

**STATE OF NEW JERSEY  
OFFICE OF THE ATTORNEY GENERAL  
DIVISION OF ALCOHOLIC BEVERAGE CONTROL**

**140 E. FRONT STREET  
TRENTON, NJ 08625  
609-984-2830**



**James B. Graziano, Acting Director**

**LEAGUE OF MUNICIPALITIES MINI CONFERENCE  
JUNE 10, 2020**

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# TODAY'S TOPICS

1. COVID-19 UPDATES
2. COVID-19 EXPANSION OF PREMISES PERMIT (COVID-19 EXPANSION PERMIT)
3. COCKTAILS TO GO
4. HOME DELIVERY AND SPECIAL RULING ON TRANSIT INSIGNIA
5. 2020-2021 LICENSE RENEWAL
6. AD INTERIM (AI) PERMITS
7. HUMAN TRAFFICKING
8. SAMI'S LAW

# COVID-19 UPDATES

## ABC COVID-19 UPDATES

### ORDERS, ADVISORIES AND SPECIAL RULINGS:

[Extension of Credit Relaxation to July 15, 2020, SR 2020-11](#)

[Covid 19 Expansion of Premise Permit SR 2020-10](#)

[Special Ruling Granting Further Extension of Credit](#)

[Cocktails to Go Advisory Notice 2020-06](#)

[Order Authorizing Extension of 2019-2020 Municipal and State Licenses and Permits through Wednesday, September 30, 2020](#)

[Special Ruling Relaxing Signature Requirement, Product Returns, Credit, Notices of Obligation and Bill and Hold](#)

[Special Ruling Relaxing of Transit Insignias](#)

[Special Ruling Suspending Enforcement of Any Violations by Plenary Distillery Licensees and Craft Distillery Licensees for Production of Hand Sanitizer or Distilled Spirits to be Used for Hand Sanitizer](#)

[Order Extending Certain ABC Permits \(Ad Interim, TAPs and Minor Work\)](#)

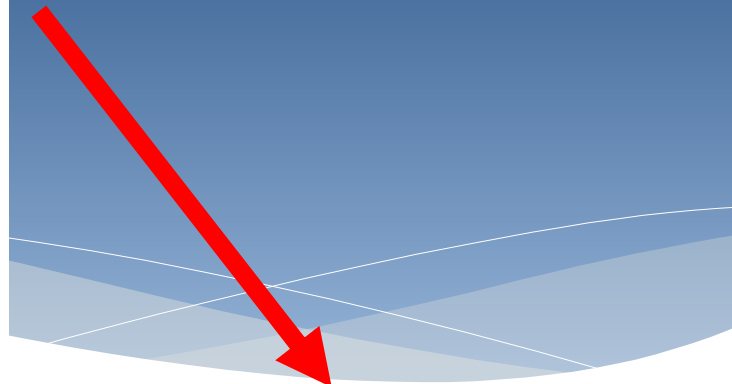
[Special Ruling 2020-01 Granting the Relaxation of Schedule A, Paragraph 2 \(i\) of the Special Ruling Authorizing Certain Activities by Holders of Limited Brewery Licenses \(Allowing Delivery\)](#)

**[ABC Guidelines for Sale and Service of Alcohol During COVID 19 Emergency.](#)**  
**[AN 2020-03](#)**

### ABC General Covid-19 Information

Rev. 06/04/2020

- **New Expansion of Premise Permit:** Limited outdoor service may resume on June 15. The new permit is available to all licensees with retail consumption privileges. The permit will allow licensees to expand their licensed footprint to nearby property to accommodate social distancing. The permit is valid until November 30. There is a one-time \$75 fee. ABC will begin accepting permit applications exclusively through POSSE online on June 5. Applications must be endorsed by municipal clerk and police chief through the POSSE portal. **No paper applications.**
- **Consumption Licensees Take Note:** Pursuant to a law enacted on May 15, 2020, consumption licensees are permitted to sell for off premise consumption mixed drinks in 16 oz. containers with tamper evident seals. **Disposable cups with lids that have holes are not permitted.** No one may transport alcoholic beverages for a licensee without an ABC Transit Insignia except carriers with a valid ABC transportation permit. Formal guidance is posted in the column to the left.
- Licensed bars and restaurants may offer **take-out or delivery** during regular posted business hours. After June 15 limited outdoor service may be permitted. Until further notice **no inside table or bar service and no inside alcohol consumption** are permitted. Report violations to local police or ABC at 866-713-8392.
- ABC is reviewing options to extend premises to help licensees meet **social distancing** requirements once table and bar service are permitted to resume.
- All customers visiting restaurants and bars that remain in operation for takeout orders **must wear a face cover.** Restaurants and bars must provide face coverings and gloves to all their food-service personnel. **This applies to customers and employees at breweries, wineries and distilleries as well.** A face covering does not mean a medical-grade mask.
- **Credit and return regulations have been relaxed** pursuant to a Special Ruling which is posted to the left.
- **The term of all municipal and State liquor licenses and permits has been extended to Sept. 30, 2020. Renewals are now available on POSSE.**
- Unless otherwise required by statute or regulation, all documents sent to the ABC should be submitted by email in PDF format to the appropriate ABC Bureau or staff member. Routine filing of paper documents is discouraged. In some cases, Any paper document sent to ABC by mail must also be accompanied by a PDF version on electronic media such as a thumb drive or by email. Please note that at this time OAG-L&PS will not accept submission of an OPRA request by fax or email, but general correspondence can be sent to [ABCPublic@nj.oag.gov](mailto:ABCPublic@nj.oag.gov).
- **No in person visits to ABC offices are permitted without an appointment.** ABC staff will be available for telephone or video conferences. Applicants and licensees are encouraged to make payments due to ABC by E-check or credit card.



<https://www.nj.gov/oag/abc/index.html>

# NEW COVID-19 SOCIAL DISTANCING TEMPORARY EXPANSION OF PREMISES PERMIT

**A retail consumption licensee or manufacturing licensee with retail consumption privileges may apply for an expansion of premise permit to:**

- Expand the area on which alcoholic beverages for consumption on the premises may be sold and served.
- Expansion area may be contiguous or non-contiguous to permanently licensed premises.

**This permit will be effective upon issuance and will expire on November 30, 2020**



**The fee for this permit is \$75.00 payable to the Division.**

# SOCIAL DISTANCING TEMPORARY EXPANSION OF PREMISES PERMIT

## CONTINUED

- Licensee will have same privileges in expanded area as on permanent licensed premises.
- Licensee will apply for permit through POSSE, and application must be endorsed by municipal clerk and chief of police.
- Licensee must comply with all local ordinances and site plan requirements.



# COCKTAILS TO GO



P.L. 2020, c. 33 allows retail consumption licensees, State Concessionaire permittees (with permission from the Director) and Craft Distillery licensees to sell Cocktails To Go. ABC issued AN 2020-06 that provides guidance on new law.

## Permissible Container sizes:

- a. Cocktails containing any distilled spirits mixed or blended with other alcoholic beverages or nonalcoholic beverages must be in containers not exceeding 16 ounces, including ice.
- b. Beer or wine, including Sangria, may sold in “growlers” or “crowlers” of any size.

## Closed and sealed containers.

**Allowed:** Crown-capped glass bottles; screw tops with a breakable ring and heat-sealed closures over sealed caps.  
**Tamper Evident Seals are required.**

**Not allowed:** Disposable paper, plastic or Styrofoam cups with lids sealed with tape or other materials.

**Off-premises consumption.** Must take place in accordance with all local laws, ordinances and rules concerning public consumption of alcoholic beverages.

# SPECIAL RULING TRANSIT INSIGNIA

Page 4

PLEASE TYPE OR PRINT ALL INFORMATION

STATE ASSIGNED LICENSE NUMBER \_\_\_\_\_

- 4.1 IS THE NEAREST ENTRANCE OF THE PLACE TO BE LICENSED WITHIN 200 FEET OF THE NEAREST ENTRANCE OF ANY CHURCH OR SCHOOL? \_\_\_\_ Yes \_\_\_\_ No

IF THE ANSWER IS "YES," IS A WAIVER SIGNED BY THE APPROPRIATE OFFICIAL ATTACHED TO THIS APPLICATION? \_\_\_\_ Yes \_\_\_\_ No

- 4.2 DOES THE APPLICANT INTEND TO USE ANY VEHICLES FOR THE TRANSPORT OR DELIVERY OF ALCOHOLIC BEVERAGES? \_\_\_\_ Yes \_\_\_\_ No (A TRANSIT INSIGNIA IS NECESSARY BEFORE ALCOHOLIC BEVERAGES MAY BE TRANSPORTED.)

- 4.3 HAS THE APPLICANT FILED AN ANNUAL SPECIAL TAX REGISTRATION AND RETURN FORM (TTB F 5630.5) WITH THE FEDERAL ALCOHOL AND TOBACCO TAX AND TRADE BUREAU?

\_\_\_\_ Yes \_\_\_\_ No

IF "YES," DATE FILED \_\_\_\_ / \_\_\_\_ / \_\_\_\_

- 4.4 WILL ANY BUSINESS OTHER THAN THE SALE OF ALCOHOLIC BEVERAGES BE CONDUCTED ON THE PREMISES TO BE LICENSED? \_\_\_\_ Yes \_\_\_\_ No

IF THE ANSWER IS "YES," INDICATE THE NATURE OF THE BUSINESS AND WHO WILL CONDUCT IT BY RESPONDING TO THE FOLLOWING QUESTIONS.

____ Restaurant	____ Applicant	____ Other
____ Catering	____ Applicant	____ Other
____ Hotel/Motel	____ Applicant	____ Other
____ Amusements	____ Applicant	____ Other
____ N. J. Lottery	____ Applicant	____ Other
____ Grocery or Delicatessen	____ Applicant	____ Other
____ Other (specify)	____ Applicant	____ Other

- 4.5 IF SOMEONE OTHER THAN THE APPLICANT WILL OPERATE THE OTHER BUSINESS ON THE LICENSED PREMISES, ANSWER THIS QUESTION. IF THERE IS MORE THAN ONE INDIVIDUAL OR COMPANY, ATTACH A SEPARATE PAGE LISTING THE REQUESTED INFORMATION FOR EACH OPERATOR.

Business to be operated \_\_\_\_\_

Name of company/individual \_\_\_\_\_  
(Last Name, First Name or Corporate Name)

Street Address \_\_\_\_\_  
Number Street Name

Municipality \_\_\_\_\_ State \_\_\_\_\_

Zip \_\_\_\_\_ - \_\_\_\_\_ NJ Sales Tax Certificate of Authority No. \_\_\_\_\_

# ORDER EXTENDING LICENSES AND PERMITS

- **AO 2020-02 extended All Municipal Licenses, State Licenses, and Permits to SEPTEMBER 30, 2020.**
- **Every Plenary Retail Consumption Licensee and Plenary Retail Distribution Licensee is required to:**
  - \* **A. File renewal application through POSSE;**
  - \* **B. Pay State filing fee;**
  - \* **C. Pay municipal filing fee; and**
  - \* **D. Obtain tax clearance from Division of Taxation**
- **Municipality must adopt a resolution renewing for 2020-2021 license term by September 30, 2020.**
- **ABC encourages municipalities to renew all licenses by September 30, 2020. *Ad Interim* permits will be available after that date, and ABC will notify licensees and municipalities of that process.**

# RENEWAL OF LICENSES

- **NOTICE TO MUNICIPAL ISSUING AUTHORITIES** - Emailed to each municipal clerk on May 14, 2020

**RENEWAL NOTIFICATIONS** - Sent directly to the licensees on May 15, 2020

Notice includes:

12.39 requirement

No application filed for the 2019-2020 license term expiring (12.18 issue)



**LICENSEES NEED TO:**

- Review their information
- Answer questions on the renewal
- Pay their \$200 state fee
- **Submit** their renewal application



Once online renewal application is submitted it will appear on the municipal clerk's dashboard.

**Note:** Licensees are directed to go to the municipal clerk's office to pay their municipal fee to be considered a complete renewal filing.

# LICENSEES NOT ABLE TO FILE AN ONLINE APPLICATION

## Licensee will need to:

Obtain from municipal clerk

- Template renewal application form

File with municipal clerk

- Template renewal application, in triplicate
- Municipal filing fee
- \$200 state fee

## Municipal Clerk will need to:

- ❖ Complete the date filed at the bottom of the application
- ❖ Sign bottom portion of application reserved for Municipal Clerks
- ❖ Send one copy of the application and \$200 state filing fee to the Division of ABC, PO Box 087, Trenton, NJ 08625

STATE OF NEW JERSEY  
DEPARTMENT OF LAW AND PUBLIC SAFETY  
DIVISION OF ALCOHOLIC BEVERAGE CONTROL  
P.O. BOX 087, 140 EAST FRONT STREET  
TRENTON, NJ 08625-0087

**MUNICIPAL ISSUED LICENSE  
RENEWAL APPLICATION**

RETAIL LICENSE RENEWAL APPLICATION FOR 2020-2021 LICENSE TERM

LICENSE NUMBER: \_\_\_\_\_  
ISSUING AUTHORITY: \_\_\_\_\_  
LICENSE TYPE: \_\_\_\_\_  
LICENSE NAME: \_\_\_\_\_  
TRADE NAME(S): \_\_\_\_\_  
LICENSED PREMISES ADDRESS: \_\_\_\_\_  
MAILING ADDRESS (if applicable): \_\_\_\_\_

1. IS THIS LICENSE BEING ACTIVELY USED AT AN ACTUAL PREMISE? ☐ YES ☐ NO  
IF NO, ON WHAT DATE WAS THE LICENSE LAST USED? \_\_\_\_\_

2. DOES THE APPLICANT OR ANY OTHER PERSON MENTIONED IN THIS APPLICATION, OR ANY PERSON HAVING A BENEFICIAL INTEREST IN THE LICENSED BUSINESS, HOLD OFFICE IN THE UNIT OF GOVERNMENT ISSUING THE LICENSE? ☐ YES ☐ NO  
IF YES, PLEASE SPECIFY THE FOLLOWING: NAME, TITLE OF OFFICE, AND THE MUNICIPALITY IN WHICH THEY HOLD OFFICE. \_\_\_\_\_

3. IN THE PAST 12 MONTHS, HAVE YOU ENTERED INTO AN AGREEMENT IN WHICH YOU OFFERED THE LICENSE OR ANY FINANCIAL INTEREST IN THE LICENSE AS COLLATERAL OR SECURITY TO A PERSON OR ENTITY NOT NAMED IN THE APPLICATION? ☐ YES ☐ NO  
IF SO, HAVE YOU AMENDED QUESTIONS 9.1, 9.2 OR 9.3 OF YOUR APPLICATION TO REFLECT THIS ARRANGEMENT? ☐ YES ☐ NO

4. IN THE PAST 12 MONTHS, HAS THE LICENSEE BEEN NAMED AS A PARTY TO A LAWSUIT, ARISING FROM CONDUCT IN NEW JERSEY, THAT HAS NOT BEEN DISMISSED AND IN WHICH IT IS ALLEGED THAT THE LICENSEE SERVED AN INTOXICATED PATRON? ☐ YES ☐ NO

STATE OF \_\_\_\_\_ SS: \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

PRINT FULL NAME \_\_\_\_\_

(INDIVIDUAL LICENSEE, PARTNER, PRESIDENT, VICE PRESIDENT OF CORP. OR MANAGING MEMBER OF LLC) BEING DULY SWORN ACCORDING TO LAW UPON HIS/HER OATH DEPOSED AND SAYS: (1) INFORMATION CONTAINED ON THIS LICENSE RENEWAL APPLICATION IS CONSISTENT WITH THE MOST COMPLETE FULL APPLICATION ON FILE AS UPDATED OR AMENDED AND, IS TRUE AND COMPLETE. (2) IF THE LICENSEE IS A CORPORATION, LLC OR A PARTNERSHIP, I AM DULY AUTHORIZED TO FILE.

I CERTIFY THAT THE FOREGOING STATEMENTS MADE BY ME ARE TRUE. I AM AWARE THAT IF ANY OF THE FOREGOING STATEMENTS MADE BY ME ARE WILLFULLY FALSE, I AM SUBJECT TO PUNISHMENT.

SIGNATURE \_\_\_\_\_ (SIGNATURE OF INDIVIDUAL LICENSEE, PARTNER, PRESIDENT, VICE PRESIDENT OF CORP. OR MANAGING MEMBER OF LLC)  
TITLE \_\_\_\_\_ (CORPORATE SEAL IF APPLICABLE)

RESERVED FOR MUNICIPAL USE

MUNICIPAL FEE \$ \_\_\_\_\_ STATE FEE \$ 200.00 DATE FILED: \_\_\_\_\_  
DATE RENEWAL GRANTED \_\_\_\_\_ OR DENIED \_\_\_\_\_  
ARE SPECIAL CONDITIONS IMPOSED FOR THE 2020-2021 TERM? ☐ YES ☐ NO  
MUNICIPAL CLERK OR A.B.C. BOARD SECRETARY: \_\_\_\_\_  
SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_  
NAME OF ISSUING AUTHORITY \_\_\_\_\_

NOTE: RETAIN A COPY OF THIS APPLICATION FOR YOUR RECORDS AND A COPY FOR THE LICENSEE

# **REMEMBER: ALL LICENSES EXPIRE ON JUNE 30<sup>TH</sup>** **(NOW SEPTEMBER 30, 2020)**



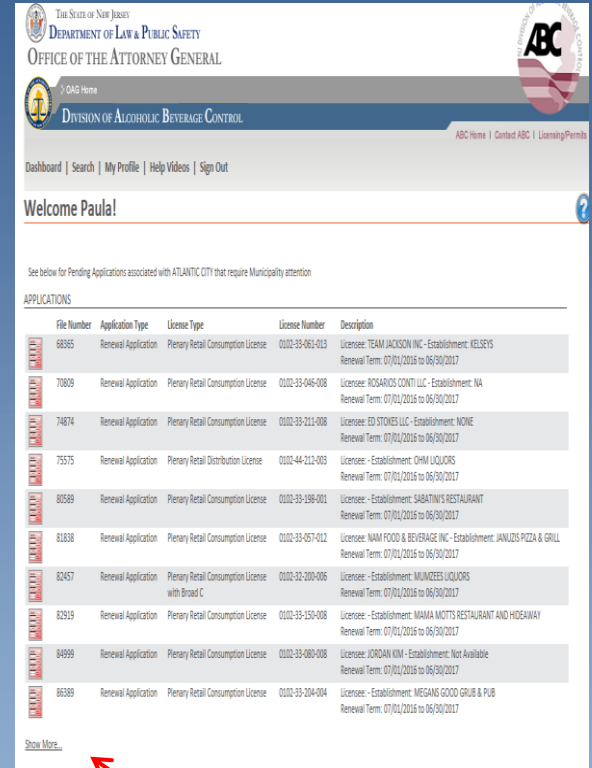
For a license to be actively operating on July 1<sup>st</sup> (Now October 1, 2020) of the new license term all of the following must be completed by June 30<sup>th</sup> (Now September 30, 2020):

- Renewal application filed
- \$200 state filing fee paid
- Municipal filing fee paid
- Clearance Certificate for Renewal issued by the Division of Taxation
- Renewal resolution adopted by the governing body for the new license term



# MUNICIPAL CLERK DASHBOARD

- When a licensee files their renewal application online it will appear on your **DASHBOARD** for your review.
- As renewal jobs appear on your **DASHBOARD**, you should expect the licensee to come in to pay their municipal fee.
- When a licensee pays their municipal fee you must first check your DASHBOARD to verify that they have filed their renewal application.
- When a renewal application **DOES NOT APPEAR** on your **DASHBOARD** direct the licensee to Immediately file their renewal application and pay their state fee.



The screenshot shows the 'Municipal Clerk Dashboard' for the State of New Jersey, Department of Law & Public Safety, Office of the Attorney General, Division of Alcoholic Beverage Control. The user is logged in as Paula. The dashboard displays a table of pending applications for ATLANTIC CITY that require municipal attention. A red arrow points to the 'Show More...' link at the bottom of the table.

File Number	Application Type	License Type	License Number	Description
68365	Renewal Application	Primary Retail Consumption License	0102-33-061-013	Licensee: TEAM JACOBSON INC - Establishment: KELSEYS Renewal Term: 07/01/2016 to 06/30/2017
70809	Renewal Application	Primary Retail Consumption License	0102-33-046-008	Licensee: ROSARIO'S CONTI LLC - Establishment: NA Renewal Term: 07/01/2016 to 06/30/2017
74874	Renewal Application	Primary Retail Consumption License	0102-33-211-008	Licensee: ED STOKES LLC - Establishment: NONE Renewal Term: 07/01/2016 to 06/30/2017
75575	Renewal Application	Primary Retail Distribution License	0102-44-212-003	Licensee - Establishment: OHM LIQUORS Renewal Term: 07/01/2016 to 06/30/2017
80589	Renewal Application	Primary Retail Consumption License	0102-33-196-001	Licensee - Establishment: SABATINI'S RESTAURANT Renewal Term: 07/01/2016 to 06/30/2017
81838	Renewal Application	Primary Retail Consumption License	0102-33-057-012	Licensee: NAM FOOD & BEVERAGE INC - Establishment: JANUZE PIZZA & GRILL Renewal Term: 07/01/2016 to 06/30/2017
82457	Renewal Application	Primary Retail Consumption License with Broad C	0102-32-200-006	Licensee - Establishment: MUNOZZE LIQUORS Renewal Term: 07/01/2016 to 06/30/2017
82919	Renewal Application	Primary Retail Consumption License	0102-33-150-008	Licensee - Establishment: MAMA MOTT'S RESTAURANT AND HOEAWAY Renewal Term: 07/01/2016 to 06/30/2017
84999	Renewal Application	Primary Retail Consumption License	0102-33-080-008	Licensee: JORDAN KIM - Establishment: Not Available Renewal Term: 07/01/2016 to 06/30/2017
86389	Renewal Application	Primary Retail Consumption License	0102-33-204-004	Licensee - Establishment: MEGANG GOOD GRUB & PUB Renewal Term: 07/01/2016 to 06/30/2017

[Show More...](#)

**Show more button**

- **A RENEWAL APPLICATION MUST BE FILED IN ORDER TO ACCEPT THE MUNICIPAL FEE.**
- **A COURTESY COPY OF THE RENEWAL APPLICATION WILL BE E-MAILED TO THE MUNICIPAL CLERK**


## LICENSEES INFORMATION

- WARNING TYPE
  - 12.39 REQ'D START DATE
  - CONFLICT
- RENEWAL QUESTIONS
- CHECKLIST
  - MUNICIPAL FEE PAID
  - TAX CLEARANCE CERTIFICATE FOR RENEWAL
  - RESOLUTION
- COMMENTS
- UPLOAD DOCUMENTS
  - RESOLUTION
  - SPECIAL CONDITIONS, IF ANY
  - ANY OTHER PERTINENT INFO
- CHECK OFF YES/NO TO SPECIAL CONDITION QUESTION


### YOU THEN HAVE TWO CHOICES:

1. **“SUBMIT RESOLUTION TO ABC”**  
THIS ACTION WILL RELEASE THE LICENSE CERTIFICATE TO BE PRINTED BY MUNICIPAL CLERK


2. **“AWAITING ABC SPECIAL RULING”**



THE STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
OFFICE OF THE ATTORNEY GENERAL



OAG Home  
DIVISION OF ALCOHOLIC BEVERAGE CONTROL



ABC Home | Contact ABC | Licensing/Permits

Dashboard | Search | My Profile | Help Videos | Sign Out

Renewal Application - Plenary Retail Consumption License

File Number: 74874  
License Number: 0102-33-211-008  
License Type: Plenary Retail Consumption License  
Licensee: ED STOKES LLC  
Legal Entity (Licensee): 309 WINDSOR DRIVE VENTNOR, NJ 08406 USA  
Establishment: NONE  
447 CARSON AVENUE ATLANTIC CITY, NJ 08401 USA

Renewal Term: 07/01/2016 to 06/30/2017

WARNINGS:

Warning Type	Start Date	End Date
12.39REQD	Jul 1, 2016	mmm dd, yyyy

QUESTIONS

Question	Response
Does the licensee, applicant or any other person mentioned in this application, or any person having a beneficial interest in the licensed business, hold office in the unit of government issuing the license? This includes Mayors, Council Members or ABC Boards that have authority to issue, transfer, or renew this license by resolution.	<input type="radio"/> Yes <input checked="" type="radio"/> No
Is the license being actively used at an actual premise?	<input type="radio"/> Yes <input checked="" type="radio"/> No

CHECKLIST

Completed?	Description	Mandatory?
<input type="checkbox"/>	If applicable, verify the licensee has paid municipal fees.	Yes
<input type="checkbox"/>	If applicable, verify the licensee has received tax clearance from the New Jersey Division of Taxation.	Yes
<input type="checkbox"/>	Please upload the approved municipal resolution, renewing this license for the new license term.	Yes

COMMENTS:

UPLOADED DOCUMENTS

Upload File

Description	File Name	Uploaded Date
* Does the resolution include Special Conditions?		

☐ Yes ☒ No

Save Submit Resolution to NJ ABC Awaiting ABC Special Ruling

# Resolution



## Remember:

Your issuing authority has no jurisdiction to act on the renewal of a license without an Alcoholic Beverage Retail Licensee Clearance Certificate for Renewal from the Division of Taxation!

- Check your confidential Web address
- Municipal Clerks may contact the Division of Taxation's ABC Licensing Unit at (609) 292-0043

***It is the licensee who must be in tax compliance.***

# MUNICIPAL RESOLUTIONS WITH SPECIAL CONDITIONS

Resolution must specifically include any Special Conditions that are to be applied to the license ***for that license term only.***



Conditions may not be imposed for matters not directly related to alcoholic beverage control

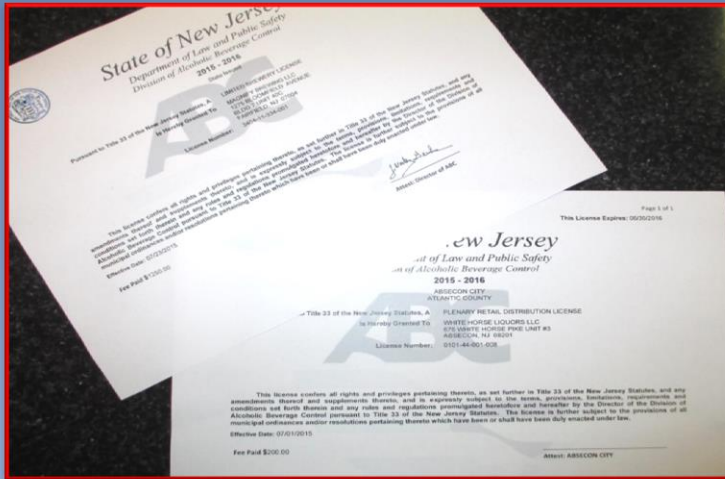
- For Special Conditions to become effective, they may only be imposed at the time of **issuance**, **renewal** or **transfer** of a license.
- Special Conditions may not be “revisited” during the license term with the intent of making them more restrictive, however, a Special Condition may be “relaxed” at any time during the license term by Resolution.

See “**NOTICE TO MUNICIPAL ISSUING AUTHORITIES AND LICENSEES CONCERNING SPECIAL CONDITIONS**” dated November 28, 2018 is available by e-mail.

# AFTER YOU SUBMIT RESOLUTION TO ABC

## PRINT LICENSE CERTIFICATE

- Municipal Clerk will print and distribute to licensees.



**NOTE:** Certificates for inactive licenses should be retained in municipal clerk's office

# IMPORTANT DATES TO REMEMBER

TO BE CONSIDERED **TIMELY FILED** For the 2020-2021 License Term  
**JULY 30, 2020 (Now October 30, 2020)**



- RENEWAL APPLICATION
- MUNICIPAL FEE
- \$200 STATE FEE FILED

**MUST BE FILED ON OR BEFORE JULY 30<sup>TH</sup> (Now October 30, 2020)**

You can accept and your governing body can act upon a renewal application and fees filed on or before July 30 (Now October 30, 2020), of the new license term.

- Clearance Certificate for Renewal from the Div. of Taxation
- 12.39 Special Ruling, if required

Applications filed with you on or before July 30, 2020 (Now October 30, 2020), but not acted upon due to no tax clearance or awaiting a Special Ruling **WILL REMAIN ON YOUR DASHBOARD**

**APPLICATIONS AND FEES FILED AFTER JULY 30<sup>TH</sup>(Now October 30, 2020) ARE CONSIDERED LATE AND WILL REQUIRE A SPECIAL RULING PURSUANT TO N.J.S.A. 33:1-12.18 FROM THE DIVISION.**

## SPECIAL RULING PURSUANT TO N.J.S.A. 33:1-12.18

The statute permits a license holder to petition the Director following the expiration of the license renewal period and request a Special Ruling to permit the filing of an application for a “new” license upon failure to timely renew.

**STEP by STEP**  
Instructions

### **For the 2019-2020 License Term:**

Renewal application and fees filed between **JULY 31, 2019 AND JULY 30, 2020**

- You may accept the renewal application and fees.
- Advise licensee that they need to file a 12.18 petition and \$100 petition fee with the Division of ABC no later than **JULY 30, 2020.**
- Provide licensee with the Procedures to Petition for 12.18 Relief

**THE LICENSE WILL LAPSE AND CEASE TO EXIST IF LICENSEE FAILS TO FILE A RENEWAL APPLICATION AND FEES AND ALONG WITH 12.18 PETITION AND \$100 PETITION FEE TO THE DIVISION OF ABC BY JULY 30, 2020.** (For the 2019-2020 License Term)

# N.J.S.A. 33:1-12.18 CONTINUED...



To obtain a Special Ruling, the Director must make a written determination that the applicant's failure to apply for a renewal of their license in a timely manner was due to circumstances beyond their control or other extraordinary circumstances.

- A copy of the verified petition must be submitted to the municipal clerk at the same time the original is submitted to the Division.

## ***Once the Special Ruling is granted by the Director:***

- 12- Page Application and Publication requirements must be completed.
- Governing Body may then act upon the license renewal.
  - Receipt of tax clearance for renewal **MUST** be issued.
  - The resolution referencing the license is renewed pursuant the 12.18 Special Ruling granted by the Director.

# “INACTIVE LICENSE”

SPECIAL RULING PURSUANT TO N.J.S.A. 33:1-12.39



Licenses that are inactive two (2) or more license terms are required to file for a Special Ruling pursuant to N.J.S.A. 33:1-12.39.

For the 2020-2021 license term, licenses that became inactive on or before June 30, 2018 require a Special Ruling before the license can be considered for renewal.

# PROCEDURE TO FILE FOR A 12.39 SPECIAL RULING:

Licensee is **REQUIRED** TO FILE a:

1. “Verified Petition Form.”

\* Licensee may attach supporting documents.

2. \$100.00 filing fee required for each term requested.

**PETITIONS MUST BE SUBMITTED BY  
E-MAIL TO AMY LEIB.  
(amy.lieb@njoag.gov)**

STATE OF NEW JERSEY DEPARTMENT OF LAW  
AND PUBLIC SAFETY DIVISION OF ALCOHOLIC  
BEVERAGE CONTROL

LICENSE NO: \_\_\_\_\_

NAME OF LICENSEE: \_\_\_\_\_ )  
t/a: \_\_\_\_\_ )  
IN THE MATTER OF A \_\_\_\_\_ )  
SPECIAL RULING PURSUANT TO N.J.S.A. 33:1-12.39 )  
FOR LICENSE TERM(S) (mark terms requested): 2020-21; 2021-22; )

“VERIFIED PETITION FORM”  
AFFIDAVIT IN  
SUPPORT OF REQUEST  
FOR A SPECIAL RULING

\_\_\_\_\_  
(LIST PRIOR TERM(S) IF NOT ALREADY RECEIVED)

1. I am \_\_\_\_\_  
(NAME) (POSITION OR TITLE)

My email address is: \_\_\_\_\_

I make this affidavit in support of a request for a Special Ruling pursuant to N.J.S.A. 33:1-12.39 with the Division of Alcoholic Beverage Control (“Division”). I am fully familiar with the facts stated herein, and am authorized to make this request on behalf of \_\_\_\_\_  
(LICENSEE)

2. Briefly state the reasons why the license has remained inactive, and the prognosis for activation of the license. NOTE: Along with this REQUIRED form, you MAY submit documentation which shows steps taken to activate the license. Attach additional pages if needed.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. Provide complete contact information including your mailing address, telephone number, and email. Failure to provide this information will delay the processing of the Special Ruling.

Mailing Address: \_\_\_\_\_  
(STREET) (CITY/TOWN) (STATE) (ZIP)

Personal Phone: \_\_\_\_\_ Business Phone: \_\_\_\_\_ Email: \_\_\_\_\_

PLEASE EMAIL THIS DOCUMENT AND ANY OPTIONAL SUPPORTING DOCUMENTATION TO: [NJABCPetitions@njoag.gov](mailto:NJABCPetitions@njoag.gov)  
Note: You must pay a \$100 filing fee for EACH term requested on Posse. If the filing fee is not paid, the Division CANNOT process the Petition.

I certify that I have provided a copy of this Verified Petition Form to the municipality, submitted on \_\_\_\_\_  
(DATE)

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

\_\_\_\_\_  
(DATE)

\_\_\_\_\_  
(SIGNATURE)

\*\*\*\*\*  
**This section for Division of Alcoholic Beverage Control Use ONLY:**

JOB NUMBER: \_\_\_\_\_ DOCKET NUMBER: \_\_\_\_\_

I have reviewed the petition filed in this matter and have considered all the facts and circumstances related to the inactive status of this license. I find that the petitioner or licensee has established good cause in accordance with the statutory requirements to warrant an application for renewal of the license for the license term(s). Accordingly, the municipal issuing authority is hereby authorized to consider the application for renewal of the subject license for the \_\_\_\_\_ license term(s) and to thereupon grant or deny said application in the reasonable exercise of its discretion. This authorization does not abrogate the licensee's obligation to timely submit the license renewal application and requisite fees prior to any consideration of renewal, including obtaining a tax clearance. Please note that the approval granted herein is conditional, and is based upon the representations set forth in the petitioner's notarized form verified petition. This approval is subject to review and/or modification should the factual circumstances warrant.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Director

# QUIZ QUESTION

**Can an Issuing Authority act upon the renewal of a license without an Alcoholic Beverage Retail Licensee Clearance Certificate from the Division of Taxation?**

# **ANSWER**

**No, an Alcoholic Beverage Retail Licensee Clearance Certificate must be obtained from the Division of Taxation before the Issuing Authority can renew a license.**

# Ad Interim Permit (AI)



- DUE TO THE DIRECTOR'S ORDER (AO 2020-02) EXTENDING THE LICENSE TERM TO SEPTEMBER 30, 2020, LICENSEES WILL NOT BE REQUIRED TO OBTAIN AN AD INTERIM PERMIT TO OPERATE ON JULY 1, 2020.
- LICENSEES WHO ARE CURRENTLY OPERATING UNDER AN AD INTERIM PERMIT WILL STILL BE REQUIRED TO CONTINUE TO OBTAIN PERMITS TO OPERATE.
- AFTER SEPTEMBER 30, 2020 ANY LICENSEE WHO IS NOT RENEWED BY RESOLUTION WILL BE REQUIRED TO OBTAIN AN AD INTERIM PERMIT TO REMAIN OPERATING. ABC WILL NOTIFY LICENSEES AND MUNICIPALITIES OF THE PROCESS.

# HUMAN TRAFFICKING AWARENESS

**Trafficking in persons is modern day slavery.**

- **Victims of human trafficking, men, women and children**, can be exploited for the purpose of **commercial sexual activity**, including prostitution and pornography, as well as many types of **forced labor**, including domestic servitude and migrant agricultural work.
- **Traffickers lure and control their victims** through the use of force, fraud, or coercion, and employ techniques such as physical and psychological abuse, false employment offers, document holding, and isolation.

## Statistics

- Human Trafficking is a **\$150 Billion a year worldwide criminal enterprise affecting 27 million people**
  - \* believed to be tied with drug trafficking as the most profitable global illegal enterprise.
- **800,000 persons** are trafficked across international borders annually.
  - \* **50% are children, 80% are women and girls.**
  - \* 70% of female victims are trafficked into the sex trade.
  - \* The average age of girls forced into the sex trade is 12-14 years old, for boys it is 11-13 years old.

# HUMAN TRAFFICKING AWARENESS CONTINUED

## Human Trafficking in New Jersey

- Easily accessible by car, bus, truck, van, train, boat and plane, **New Jersey has the potential to be one of the country's major entry, transit and destination states for trafficking** because of its central location between the northern portion of the East Coast and the tri-state metropolitan region of Philadelphia, Baltimore, and Washington, D.C.
- **Human trafficking business models** operating in the U.S. take many forms including bars, restaurants, hotels, night clubs and strip clubs. These establishments may front as legitimate businesses but exploit victims for sex and labor behind the scenes.

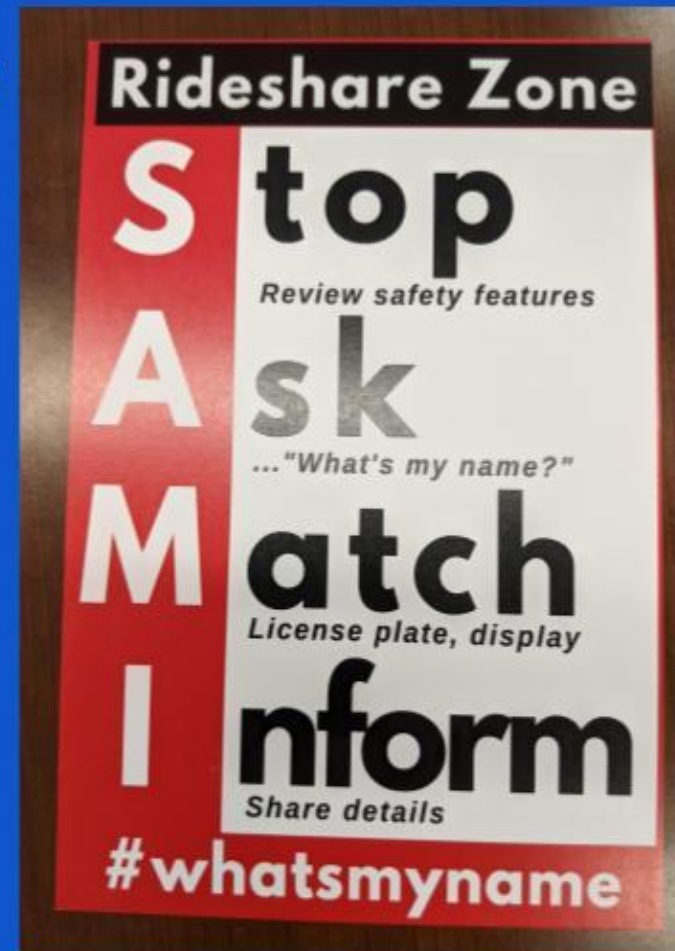
## What You Can Do

- Combating human trafficking is everyone's responsibility. Please join the statewide effort and help human trafficking victims by:
  - 1) Being aware;
  - 2) If you believe you have identified a victim of human trafficking, please call the **Toll-Free hotline: 855-363-6548 (855-END-NJ-HT) or 911;**
  - 3) **Raising the awareness of licensees**
- Distribute the NJ Human Trafficking Task Force informational materials to all licensees. These materials explain human trafficking, victims' mindsets and provide indicators and red flags to be aware of in various public locations.  
[njhumantrafficking.gov](http://njhumantrafficking.gov)

# SAMI'S LAW

## Director's Report: Sami's Law

- Promoting Ridesharing Safety
- #whatsmyname
- Whatsmyname.com
- Incorporate awareness training





**IF YOU HAVE A QUESTION...  
CALL US!**



**(609) 984-2830**

**OR VISIT OUR WEB SITE AT  
[www.nj.gov/oag/abc](http://www.nj.gov/oag/abc)**

**You can find the  
“MUNICIPAL CLERK’S HANDBOOK”  
listed under the Licensing/Permits section**

