

CITY OF VINELAND

RESOLUTION NO. 2015-\_\_\_\_\_

A RESOLUTION ACCEPTING THE NON VULT PLEA OF WINGATE VINELAND, LLC T/A BENNIGAN'S, THE HOLDER OF PLENARY RETAIL CONSUMPTION LICENSE NO. 0614-36-062-001, RELATING TO CHARGES ON OR ABOUT DECEMBER 20, 2014 AND JANUARY 30, 2015.

**WHEREAS**, charges have heretofore been duly served upon the named licensee charging that on or about December 20, 2014 and January 30, 2015, the licensee allowed, permitted and/or suffered on or about the licensed premises; (1) a brawl or act of violence (2) conduct in such a manner as to become a nuisance adversely affecting the quality of life of the City of Vineland in which the license is sited (3) conduct in such a manner as to become a nuisance, requiring police intervention, or adversely affecting public safety or rights of the public (4) delivered alcoholic beverages before or after the legal hour of sale as set forth in the Code of the City of Vineland (5) presence of non-employees on the licensed premises before or after the legal hours of sale as set forth in the Code of the City of Vineland (6) the sale, service or delivery of any alcoholic beverages or permit any consumption of alcoholic beverages on the licensed premises between 2:00 AM and 12 Noon; and

**WHEREAS**, a plea of Non Vult was executed and delivered to the City Clerk by the legal representative of the license holder dated November 17, 2015; and

**WHREAS**, Counsel for the license holder has waived their right to a hearing on all charges and has accepted, subject to determination of the City Council, a suspension of one (1) day which shall be served prior to January 1, 2016; and

**WHEREAS**, City Council has determined that the license holder has not been charged with any other violations in the recent past.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Vineland that Plenary Retail Consumption License No. 0614-36-062-001 hereby issued by the City of Vineland to Wingate Vineland, LLC t/a Bennigan's for premises located at 2196 West Landis Avenue, Vineland, New Jersey be and the same is hereby suspended for a period of one (1) day to be served on or before January 1, 2016.

**BE IT FURTHER RESOLVED** that the Council of the City of Vineland does not object to the licensee paying a fine in lieu of suspension, if said licensee makes application to the Director of the New Jersey Division of Alcoholic Beverages.

Adopted:

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President of Council

ATTEST:

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City Clerk