

CITY OF VINELAND

RESOLUTION NO. 2015-_____

RESOLUTION ACCEPTING THE NON VULT PLEA OF LGM LIQUOR INC T/A CHARLIE'S LIQUOR STORE, THE HOLDER OF PLENARY RETAIL DISTRIBUTION LICENSE NO. 0614-44-031-007 RELATING TO CHARGES ON OR ABOUT OCTOBER 2, 2014, OCTOBER 3, 2014 AND FEBRUARY 25, 2015

WHEREAS, charges have heretofore been duly served upon the named licensee charging that on or about October 2, 2014, October 3, 2014, and February 25, 2015, the licensee allowed, permitted and/or suffered on or about the licensed premises: a brawl or act of violence (2 counts); unlawful activity pertaining to control dangerous substances as defined by the New Jersey Controlled Dangerous Substance Act; to become a nuisance, adversely affecting the quality of life of the municipality in which the license is situated; to become a nuisance, requiring police intervention, or adversely affecting public safety or rights of the public; the possession in open containers or consumption or offer of for consumption of any alcoholic beverage in or upon any private property within the City of Vineland, unless the person possessing, consuming or offering such alcoholic beverage is the owner or lessee of such private property, or an invitee who has the permission or consent of the owner or lessee of such property to possess or consume alcoholic beverages thereon; and

WHEREAS, a plea of Non-Vult was executed and delivered to the City Clerk by the legal representatives of the license holder dated August 28, 2015; and

WHEREAS, 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 day to be served on or before January 6, 2016; and

WHEREAS, City Council has considered the lack of past history of offenses by the license holder, the upgrades to security, lack of subsequent offenses and cooperation with law enforcement in curtailing unlawful activity on the licensed premises as well as surrounding properties; and

WHEREAS, Council finds it to be a fair and equitable penalty to suspend the licensed premises from operating within the City of Vineland for one day ;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Vineland that Plenary Retail Distribution License No. 0614-44-030-007 heretofore issued by the City of Vineland to LGM Liquor, Inc. t/a Charlie's Liquor Store for premises located at 1026 Gheysens Avenue, Vineland, New Jersey, be and is hereby suspended for a period of one day to be served on or before January 6, 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 Beverage Control.

Adopted:

President of Council

ATTEST:

City Clerk