

STATE OF NEW JERSEY
Department of Law and Public Safety
DIVISION OF ALCOHOLIC BEVERAGE CONTROL
25 Commerce Drive Cranford, N.J. 07016

BULLETIN 2129

January 30, 1974

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1. NOTICE TO MUNICIPAL ISSUING AUTHORITIES - AMENDMENT OF LONG FORM RENEWAL APPLICATION PROCEDURES IN FORCE SUBSEQUENT TO FEBRUARY 18, 1971 - NEW FORMS ATTACHED.

N O T I C E

TO ALL MUNICIPAL ISSUING AUTHORITIES:

This Division since July 1, 1971 has permitted the use of a "short form" renewal application in lieu of the four (4) page "long form" application by licensees, in those instances, where there had been no changes of fact since the filing of the last preceding renewal application. Accordingly, licensees at renewal time, in those permitted instances have used the "short form" application when applicable for the fiscal years 1971-72, 1972-73 and 1973-74.

Recently, selected members of my staff have completed a study and analysis of the direct and collateral effects resulting from the adoption of this administrative procedural change of July 1, 1971. The study indicated that an appreciable number of unforeseen factual changes did and will occur within a three (3) year period and such changes can not correctly and currently be reflected at renewal time because of the limitations imposed by the continuous use of the "short form" application.

However, the study also indicated that the adopted change has sufficient merit and has been beneficial to the Division, the municipal clerks and the licensees.

Consequently, in order to retain the beneficial features resulting from its use and yet correct a collateral administrative difficulty which has emerged since its adoption, I have, this day amended the renewal application procedure notice dated February 18, 1971, and which was mailed to all municipal issuing authorities.

Quadrennially, effective July 1, 1974, licensees will use and complete the "long form" four page renewal application. Thereafter, for the next three (3) successive fiscal years, (1975-76), (1976-77) and (1977-78) licensees will use and complete the "short form" one (1) page renewal application. The quadrennial filing procedure would, of course, be repeated, with the use of the "long form" application, for the fiscal year (1978-79).

Due to several statutory and regulatory changes, which have occurred during the past 18 months, the four (4) page "long form" application has been amended to reflect such changes. Several questions have been revised and several have been eliminated. The four (4) page application forms promulgated and attached are effective for the fiscal year commencing July 1, 1974 and thereafter.

I urge that all License Issuing Authorities take immediate steps to obtain a sufficient supply of the revised application forms A-13 and A-14 at the earliest possible moment so that they will be available when the time comes for the renewal of licenses for the next fiscal year (1974-75).

Your attention is also directed to the requirement that applicants submit applications in triplicate to the municipal clerk, with the State's fee of \$25.00 (in addition to the municipal fee), for which the clerk will acknowledge receipt on the renewal application form. The municipal clerk will then forward one copy of the application and the \$25.00 fee accompanying such application to this office, and the applicant will retain one copy of the application form, which will be kept available for inspection at the licensed premises.

ROBERT E. BOWER
DIRECTOR

Dated: December 19, 1973

FORM OF APPLICATION FOR RENEWAL, NEW OR TRANSFER OF
MUNICIPAL RETAIL LICENSES EXCEPT CLUB LICENSE

NJABC A-13 (1-74)

Application must be prepared at least in triplicate. Original and one copy to be filed with the municipal issuing authority with full municipal fee and additional fee of \$25.00 made payable to Division of Alcoholic Beverage Control. The third copy of the application for license must be kept at applicant's licensed premises available for inspection at all times.

Date Application Filed _____ Fee Deposited \$ _____

Date Granted or Denied _____ License Fee \$ _____

Date of Refund _____ Amount of Refund \$ _____

Receipt is acknowledged of filing fee of \$25.00 on _____ to be forwarded to the Division of Alcoholic Beverage Control.

(Municipal Clerk or Secretary, Municipal Board
of ABC)

(Do not write above this line)

(Name of Municipality)

Pursuant to R.S. Title 33, c. 1, the undersigned hereby makes application for license as indicated below and certifies to the correctness of the following information:

(Mark with "X" nature of application)

Renewal Application

Transfer from Person to Person

New Application

From: _____
(Name of Transferor)

Transfer to Other Premises

From: _____
(Present Premises)

(Mark with "X" type of license applied for)

Plenary Retail Consumption

Seasonal Retail Consumption

Plenary Retail Distribution

Summer Season (May 1--Nov. 14 incl.)

Limited Retail Distribution

Winter Season (Nov. 15--April 30 incl.)

QUESTIONS 1-11 INCLUSIVE MUST BE ANSWERED BY ALL APPLICANTS

1. Application of _____
(Print Name in Full)

2. Is applicant an individual, partnership or corporation? _____

3. If individual, give name, residence, place and date of birth of applicant; if partnership, give name, residence, place and date of birth of each partner:

<u>Name</u>	<u>Residence</u>	<u>Place of Birth</u>	<u>Date of Birth</u>
_____	_____	_____	_____
_____	_____	_____	_____

4. Trade name, if any, under which business is to be conducted: _____

5. Address of premises to be licensed:
 Street and number _____
 Municipality _____ Zip Code _____
 Post Office address _____
 (If different from municipal address)

6. Description of premises to be licensed:
 (a) How many buildings in whole or in part to be licensed? _____
 (b) Describe in detail the premises in such building or buildings which applicant wishes to be licensed (where alcoholic beverages will be sold, served or stored), stating whether the entire or only a portion of such building or buildings is to be licensed. If only a portion of any building is to be licensed, state the floor or floors (including basements) to be licensed, or if less than an entire floor is to be licensed, state the particular room or rooms on such floor which are to be licensed. If a diagram showing portions of a floor or floors to be licensed is submitted with this application, such fact should be stated herein.

(c) Are any grounds adjacent to any such building to be licensed? Yes () No ()
 If so, diagram showing the location of such grounds, with the dimensions in feet, must be submitted with the application.

7. Does applicant own premises to be licensed? Yes () No () If not, state name and address of person from whom premises are leased. _____

8. Will the applicant or anyone else conduct any business other than the sale of alcoholic beverages on the premises sought to be licensed? _____

(a) If so, what business and by whom? _____
 (The following (b) to be answered only by applicants for renewal or transfer of Plenary or Seasonal Retail Consumption License):

(b) Does the license sought to be renewed or transferred include, pursuant to R.S. 33:1-12.23 (P.L. 1948, ch. 98) and State Regulation No. 32, the privilege of selling alcoholic beverages in original containers for off-premises consumption from a portion of the premises other than the public barroom (the so-called "Broad Package Privilege")? _____

- 9. Is the nearest entrance to the premises to be licensed within 200 feet of the nearest entrance of any church or schoolhouse? _____
If so, is waiver attached? _____
- 10. State anticipated dates when Notice of Application will be published on or after date of filing of this application.
First Insertion _____ Second Insertion _____
Name of newspaper _____ Where published _____
- 11. If license is issued, does applicant intend to use any vehicles for delivery or transportation of alcoholic beverages? _____. If so, have you filed application for transit insignia with the Division of Alcoholic Beverage Control, 25 Commerce Drive, Cranford, N. J. 07016? _____

QUESTIONS 12-23 INCLUSIVE MUST BE ANSWERED BY CORPORATIONS ONLY

- 12. Corporate name of applicant _____
- 13. Address of principal office _____
- 14. Date incorporated _____ Under laws of what State? _____
- 15. If not incorporated under the laws of the State of New Jersey, is corporation authorized to do business in New Jersey? _____
- 16. Name and residence of Registered or Authorized Agent in New Jersey upon whom service of process in any proceedings against the applicant pursuant to Alcoholic Beverage Law (R.S. Title 33, c. 1), the Alcoholic Beverage Tax Law (R.S. Title 54, Subtitle 8) or proceedings in any court of this State or in the U.S. District Court for the District of New Jersey may be made _____

17. Address of Registered Office in New Jersey _____

18. Names and residences of all officers of applicant corporation and office held by each:

<u>Name</u>	<u>Residence</u>	<u>Office</u>
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19. Names and residences of all members of the Board of Directors of the applicant Corporation:

<u>Name</u>	<u>Residence</u>
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20. Names and residences of all stockholders holding one (1) or more per cent of the issued and outstanding stock of the applicant corporation. (If any stockholder is another corporation, attach rider giving answers to Questions 18 through 23 with respect to that corporation):

<u>Name</u>	<u>Residence</u>	<u>No. of Shares</u>	<u>Per Cent of Stock Issued & Outstanding</u>

21. Does any corporation, partnership, association or individual other than the stockholders hereinabove set forth hold any beneficial interest, directly or indirectly, in the stock held by such stockholders, or is any of such stock held in escrow or pledged in any way? _____ If answer is "Yes", state details _____

22. Has any stockholder of the applicant corporation any beneficial interest, directly or indirectly, in the stock of any other stockholder of the applicant corporation? _____ If answer is "Yes", state details _____

23. Does the individual signing this application on behalf of said corporation know, or have any reason whatsoever to believe or suspect, that any of the officers or directors of said corporation, or any holder, directly or indirectly, by any device or subterfuge whatsoever, of more than ten (10) per cent in beneficial interest of the capital stock of said corporation would fail to qualify as an individual applicant for the license hereby applied for in any respect? _____ If so, state name of person or persons failing to qualify _____

QUESTIONS 24-36 INCLUSIVE MUST BE ANSWERED BY ALL APPLICANTS

24. Are you and all persons mentioned in this application having a beneficial interest in the license applied for or in the business to be conducted under said license at least eighteen years of age? _____

(a) If you or any such person is under eighteen years of age, state name and age of such person _____

25. Is any member of the License Issuing Authority of this municipality:

(a) The individual applicant herein? _____

(b) A member of the partnership applicant herein? _____

(c) Interested, directly or indirectly, in the corporation, organization, or association which is the applicant herein? _____

(If answer to 25 is in the affirmative, application must be made direct to the Director of the Division of Alcoholic Beverage Control, 25 Commerce Drive, Cranford, N. J. 07016)

26. Do you or any person mentioned in this application having a beneficial interest in the license applied for or in the business to be conducted under said license hold any official position pursuant to which you or they are entrusted with the enforcement of any laws concerning alcoholic beverages in any manner whatsoever?_____. If so, state the official title of such person or persons and describe fully the official duties_____
27. Has any individual, partnership, corporation or association, other than the applicant, any interest, directly or indirectly, in the license applied for or in the business to be conducted under said license?_____. If so, state names, addresses and interest of such individuals, partnerships, corporations or associations_____
28. Has the applicant agreed to permit any person to receive, or agreed to pay to any employee or other person (by way of rent, salary or otherwise), all or any portion or percentage of the gross or net profits or income derived from the business to be conducted under the license applied for?_____If so, give complete details_____
29. Does any individual, partnership, corporation or association hold any chattel mortgage or conditional bill of sale or other security interest on any furniture, fixtures, goods or equipment used or to be used in connection with the conduct of the business to be operated under the license herein applied for?_____. If so, state the name and address of the holder of such mortgage, bill of sale, or security interest, giving full particulars in respect thereto_____
30. Has the applicant or has any person mentioned in this application having a beneficial interest in the license applied for or in the business to be conducted under said license ever been convicted of any crime?_____If so, state details as to each conviction, giving the name of the person convicted, date thereof, nature of the crime, court in which the conviction was entered and sentence imposed_____
- If the Director of the Division of Alcoholic Beverage Control has entered an order removing the disqualification resulting from such conviction, state the date of such order_____.
31. Has the applicant or has any person mentioned in this application having a beneficial interest in the license applied for or in the business to be conducted under said license ever been convicted in any criminal prosecution of any violation of the New Jersey Alcoholic Beverage Law (R.S. Title 33 as amended and supplemented) or or any violation of any municipal alcoholic beverage ordinance or any disorderly persons offense involving alcoholic beverages?_____If so, state details as to each conviction, giving name of person convicted, date thereof, nature of the offense, court in which the conviction was entered and sentence imposed._____
32. Has the applicant or has any person mentioned in this application ever had any interest, directly or indirectly, in (1) any application for an alcoholic beverage license in New Jersey, which was denied, or (2) any alcoholic beverage license in New Jersey or elsewhere which was surrendered, suspended, revoked or cancelled, within the past 10 years preceding the filing of this application?_____. If so, state details with respect to each denial, surrender, suspension, revocation or cancellation_____

33. Is the applicant or any person mentioned in this application having a beneficial interest in the license applied for or in the business to be conducted under said license interested, directly or indirectly, in any brewery, winery, distillery, rectifying and blending plant, or importing or wholesale alcoholic beverage business, either as owner or part owner, or as stockholder, officer, director, agent, employee or otherwise? _____ If so, how? _____

34. The applicant agrees, if license is issued, to abide by and comply with the provisions of R.S. Title 33, c. 1, and any rules and regulations promulgated heretofore and hereafter by the Director of the Division of Alcoholic Beverage Control pursuant thereto, and with the provisions of all duly enacted municipal ordinances and resolutions.

35. The applicant consents that the licensed premises and all portions of the building containing same, including all rooms, cellars, out-buildings, passageways, closets, vaults, yards, attics, and every part of the structure of which the licensed premises are a part and all buildings used in connection therewith which are in his possession or under his control, may be inspected and searched without warrant at all hours by the Director of the Division of Alcoholic Beverage Control, the Director of the Division of Taxation, their duly authorized inspectors, investigators and agents and all other officers.

QUESTION 36 MUST BE ANSWERED ONLY BY APPLICANTS FOR
 NEW LICENSE OR TRANSFER FROM PERSON TO PERSON OR UPON
 ANY CHANGE OF STOCKHOLDERS OF A CORPORATION LICENSEE
 EXCEPT ACQUISITION OF NOT MORE THAN 10% OF ANY CORPORATION
 THE SHARES OF WHICH ARE TRADED IN AND OVER-THE-COUNTER
 MARKET OF A NATIONAL OR AFFILIATED SECURITIES ASSOCIATION
 (R.S. 33:1-12.31, et seq.)

36. Has the applicant or has any person mentioned in this application having a beneficial interest in the license applied for or in the business to be conducted under said license any beneficial interest in two or more retail alcoholic beverage licenses? _____ If so, state name of licensees, address of each licensed premises and nature of interest in each such license _____

Dated: _____ 19 .

Witness: _____

 (Signature of individual applicant)

Witness: _____

(Signature of partner)

Witness: _____

(Signature of partner)

Witness: _____

(Signature of partner)

(Name of Corporate Applicant)

ATTEST: _____
(Secretary)

By: _____
(Signature of Pres. or Vice-Pres.)

(Affix corporate seal)

AFFIDAVIT BY INDIVIDUAL APPLICANT

STATE OF _____)
COUNTY OF _____) SS.

_____, of full age, being duly sworn
(Name of individual applicant)
according to law, upon his oath deposes and says that:

1. The answers, statements and declarations made in the foregoing application are absolutely true in all respects.

Subscribed and sworn to before me
this _____ day of _____ 19 _____

(Signature of individual applicant)

(Signature of Officer administering oath)

(Title of such officer)

AFFIDAVIT BY PARTNERSHIP APPLICANT

(This affidavit must be signed by ALL partners)

STATE OF _____)
COUNTY OF _____) SS.

(Names of all partners)

of full age, being duly sworn according to law say (each for himself and not for the others) on their respective oaths, that:

1. They are all of the partners of the partnership named as the applicant in the foregoing application.
2. They have read and fully understand all of the questions pertaining to such applicant partnership.
3. That all the foregoing answers, statements and declarations made thereto are absolutely true in all respects.

Subscribed and sworn to before me
this day of 19 .

(Signature of Partner)

(Signature of Partner)

(Signature of officer administering oath)

(Signature of Partner)

(Title of such officer)

(Signature of Partner)

FORM OF APPLICATION FOR CLUB LICENSE

NJABC A-14 (1-74)

Application must be prepared at least in triplicate. Original and one copy to be filed with the municipal issuing authority with full municipal fee and additional fee of \$25.00 made payable to Division of Alcoholic Beverage Control. The third copy of the application for license must be kept at the applicant's licensed premises available for inspection at all times.

Date application filed _____ Fee deposited \$ _____

Dated granted or denied _____ License fee \$ _____

Date of refund _____ Amount of Refund \$ _____

Receipt is acknowledged of filing fee of \$25.00 on _____ to be forwarded to the Division of Alcoholic Beverage Control.

(Municipal Clerk or Secretary, Municipal Board of ABC)

(DO NOT WRITE ABOVE THIS LINE)

(Name of Municipality)

Pursuant to R.S. Title 33, c. 1, the undersigned hereby makes application for license and certifies to the correctness of the following information:

(Mark with "X" nature of application)

New Application

Renewal Application

Transfer from another Club
From _____
(Name of Transferor)

Transfer to other premises
From _____
(Present premises)

1. Application of _____
(Print Name of Club in Full)

2. Location of premises to be licensed:
Street and number _____
Municipality _____
Post Office address _____

3. Describe in detail building or buildings containing the premises to be licensed:
 - (a) Type of construction _____
 - (b) For what purpose used _____
 - (c) If licensed premises are to include more than one building, state the number of such buildings and also state whether any unlicensed areas will intervene between the buildings _____
4. Will the entire building or buildings constitute the licensed premises? _____
 - (a) If not, specify in detail the floors and rooms or area which WILL constitute the licensed premises (where alcoholic beverages will be sold, served or stored) _____
 - (b) Will any grounds adjacent to the above premises constitute part of the licensed premises (where alcoholic beverages will be sold, served or stored)? _____
If so, attach diagram showing boundaries, in feet, of such grounds. _____
5. Does applicant own premises to be licensed? _____
 - (a) If not, give name and address of owner _____
 - (b) If not leased or rented from owner, give name and address of person from whom premises are leased or rented _____
6. Is the nearest entrance to the premises to be licensed within 200 feet of the nearest entrance of any church or schoolhouse? _____ If so, has waiver been granted? _____
Date granted _____
7. State anticipated dates when Notice of Application will be published on or after date of filing of this application.
First Insertion _____ Second Insertion _____
Name of Newspaper _____ Where published _____
8. Is applicant an incorporated or unincorporated body? _____
9. If applicant is a corporation, has a copy of applicant's corporate charter and by-laws been submitted to the issuing authority? _____ If not, attach such copy hereto.
If applicant is not incorporated, has a copy of applicant's "Articles of Association" and by-laws been exhibited to the issuing authority? _____ If not, attach such a copy hereto.
10. When was club chartered or organized? _____
11. For what purposes is club operated? _____
12. Names and addresses of all officers:

<u>Name</u>	<u>Address</u>	<u>Title</u>
13. Names and addresses of all members of the governing body of club such as directors, trustees, etc.:

<u>Name</u>	<u>Address</u>	<u>Title</u>
14. Are the names of all members as of date of this application submitted herewith? _____
15. How many members of the club are 18 years of age or older? _____ How many are under 18? _____

16. Has the club been in active operation in the State of New Jersey for at least three (3) years immediately prior to this application? _____
17. Has the club been in exclusive continuous possession and use of club quarters for at least three (3) years immediately prior to this application? _____
If not, state reason _____
18. Has any officer, director, trustee or member of your governing body ever been convicted of any crime? _____ If so, state details as to each conviction, giving the name of the person convicted, the date thereof, the nature of the crime, the court in which the conviction was entered, and the sentence imposed _____

If the Director of the Division of Alcoholic Beverage Control has entered an order removing the disqualification resulting from such conviction, state the date of such order _____
19. Has the club or has any officer, director, trustee or member of its governing body ever been convicted of any criminal prosecution of any violation of the New Jersey Alcoholic Beverage Law (R.S. Title 33 as amended and supplemented) or of any violation of any municipal alcoholic beverage ordinance or any disorderly persons offense involving alcoholic beverages? _____ If so, state details as to each conviction, giving name of person convicted, date thereof, nature of the offense, court in which the conviction was entered and sentence imposed. _____

20. Has any individual, partnership, corporation or association, other than the applicant, any interest, directly or indirectly, in the license applied for or in the business to be conducted under said license? _____ If so, state names, addresses and interest of such individuals, partnerships, corporations or associations _____

21. Has the club agreed to permit any person to receive, or agreed to pay to any employee or other person, (by way of rent, salary or otherwise) all or any portion or percentage of the gross or net profits or income derived from the business to be conducted under the license applied for? _____ If so, give complete details _____

22. Does any individual, partnership, corporation or association hold any chattel mortgage or conditional bill of sale or other security interest on any furniture, fixtures, goods or equipment used or to be used in connection with the conduct of the business to be operated under the license herein applied for? _____ If so, state the name and address of the holder of such mortgage, bill of sale or security interest, giving full particulars in respect thereto _____

23. Did the club ever have any interest, directly or indirectly, in (1) any application for an alcoholic beverage license in New Jersey which was denied, or (2) any alcoholic beverage license in New Jersey or elsewhere which was surrendered, suspended, revoked or cancelled, within the past 10 years preceding the filing of this application? _____ If so, state details with respect to each denial, surrender, suspension, revocation or cancellation. _____

24. The person signing this application is authorized to, and does, represent that the club will abide by and comply with the provisions of R.S. Title 33, c. 1, and any rules and regulations promulgated heretofore and hereafter by the Director of the Division of Alcoholic Beverage Control pursuant thereto, and with the provisions of all duly enacted municipal ordinances and resolutions.

25. The person signing this application is authorized to, and does, consent on behalf of the club, that the licensed premises and all portions of the building containing same, including all rooms, cellars, out-buildings, passageways, closets, vaults, yards, attics, and every part of the structure of which the licensed premises are a part and all buildings used in connection therewith which are in its possession or under its control, may be inspected and searched without warrant at all hours by the Director of the Division of Alcoholic Beverage Control, the Director of the Division of Taxation, their duly authorized inspectors, investigators and agents and all other officers.

Dated: _____ 19 .

(Name of Club)

Witness: _____

By: _____

(Title)

STATE OF _____ }
COUNTY OF _____ } SS.

_____, being duly sworn according to law, upon his oath deposes and says that he is _____ of the applicant, is duly authorized by the _____ of the applicant to sign said application in its name and in its behalf; that he read and fully understands all questions pertaining to such applicant, and that all the foregoing answers, statements and declarations made thereto are absolutely true in all respects.

Subscribed and sworn to before me
this _____ day of _____, 19 .

(Signature of Affiant)

(Signature of officer administering oath)

(Title of such officer)

Robert E. Bower
Robert E. Bower
Director