

R-157-23

**RESOLUTION AMENDING SPECIAL
CONDITIONS IMPOSED ON A CERTAIN
LIQUOR LICENSE BY R-102-23**

WHEREAS, the Mayor and Council of the Borough of Wharton, in the County of Morris, State of New Jersey, pursuant to the authority vested in it by an act of legislature, has heretofore by ordinance provided for the sale of alcoholic beverages in the Borough of Wharton; and

WHEREAS, on June 26, 2023, the Mayor and Council adopted Resolution 102-23, which, among other things, imposed certain Special Conditions, numbered 1 through 7 therein, on License Number 1439-33-012-009 for the period of July 1, 2023 to June 30, 2024; and

WHEREAS, the Mayor and Council, pursuant to their authority, wish to amend certain of those Special Conditions and impose additional ones.

NOW, THEREFORE, BE IT RESOLVED that the following liquor license, known as a Plenary Retail Consumption License, be granted renewal for the period of July 1, 2023 to June 30, 2024:

License Number:	Licensee:	Address:
1439-33-012-009	AI & Dutch, LLC- Nokternal Lounge*	42 N. Main St.

***With specific reference to Special Conditions numbered 1 through 7 in R-102-23, the License is granted with the following amended Special Conditions:**

- 1. Remain the same as per R-102-23.**
- 2. Remain the same as per R-102-23.**
- 3. Remain the same as per R-102-23.**
- 4. Operational hours shall be as permitted by municipal ordinance for all plenary retail consumption licensees in the Borough of Wharton. AI & Dutch LLC shall have last call at 1:00 am, last service at 1:30 am and "lights on" at 1:30 am. Prior to 2:00 am, AI & Dutch LLC will take all efforts to require patrons who are waiting for transportation to remain inside the establishment, rather than outside.**
- 5. Remain the same as per R-102-23.**
- 6. On Friday through Sunday, from 8:00 pm until close, security**

- personnel shall be stationed at each exit to prohibit patrons from exiting with any open containers or any alcoholic beverages.
7. Remain the same as per R-102-23.
 8. On Friday through Sunday, following closing and between the hours of 2:00 am and 2:30 am, AI & Dutch LLC's staff will clear the surrounding area of any debris or litter and ensure that patrons are not idling outside the premises.
 9. Until a properly licensed full-service restaurant is operating on the licensed premises, no one under the age of twenty-one (21) shall be permitted upon the licensed premises (this restriction does not include employees of the licensed establishment).

Special Condition 9 shall be void and unenforceable once AI & Dutch LLC has received any and all of the outstanding requisite permits/approvals and has begun operating a properly licensed full-service restaurant.

BE IT FURTHER RESOLVED that the Borough Clerk issue the License herein granted, the same effective as provided by law.

Adopted: December 4, 2023

BOROUGH OF WHARTON

ATTEST:

**WILLIAM J. CHEGWIDDEN,
MAYOR**

**Cheryl Muzzillo,
Deputy Borough Clerk**