

(d) Reports submitted by hard copy shall be mailed to the Director of the Commission's Division of Licensing at the address specified in N.J.A.C. 19:40-3.1(a) and to the Director of the Division at the address specified in N.J.A.C. 19:40-3.1(c)2.

New Rule, R.1996 d.72, effective February 5, 1996.

See: 27 N.J.R. 3920(a), 28 N.J.R. 901(b).

Amended by R.1999 d.14, effective January 19, 1999.

See: 30 N.J.R. 3768(a), 31 N.J.R. 142(a).

In (d), inserted "Director of the" preceding "Division" and updated an N.J.A.C. reference.

### SUBCHAPTER 3. CONDITIONS OF OPERATION IN AUTHORIZED LOCATIONS

#### 19:50-3.1 Conditions of operation in Type I (casino/casino simulcasting facility) locations

(a) No alcoholic beverage shall be sold or given for consumption, delivered or otherwise brought to a patron within a casino room or casino simulcasting facility unless so requested by the patron.

(b) No alcoholic beverage in an original container shall be brought into a Type I location except by the CHAB licensee authorized to sell alcoholic beverages in that Type I location.

(c) No CHAB licensee shall serve any alcoholic beverage in a Type I location except by the glass or other open receptacle including, but not limited to, an original container, for on-premises consumption within the authorized location.

(d) No alcoholic beverage shall be displayed in a Type I location except:

1. As required for the necessary operation of a bar;
2. During the customary and ordinary course of preparing a patron's drink order; or
3. Incidental to delivery or consumption by a patron.

(e) Alcoholic beverages may be served in a Type I location only when the casino room or casino simulcasting facility is open for gaming activity as provided in section 97(a) of the Act, but shall not be served later than 15 minutes prior to the closing of the casino room or casino simulcasting facility.

Amended by R.1983 d.210, effective June 6, 1983.

See: 15 N.J.R. 539(a), 15 N.J.R. 932(b).

Recodified from 19:50-1.7 by R.1988 d.257, effective June 6, 1988.

See: 20 N.J.R. 770(a), 20 N.J.R. 1210(a).

Amended by R.1992 d.14, effective January 6, 1992.

See: 23 N.J.R. 3087(b), 24 N.J.R. 110(b).

Amended pursuant to P.L. 1991 c.182.

Amended by R.1993 d.540, effective November 1, 1993.

See: 25 N.J.R. 3689(a), 25 N.J.R. 4929(a).

Amended by R.1994 d.284, effective June 6, 1994.

See: 26 N.J.R. 1211(a), 26 N.J.R. 2477(b).

Amended by R.2003 d.92, effective March 3, 2003.

See: 34 N.J.R. 3702(a), 35 N.J.R. 1273(b).

Rewrote (a); in (c), substituted "including, but not limited to," for "but not in" following "receptacle".

#### 19:50-3.2 Conditions of operation in Type II (hotel) locations (Reserved)

Amended by R.1983 d.210, effective June 6, 1983.

See: 15 N.J.R. 539(a), 15 N.J.R. 932(b).

Recodified from 19:50-1.8 by R.1988 d.257, effective June 6, 1988.

See: 20 N.J.R. 770(a), 20 N.J.R. 1210(a).

Repealed by R.1992 d.14, effective January 6, 1992.

See: 23 N.J.R. 3087(b), 24 N.J.R. 110(b).

Section was "Conditions of operation in Type II locations".

#### 19:50-3.3 Conditions of operations in Type III (package goods) locations

(a) No CHAB licensee shall, in a Type III location, sell any alcoholic beverage for delivery to any other area in, on or about the premises.

(b) No CHAB licensee shall, in a Type III location, sell any alcoholic beverage in other than original sealed containers or for consumption within the Type III authorized location.

(c) Sale of alcoholic beverages may include the retail sale of distillers' and vintners' packaged holiday merchandise prepacked as a unit with suitable glassware as gift items to be sold only as a unit, cigars, cigarettes, packaged crackers, chips, nuts and similar snacks, ice and non-alcoholic beverages as accessory beverages to alcoholic beverages and novelty wearing apparel identified with the name or the trade name(s) of the CHAB licensee.

(d) No CHAB licensee shall allow, permit or suffer any alcoholic beverage to be consumed in or upon a Type III location, nor shall any CHAB licensee possess or allow, permit or suffer any open containers of alcoholic beverages in or upon its Type III location; provided, however, that opened bottles of alcoholic beverages returned by a customer as allegedly defective may be so possessed pending return to the manufacturer or wholesaler; and further provided that the container is immediately resealed and labeled with the name and address of the customer and the date of return by the customer.

(e) Notwithstanding (b) and (d) above, the Commission may, pursuant to N.J.A.C. 19:50-1.4(d), issue a Type II and Type III authorization for the same location or a Type III authorization for a specific area of a Type II authorized location.

Amended by R.1983 d.210, effective June 6, 1983.

See: 15 N.J.R. 539(a), 15 N.J.R. 932(b).

Recodified from 19:50-1.9 by R.1988 d.257, effective June 6, 1988.

See: 20 N.J.R. 770(a), 20 N.J.R. 1210(a).

Repeal and New Rule, R.1992 d.14, effective January 6, 1992.

See: 23 N.J.R. 3087(b), 24 N.J.R. 110(b).

Section was "Conditions of operation in Type III locations".

Amended by R.2004 d.79, effective February 17, 2004.

See: 35 N.J.R. 5056(a), 36 N.J.R. 1119(b).

Added (e).

Petition for Rulemaking.

See: 37 N.J.R. 2096(c), 2722(a).

### 19:50-3.4 (Reserved)

Amended by R.1983 d.210, effective June 6, 1983.

See: 15 N.J.R. 539(a), 15 N.J.R. 932(b).

Recodified from 19:50-1.10 by R.1988 d.257, effective June 6, 1988.

See: 20 N.J.R. 770(a), 20 N.J.R. 1210(a).

Administrative correction: in (b) replaced "than" with "open" describing type of receptacle.

See: 21 N.J.R. 1156(b).

Repealed by R.1992 d.14, effective January 6, 1992.

See: 23 N.J.R. 3087(b), 24 N.J.R. 110(b).

Section was "Conditions of operation in Type IV locations".

### 19:50-3.5 Conditions of operation in Type V (storage) locations

(a) A CHAB licensee may, in a Type V location, store alcoholic beverages intended for sale at other authorized locations in, on, or about the premises.

(b) A CHAB licensee shall transfer or deliver such alcoholic beverages from a Type V location only to authorized locations in, on or about the premises.

(c) A CHAB licensee shall not allow, permit or suffer access to or from a Type V authorized location, except to the extent that such access is necessary in the normal course of business to employees or agents of the CHAB licensee or to licensed employees or agents of wholesalers or distributors licensed pursuant to Title 33 of the Revised Statutes, Title 13 of the New Jersey Administrative Code, the Act and the regulations of the Commission.

(d) All Type V locations shall be fixed, enclosed areas within the premises, not in a casino, and not otherwise authorized for the sale, service or consumption of alcoholic beverages.

(e) No alcoholic beverage shall be sold, served or consumed in a Type V location.

(f) A CHAB licensee shall maintain its Type V locations in a secure manner.

Amended by R.1983 d.210, effective June 6, 1983.

See: 15 N.J.R. 539(a), 15 N.J.R. 932(b).

Recodified from 19:50-1.11 by R.1988 d.257, effective June 6, 1988.

See: 20 N.J.R. 770(a), 20 N.J.R. 1210(a).

Amended by R.1991 d.469, effective September 16, 1991.

See: 23 N.J.R. 2006(b), 23 N.J.R. 2868(b).

In (c): added phrase regarding novelty wearing apparel.

Repealed and Replaced, R.1992 d.14, effective January 6, 1992.

See: 23 N.J.R. 3087(b), 24 N.J.R. 110(b).

### 19:50-3.6 (Reserved)

Amended by R.1983 d.210, effective June 6, 1983.

See: 15 N.J.R. 539(a), 15 N.J.R. 932(b).

Recodified from 19:50-1.12 by R.1988 d.257, effective June 6, 1988.

See: 20 N.J.R. 770(a), 20 N.J.R. 1210(a).

Repealed by R.1992 d.14, effective January 6, 1992.

See: 23 N.J.R. 3087(b), 24 N.J.R. 110(b).

Section was "Conditions of operation in Type VI locations".

New Rule, R.1993 d.37, effective January 19, 1993.

See: 24 N.J.R. 3695(a), 25 N.J.R. 348(b).

Rule added on conditions of operating in simulcasting facilities.

Amended by R.1993 d.540, effective November 1, 1993.

See: 25 N.J.R. 3689(a), 25 N.J.R. 4929(a).

Repealed by R.1994 d.284, effective June 6, 1994.

See: 26 N.J.R. 1211(a), 26 N.J.R. 2477(b).

Section was "Conditions of operation in Type VI (casino simulcasting facility) locations".

### 19:50-3.7 (Reserved)

Amended by R.1983 d.210, effective June 6, 1983.

See: 15 N.J.R. 539(a), 15 N.J.R. 932(b).

Recodified from 19:50-1.13 by R.1988 d.257, effective June 6, 1988.

See: 20 N.J.R. 770(a), 20 N.J.R. 1210(a).

Repealed by R.1992 d.14, effective January 6, 1992.

See: 23 N.J.R. 3087(b), 24 N.J.R. 110(b).

Section was "Conditions of operation in Type VII locations".

## SUBCHAPTER 4. DISCIPLINARY PROCEEDINGS

### 19:50-4.1 General provisions

(a) Any violation of Title 33 of the Revised Statutes or Title 13 of the New Jersey Administrative Code by an applicant or CHAB licensee, or its agents or employees shall be grounds for penalty, suspension, revocation, or other disciplinary action by the Commission unless the conduct involved is specifically permitted by the Act or by these regulations.

(b) In disciplinary proceedings it shall be sufficient, in order to establish the guilt of the licensee, to show that the violation was committed by an agent, servant or employee of the CHAB licensee. The fact that the CHAB licensee did not participate in the violation or that its agent, servant or employee acted contrary to instructions given by the CHAB licensee or that the violation did not occur in the CHAB licensee's presence shall constitute no defense to the charges preferred in such disciplinary proceedings.

Amended by R.1983 d.210, effective June 6, 1983.

See: 15 N.J.R. 539(a), 15 N.J.R. 932(b).

Recodified from 19:50-1.14 by R.1988 d.257, effective June 6, 1988.

See: 20 N.J.R. 770(a), 20 N.J.R. 1210(a).

## SUBCHAPTER 5. PERMITS

### 19:50-5.1 Social affair permit

(a) For purposes of this section:

"Fee" means any amount charged in connection with attendance at an event, whether a direct charge for drinks, the purchase of tickets, admission, donations or other assessments, or an indirect charge for food, entertainment or any other costs.