Section 181-7 of the Camden City Code; Location of Retail Premises Limited, should be amended or modified in any way; and

WHEREAS, Section 181-7 currently states:

§ 181-7. Location of retail premises limited.

A. Plenary retail consumption license.

- (1) No plenary retail consumption license shall be issued for any premises within 500 feet of any other plenary retail consumption licensed premises. The foregoing prohibition shall not prevent a renewal or person-to-person transfer at any existing location. The Board of Alcoholic Beverage Control may, in its reasonable discretion, waive the above restriction in districts zoned C-1, C-2, C-3, C-4, C-5, C-W, I-1, I-2 or C-C or in areas zoned for planned unit development if the applicant shall establish to the Board's satisfaction that such waiver will not adversely impact on the surrounding area and the public health, safety and welfare. When reviewing an application for a waiver, the Board shall consider and make a finding with respect to each of the following:
 - (a) Whether the location of an additional facility in an area will have an adverse impact on adjacent residential areas.
 - (b) Whether the proposed location is in an area where patrons of licensed facilities tend to congregate and/or consume alcoholic beverages on the adjacent streets, sidewalks and properties and whether the proposed facility is of such a type that it may be expected that its patrons may engage in similar inappropriate behavior.
 - (c) The location of any premises licensed for plenary retail distribution in proximity to the proposed facility.
 - (d) Whether the proposed facility and existing licensed facilities are predominantly designed for use as taverns, restaurants, hotels or entertainment facilities.
 - (e) Whether there is any dominant commercial or recreational theme in the area that would be enhanced by the presence of the proposed facility.
 - (f) Whether the proposed facility would enhance or facilitate a redevelopment project.
 - (g) Any factors which the Board deems critical to its decision to grant or deny an application for waiver.
- (2) The enumeration of certain zoning districts for the purpose of designating areas eligible for a waiver of the restriction imposed by this section shall not be deemed as a modification of the Zoning Code of the City of Camden and does not authorize any use in such districts not permitted by the specific provisions of the Zoning Code.¹

- B. No plenary retail distribution license shall be issued for any premises within 1,000 feet of any other plenary retail distribution licensed premises. The foregoing prohibition shall not prevent a person-to-person transfer at an existing location or a renewal at an existing location outstanding as of July 9, 1936.
- C. For the purpose of determining whether a proposed licensed premises is located within 500 feet or 1,000 feet of an existing licensed premises, the measurement shall be taken from the main entrance of the existing licensed premises to the main entrance of the proposed licensed premises along the shortest route a person would take to walk from one facility to the other without violating any laws or ordinances regulating pedestrian travel.

WHEREAS, the Administration and the City Council of the City of Camden now believe that in determining whether section 181-7 should be amended or modified, both can benefit greatly from an enhanced focus and attention on these issues, particularly those related as to whether the distance requirements as provided for in this section, should be amended or modified in any way; and

WHEREAS, the Administration and the City Council of the City of Camden believe that an Ad Hoc Committee should be appointed to examine and make recommendations to the Administration and the City Council of the City of Camden as to whether section 181-7 should be amended or modified in any way; and

WHEREAS, the Administration and the City Council of the City of Camden seek to appoint an Ad Hoc Committee comprised of seven (7) members: three (3) Business Leaders to be appointed by the City Council of the City of Camden, two (2) Mayor's designees and one (1) member of the City Council of the City of Camden and the Chief of the Camden County Police Department or his designee; and

WHEREAS, the City Attorney has also agreed to assign one or more attorneys to support the Ad Hoc Committee to assist in its work; now therefore,

BE IT RESOLVED, by the Administration and the City Council of the City of Camden that there is hereby created and established a Committee, called the ABC Ad Hoc Committee, which shall explore and make recommendations as to whether section 181-7 of the Camden City Code should be amended or modified in any way and this ABC Ad Hoc Committee shall be comprised of seven (7) members: three (3) Business Leaders to be appointed by the City Council of the City of Camden, , two (2) Mayor's designees and one (1) member of the City Council of the City of Camden, and the Chief of the Camden County Police Department or his designee.

BE IT FURTHER RESOLVED, that the ABC Ad Hoc Committee shall, by majority vote, select a Chairperson at its first meeting.

BE IT FURTHER RESOLVED, the City Attorney shall assign one or more attorneys to support the Ad Hoc Committee to assist in its work.

BE IT FURTHER RESOLVED, that ABC Ad Hoc Committee members shall avoid conflicts of interest, including using their positions as ABC Ad Hoc Committee members to secure unwarranted privileges or advantages for themselves or others or performing any conduct which could impair or prejudice their objectivity or independence of judgment in the exercise of their official duties.

BE IT FURTHER RESOLVED, a quorum, consisting of a majority of the ABC Ad Hoc Committee members, shall be necessary to conduct business.

BE IT FURTHER RESOLVED, that the ABC Ad Hoc Committee shall meet at least monthly at a time and place established by the Chairperson in public meeting rooms in City Hall or other appropriate locations, including virtual meetings, as determined necessary by the Chairperson.

BE IT FURTHER RESOLVED, that the ABC Ad Hoc committee shall report to the Administration and to City Council of the City of Camden by no later than June 30, 2024 with its written recommendations as to whether section 181-7 of the Camden City Code should be amended or modified in any, and if so, what amendments or modifications are being recommended.

BE IT FURTHER RESOLVED, that and upon making such written recommendations, the ABC Ad Hoc Committee shall cease to exist.

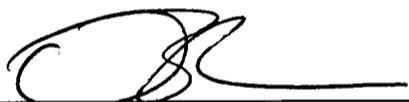
BE IT FURTHER RESOLVED, that ABC Ad Hoc Committee meetings shall be conducted in accordance with Roberts Rules unless such rules are otherwise inconsistent with state law or the Camden City Code.

BE IT FURTHER RESOLVED, that the ABC Ad Hoc Committee meetings shall be subject to the Open Public Meetings Act.

BE IT FURTHER RESOLVED, that members of the ABC Ad Hoc Committee shall serve without compensation.

BE IT FURTHER RESOLVED, that pursuant to N.J.S.A. 52:27BBB-23, a true copy of this Resolution shall be forwarded to the State Commissioner of Community Affairs, who shall have ten (10) days from the receipt thereof to veto this Resolution. All notices of veto shall be filed in the Office of the Municipal Clerk.

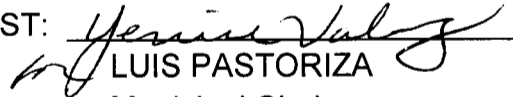
The above has been reviewed
and approved as to form.



DANIEL S. BLACKBURN
City Attorney



ANGEL FUENTES
President, City Council

ATTEST: 
LUIS PASTORIZA
Municipal Clerk