NJ IMPACTING UNDERAGE DRINKING:
ALCOHOL POLICY TOOLKIT

IMPACT NJ
INSPIRING & MOBILIZING PEOPLE TO AFFECT COMMUNITY TRANSFORMATION

“Underage drinking is a challenge that every community faces, and that every coalition must find a way to address successfully.”

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The IMPACT NJ Coalition focuses on reducing alcohol and marijuana use among youth 18 and under throughout the state of New Jersey. Building from current and previous coalitions coordinated by NJPN, IMPACT NJ brings together state and local leaders who are dedicated to sharing their expertise and time as they work collaboratively to achieve their goals. IMPACT NJ works to promote and implement best practices, policies, evidence-based environmental strategies, and advocating for positive community changes.

IMPACT NJ is funded by the Office of National Drug Control Policy's Drug Free Communities grant. New Jersey Prevention Network is the fiscal agent for IMPACT NJ as the fiscal agent of the IMPACT NJ DFC.

For more information, visit: http://www.njpn.org/networks/impact-nj-coalition/

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Letter from IMPACT NJ Coalition

Alcohol Task Force

Dear Community Coalition,

Underage drinking is a challenge that every community faces, and that every coalition must find a way to address successfully. This Keeping It Legal: Best Practices Guide is your coalition's tool to assist you in impacting your community by implementing best practices and strategies that have been researched to most effective in reduce underage passing local ordinances, planning alcohol-free community events, and helping the members of your community to practice responsible alcohol policies in their homes and beyond.

Every year, underage drinking plays a role in the deaths of 4,358 youth and the injuries of over 180,000 others on average. These deaths and injuries are caused by a range of accidents that include car crashes, alcohol poisoning, falls, burns, drowning, and others. Underage drinking also increases the risk of physical and sexual assault, unplanned and unprotected sexual activity, problems in school, long-term changes in brain development, and an increased risk of suicide or homicide. With alcohol affecting youth almost every aspect of their life, it is important that coalitions make dynamic efforts towards policy change in their communities.

This guide follows best practices and considers current information about New Jersey's alcohol related laws. The following are the recommendations that will reduce underage drinking and its consequences by promoting the passage of the following ordinance and policy types:

By using this comprehensive guide, your community coalition can continue taking steps towards reducing underage drinking in your community by changing laws and policies, spreading awareness among youth and community members, and helping businesses that serve and sell alcohol to do so legally and safely.

Regards,

IMPACT NJ Statewide Coalition
Inspiring & Mobilizing People to Affect Community Transformation

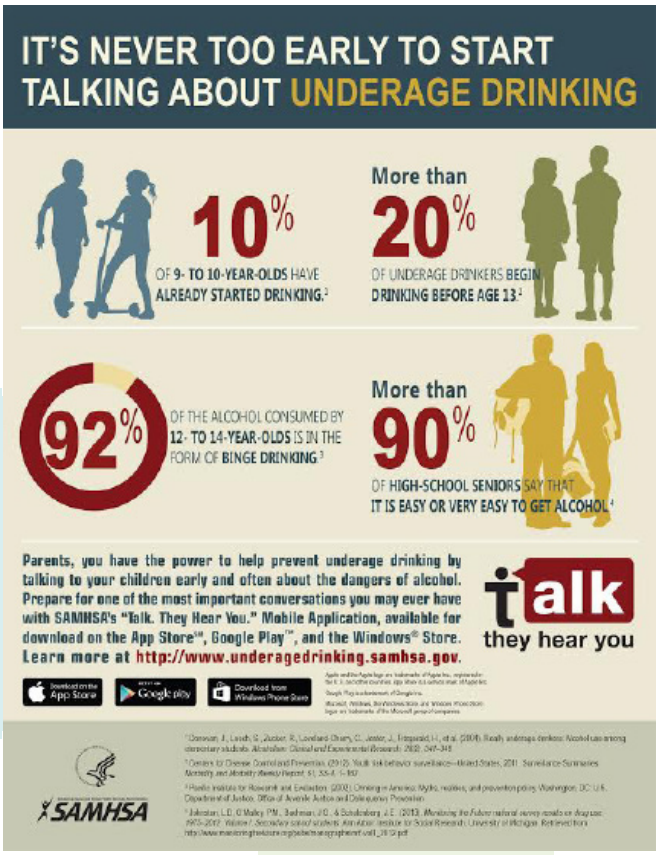
Section I: Impacting Underage Alcohol Misuse

National Data & Trends

Alcohol is the most widely used substance misused by youth. Nearly one quarter of 12 to 19-year-olds reported drinking alcohol in the past month according to SAMSHA. Early use of alcohol is often an indicator of future substance use. Youth who use alcohol prior to the age of 15 increases the risk of future problems with substance misuse by up to seven times.

The Trust for America's Health summarizes research that has found heavy alcohol use by youth can impair potential brain development. Underage age drinking increases the risk for motor vehicle crashes, injuries, unsafe sexual practices, sexual victimization, violence, suicide and suicide ideation and impaired academic performance.

According to SAMHSA's 2015 Report to Congress on the Prevention and Reduction of Underage Drinking, policies and strategies that include:

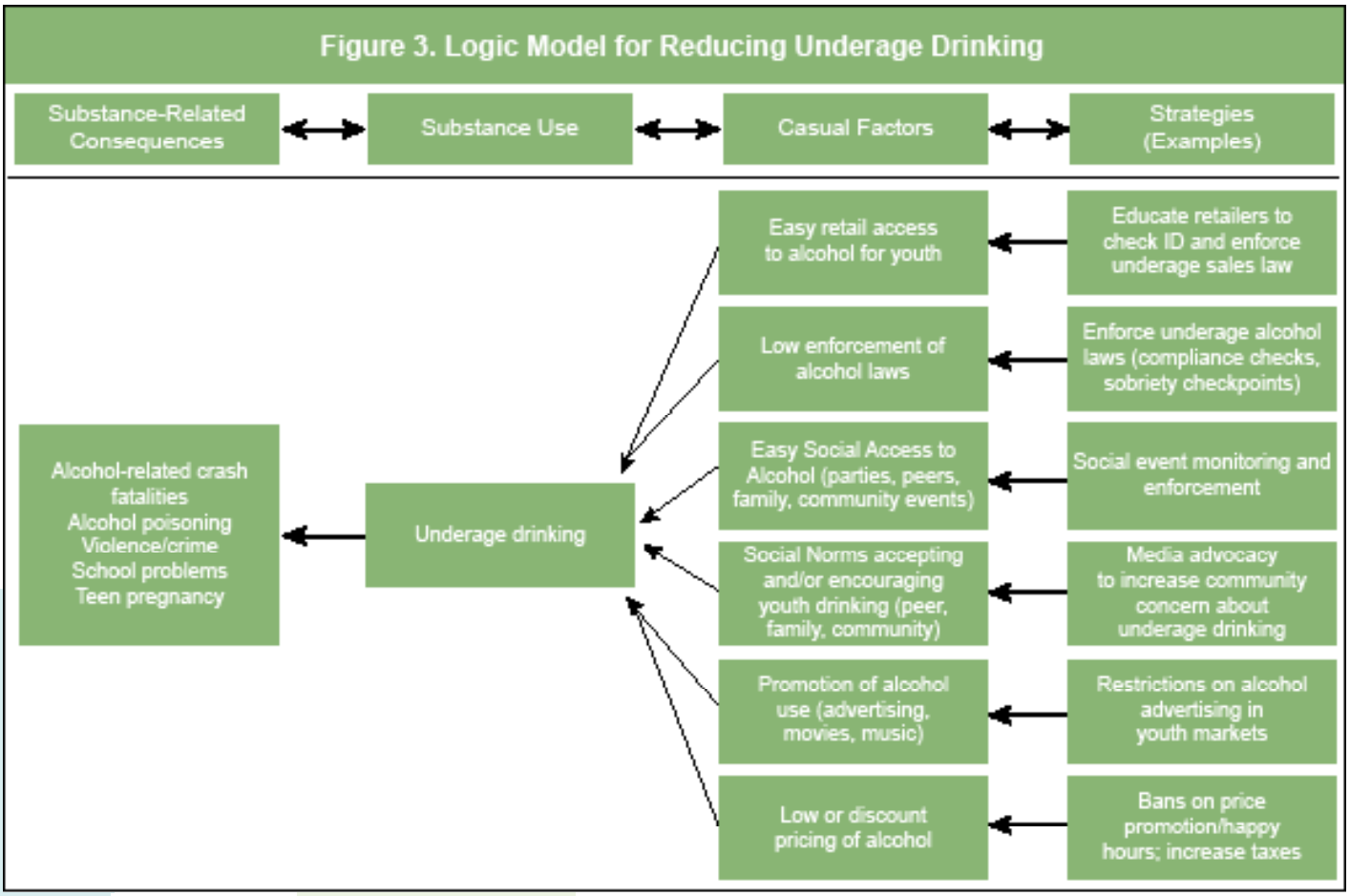


- **Educate parents and others on the dangers of underage drinking including not supplying alcohol to youth at home or hosting parties were underage drinking is tolerated;**
- **Maintaining and enforcing minimum drinking age by enhancing enforcement efforts, prohibiting sales to minors and other sale limitations like dram liability, educating retailers on best practices, limiting alcohol density, and increases alcohol taxes;**
- **Restricting marketing of alcohol to youth;**
- **Ensuring teens do not drink and drive;**
- **Encouraging and incentivizing colleges to use best practices to prevent underage drinking on campus and in the surrounding communities.**

The RAND Report, “Preventing Underage Drinking: Using Getting To Outcomes™ with the SAMHSA Strategic Prevention Framework to Achieve Results” (Pamela Imm, Matthew Chinman, Abraham Wandersman, David Rosenbloom, Sarah Guckenburg, Roberta Leis), summarizes the research that guides the identified best practices that will reduce underage drinking among our youth. Using the Strategic Prevention Framework, the following logic model link the identified community problem (substance-related consequences) with the possible root causes and local condition (Casual Factors) and the best practice (strategies) that should guide communities in their prevention work.

The RAND Report also outlines the specific evidence based environmental strategies that should be considered.

Figure 3. Logic Model for Reducing Underage Drinking



SOURCE: PACIFIC INSTITUTE FOR RESEARCH & EVALUATION

Section II: Current NJ State Laws Related to Underage Drinking

Social Host

Among students in New Jersey who drank alcohol in the last 30 days, 32% reported that someone gave it to them. Many underage drinkers obtain alcohol from their parents, in their homes, or from other adults who would mistakenly believe that it would be safer for their children and children's friends drink in their home rather than somewhere else.

Social Host Law Makes It Illegal for an Adult to Serve Alcohol to a Minor on Private Property

In New Jersey, the act of providing alcohol to a non-relative minor, on an unlicensed premises (such as your home), is illegal under New Jersey state law. State law also restricts the consumption or possession of alcohol by a youth on private property even if the parent is not present. Parents can be civilly liable on a variety of bases if they supply alcohol to minors and it results in injury to the minor, to third parties or causes damage to property. Civil liability can include: negligence, reckless misconduct and failure to exercise reasonable care and diligence. A parent who is found legally responsible under social host, negligence or reckless misconduct liability laws may be accountable for large money damages. The Social Host Law, NJS 2C: 33-17 (availability of alcohol to under-aged) and NJS 2A: 15-5.6 (exclusive Civil Remedy), which are already in existence, address the criminal and civil liability of the adult who provides the alcohol.

New Jersey Revised Statutes Title 2C:33-17 Availability of Alcoholic Beverages to Underaged

a. Anyone who purposely or knowingly offers or serves or makes available an alcoholic beverage to a person under the legal age for consuming alcoholic beverages or entices or encourages that person to drink an alcoholic beverage is a disorderly person.
b. A person who makes real property owned, leased or managed by him available to, or leaves that property in the care of, another person with the purpose that alcoholic beverages will be made available for consumption by, or will be consumed by, persons who are under the legal age for consuming alcoholic beverages is guilty of a disorderly persons offense.

See appendix page 30 for full text

New Jersey Revised Statute 2A: 15-5.6- Exclusive Civil Remedy

a. This act shall be the exclusive civil remedy for personal injury or property damage resulting from the negligent provision of alcoholic beverages by a social host to a person who has attained the legal age to purchase and consume alcoholic beverages.

See appendix page 31 for full text

Social Host Law makes it Illegal for Youth to Use Alcohol on Public Property

Currently, youth use of alcohol on public property is subject to a fine of between $500 and $1,000, a maximum of six months in prison, and a mandatory loss of driver's license for six months.

Dram Shop & Compliance Check Restrictions

Dram Shop Liability Makes Restaurants & Bars Responsible etc.

New Jersey is one of several states with a "dram shop" law. A dram shop is any type of drinking establishment where liquor is sold for consumption on the premises, such as a bar, a saloon, or, in some cases, a restaurant. Dram Shop Law is a civil statute that, in certain circumstances, allows a person to bring a claim against a business that served or sold alcohol to someone who went on to cause an alcohol-related accident or injury.

N.J. Rev. Stat. §2A:22A-1 et seq.

This act shall be the exclusive civil remedy for personal injury or property damage resulting from the negligent service of alcoholic beverages by a licensed alcoholic beverage server. Nothing contained herein shall be deemed to limit the criminal, quasi-criminal, or regulatory penalties which may be imposed upon a licensed alcoholic beverage server by any other statute, rule or regulation.

See appendix page 32 for full text

N.J. Rev. Stat. §2A:22A-4

a. A person who sustains personal injury or property damage as a result of the negligent service of alcoholic beverages by a licensed alcoholic beverage server may recover damages from a licensed alcoholic beverage server only if:
   i. The server is deemed negligent pursuant to subsection b. of this section; and
   ii. The injury or damage was proximately caused by the negligent service of alcoholic beverages; and

iii. The injury or damage was a foreseeable consequence of the negligent service of alcoholic beverages.

b. A licensed alcoholic beverage server shall be deemed to have been negligent only when the server served a visibly intoxicated person, or served a minor, under circumstances where the server knew, or reasonably should have known, that the person served was a minor.

See appendix page 32 for full text

Alcohol Beverage Control Handbook for Retail Licensees Compliance Check Restrictions (excerpt)

The New Jersey Alcohol Beverage Control handbook outlines the rules and regulations by which alcohol retail licensees must abide. The handbook contains information for every aspect of alcohol retail, including Age to Purchase regulations and the penalties for selling alcohol to underage individuals.

N.J.S.A. 9:17B-1

A person must be 21 years of age or older to legally purchase or consume any alcoholic beverage on a licensed premise. There is absolutely no exception to this.

See appendix page 33 for full text

AGE TO PURCHASE

A licensee with retail license privileges cannot sell to a person under the legal age (21 years), which is often abbreviated as “PULA.” A bartender or sales clerk who violates this law will be subject to a disorderly persons charge under N.J.S.A. 33:1-77, and the license itself will be subject to administrative charges under that statute or N.J.A.C. 13:2-23.1.

The law does recognize a valid defense to a charge that a person or licensee sold to someone under the legal age. For this defense, all of the following criteria must be established:

1. That the purchaser falsely represented his or her age by producing:
   c. A photo driver’s license of any state; or an identification card issued by the New Jersey Motor Vehicle Commission or
   d. An official photo identification card issued by any state or the federal government; AND (2) that the purchaser falsely represented in writing that he or she was of legal age to make the purchase;
2. AND (3) that the purchaser appeared to be 21 years of age or older
3. AND (4) that the purchaser appeared to be the person described in

the about proof of age. The three elements together are necessary to establish a valid defense to a charge of sale to a person under the legal age.

Any forms of identification other than those listed in (1) A or b above which may be presented, will not be recognized as a defense. Licensees are encouraged to also request alternative types of 4 identification in addition to the photographic identification to verify the true age and identity of the purchaser. This should also be done if the written representation is used and such alternative types of identification, together with numbers, etc., should be noted on the written representation paper. (See A.B.C. Bulletin 2457, Item 5.) (A suggested format for the written representation can be found on the ABC Website.) (See A.B.C. Bulletin 2445, Item 3.) If there is any doubt that the purchaser is under 21 years of age, the sale should not be made.

Licensees have the right to refuse a sale if they believe a purchaser is under the age of 21. (See also “False Identification” and “Patrons, Excluding.”) A license which has four (4) such violations within two (2) years presumptively will be revoked.

For further information, visit the New Jersey Division of Alcohol Beverage Control at: http://www.nj.gov/lps/abc/index.html.

“Among students in New Jersey who drank alcohol in the last 30 days, 32% reported that someone gave it to them.”

Section III: Educating Communities

Lobbying

Coalitions that are funded with federal or state dollars cannot participate in lobbying activities. Lobbying is when a person acts on behalf of a special interest group, who tries to influence the introduction of or voting on legislations or the decisions of government administrators. However, there are many advocacy activities that are designed to influence public policy and public policy makers that do not meet the IRS's definitions of lobbying. The IRS defines lobbying in a narrow and specific way, and recognizes two forms of lobbying;

Direct Lobbying	Grassroots Lobbying
Any attempt to influence any legislation through communication with a legislator or governmental official if the communication: 1. refers to a specific legislation **and** 2. reflects a view on such legislation. In other words, direct lobbying is direct, intentional advocacy directed towards a legislator, staffer, or other government employee.	Any attempt to influence any legislation through an attempt to affect the opinions of the general public or a segment thereof if the communication: 1. refers to specific legislation; 2. reflects a view on such legislation; and 3. encourages the recipient of the communication action with respect to such legislation.

Nonprofits can lobby as long as they don't use federal or state dollars and their efforts are not substantial.

Advocacy

Advocacy is the process of educating policymakers on the facts and data concerning community-level concerns. Often, when a piece of legislation or an ordinance is going to be put up for a vote, it falls to community organizations to help lawmakers and community members to understand the context of the issue at hand. In the case of ordinances that will help reduce underage drinking, it is important for coalitions to focus on getting community support for the ordinances by educating communities and lawmakers as to the benefits- both for the community and for public health- of having underage drinking ordinances in your coalition's municipality.

Coalitions can begin community advocacy outreach by getting the support of your local paper or through writing letters to the editor of local newspapers and contacting local television and radio stations. Utilize these venues to ask not only the media outlet but also the community to support the proposed ordinance.

Create fact sheets and other educational tools to give to community members and lawmakers that will answer general questions about the ordinances and also address the assertions of opponents through data and factual evidence.

Speak to different sectors of the community and address the educational materials to them directly. Let parents know why the ordinance is good for their children, let business owners know how the ordinance will improve the business district or save them money.

It is important, in outlining the plans for advocacy on the part of the coalition, that the following criteria are met:

1. **The educational materials DO NOT make reference to a specific piece of legislation or bill number.**
2. **The educational materials DO NOT express a view on the legislation.**
3. **The educational materials DO NOT ask lawmakers or communities to vote a certain way on the legislation.**

Examples of Advocacy

- Meeting with a legislator to talk about a social problem, without mentioning a specific legislative proposal.
- Providing a legislator with educational materials about a specific piece of legislation, without calling for specific action on the legislation.
- A newsletter to your own membership providing information about a specific piece of legislation, your organization's position on the legislation and the names of legislators who support and oppose the legislation, but not a specific call to action (e.g. a request to call or write to legislators.)
- Producing and disseminating research reports or studies that provide nonpartisan analysis on policy issues, including specific legislative issues.
- Talking to the media about specific legislative proposals.
- Meeting with the executive branch (except to sign or veto a bill).
- Meeting with regulatory agencies at all levels (e.g. DEA, FDA, state health departments, etc.).
- Advocating for better enforcement of existing laws, e.g. those that control alcohol sales to minors.
- Advocating the enactment and enforcement of private or voluntary policies, e.g. alcohol purchase restrictions in stadiums.
- Conducting public education campaigns to affect the opinions of the general public, e.g. a mass media educational campaign about the importance of not providing alcohol to minors.

For more information refer to CADCA Strategizer 31- Guidelines for Advocacy: Changing Policies and Laws to Create Safer Environments for Youth. Available online: http://www.cadca.org/resources/strategizer-31-guidelines-advocacy-changing-policies-and-laws-create-safer-environments

SECTION IV: BEST PRACTICES

Monitoring Social Access

National Research: Social Event Monitoring & Enforcement

The effects of alcohol on young drinkers can be devastating. Science concludes that the human brain is not fully developed until age 25 and that alcohol can disrupt the normal development of the brain. Alcohol can adversely affect an individual's ability to form new memories and make decisions. Alcohol may cause individuals to lose their inhibitions and be willing to engage in behavior they would normally avoid if they were sober, such as violence, vandalism, sex, date rape, other criminal behavior, or drug use. Oftentimes, communities incur the expense and burden of damages that result from underage drinking-related crimes.

In spite of the dangers, public attitudes towards underage drinking often condone alcohol use and portray drinking as a rite of passage, which sends messages to the youth that alcohol consumption is an acceptable behavior.

By incorporating community policies that include Private Property Ordinances and Social Event Monitoring, communities can reduce instances of underage drinking not only in public areas and during community events, but also in private homes where youth are gaining access to the alcohol of an older adult in the home. These policies reduce not only the presence of alcohol, but its impact on the community environment through which underage youth process social norms and information.

Root Causes Addressed	
Social Access	✓
Retail Access	
Low Perception of Risk	
Social Norms	✓
Community Norms	✓

New Jersey Recommendation: Private Property Ordinances

Municipalities in New Jersey have the ability to enact an ordinance making it unlawful for any underage person to possess or consume an alcoholic beverage on private property and hold the youth accountable. Of the municipalities in New Jersey, 52% of them have successfully enacted and enforced such an ordinance to prevent underage drinking from taking place on private property. The ordinance as authorized under state law to prohibit youth use of alcohol on private property, has no effect on this liability. The youth use of alcohol on private property ordinance does not enhance or detract from laws regarding the adult server **(Social Host Law on page 30).**

A local private property ordinance would limit the fine to the juvenile for a first offense to $250, and fines for subsequent offenses to $300. Judges may also, but are not required to, postpone eligibility for or suspend the driving privileges of a juvenile for six months. In lieu of either of the penalties stated, youth and their families can be given the option to participate in an education class on youth use of alcohol preferred.

Policy Recommendation

Private Property Ordinance Best Practice

1. Alcohol consumption by an underage person on private property is prohibited.
2. It is illegal for anyone under 21 to knowingly possess or consume alcohol on private property.

Violations and Penalties:

1. Anyone found guilty of violating this ordinance is subject to a $250 fine for first offense and a fine of $350 for subsequent offenses in addition to a six-month suspension of driving privileges.
2. Include a provision to require youth and/or parent to participate in an educational class on youth alcohol use.

***POLICY IN ACTION:* For the full text of sample New Jersey municipal Private Property Ordinances, please reference page 34 in the Appendix.**

Community Spotlight: Cumberland County Healthy Communities Coalition

CCHCC encouraged teens to design a positive message about staying safe during prom and dance season by not drinking alcohol. The winning design is printed and placed in various businesses and organizations in Cumberland County. Tuxedo rental businesses placed a card in every tuxedo rented to teens. The teen who creates the winning artwork is given a $50 gift card awarded at a coalition meeting and also receives recognition in newsletters and the local paper.

See Appendix on page 47 for full program details.

New Jersey Recommendation: Community Alcohol Control Policies

One way to reduce pro-alcohol messaging to youth is by ensuring that community events where youth are present are alcohol-controlled. From PTA fund raisers to community fairs and youth sporting events, minimizing the presence of alcohol can let youth know that it's easy to have fun without turning to substances.

Alcohol restrictions at community events include policies that control the availability and use of alcohol at public events, such as concerts, street fairs, and sporting games. Restrictions can be voluntarily or mandated or mandated by local legislation. There is some evidence to show that these restrictions may reduce alcohol-related problems, such as traffic crashes, vandalism, fighting, and other public disturbances. If there are no restrictions or ordinances in place, mobilize to ensure the passage and enforcement of restrictions or ordinances. This effort could target the county, city, or a specific public event.

Policy Recommendation

Coalitions can address the sale of alcohol at public events using the following strategies:

1. Restrict the issuance of licenses at youth and family related community events.
2. Limit alcohol sponsorship of events or vendors.
3. Restrict or prohibit alcohol sponsorship for community events.
4. Ban the sale of alcohol at events and locations popular with underage youth.
5. Enforce strict conditions for alcohol sales and consumption at events in order to reduce youth access, including one or more of the following:
   a. Designate restricted drinking sections at special events where young

people are not allowed. Ban attendants/participants in community events from bringing alcohol.

b. Ban attendants/participants in community events from bringing alcohol. Limit the cup size and servings of alcohol per person.
c. Require responsible beverage service management policies and training for workers at public events and require that alcohol servers be at least 21 years of age.
d. Limit the cup size and servings of alcohol per person. Stop serving alcohol at least one hour before closing.
e. Have alcohol-free nights and/or days at community events.
f. Use cups for alcoholic beverages that are easily distinguishable from non-alcoholic beverage cups.
g. Stop serving alcohol at least one hour before closing.
h. Sell food and non-alcoholic drinks and provide free water.

6. Prohibit open containers in unsupervised public locations.
7. Establish responsible beverage serving procedures and enforcement procedures for all policies, including age identification checking procedures and beverage limits. Enforce alcohol restrictions vigorously for both public events and public places, maintaining the seriousness of these regulations.
8. Enforce alcohol restrictions vigorously for both public events and public places, maintaining the seriousness of these regulations.
9. Establish standard procedures for dealing with intoxicated persons in public areas and at community events.
10. For private parties in public places, require permits contingent on strict stipulations and responsible beverage service guidelines.

Establish designated drinking areas where underage youth are not allowed; prohibit of-age drinkers from leaving these particular areas with alcoholic beverages.

Community Spotlight: Parents Who Host Lose the Most

Parents Who Host: Lose the Most is a program of the Drug Free Action Alliance in Columbus, Ohio that educates parents and communities about the health and safety risks of serving alcohol at teen parties. The program is adaptable at both the state and local level, and encourages entire communities to send the unified message that teen alcohol consumption is unhealthy, unsafe, and unacceptable.

In New Jersey, the Parents Who Host program has been successfully utilized by coalitions statewide through a variety of programs and events. To learn how you can bring the Parents Who Host: Lose the Most program to your community, visit: ***https://www.drugfreeactionalliance.org/parents-who-host***

Point of Sale

National Research: Retailer Education & Enforcing Underage Sale Laws

Research shows that environmental factors such as alcohol price promotions and advertisements increase youth alcohol consumption. Among the most effective ways to reduce youth access to alcohol where it is sold is by encouraging Point of Sale compliance.

Due to NJ restrictions in doing compliance checks, New Jersey has had to be creative in enforcing Point of Sale in communities. By incorporating Point of Sale strategies, communities are able to target youth's access to alcohol at the place where it's sold. Point of Sale strategies look to minimize the environmental conditions that make purchasing alcohol appeal to youth. Municipalities are able to pass Point of Sale ordinances to restrict youth access to alcohol including but not limited to:

1. Responsible Beverage Server Training
2. 100% Proofing
3. Comprehensive Alcohol Restaurant Policy

Root Causes Addressed	
Social Access	✓
Retail Access	✓
Social Norms	
Low Enforcement	
Community Norms	

For more information about Point of Sale initiatives, see "Point-of-Sale Strategies: A Tobacco Control Guide" by visiting: https://cphss.wustl.edu/Products/Documents/CPHSS_TCLC_2014_PointofSaleStrategies1.pdf

New Jersey Recommendation: Responsible Beverage Service

Responsible Beverage Service (RBS) is one type of merchant education program that can help generate public and business support for enforcement of laws to prevent sales to minors. As with all environmental strategies, RBS should be conducted as part of a larger comprehensive plan to reduce underage drinking. RBS programs target both on-sale and off-sale alcohol retailers and are designed to reduce sales to minors and intoxicated adults. RBS includes three critical components:

1. Media advocacy to promote policy change
2. Manager training, and
3. Server/seller training (Mosher, 1991).

Evaluations of the effectiveness (which primarily focus on preventing intoxication) are mixed but promising (Saltz & Sanghetta, 1997; Toomey et al., 1998; Wagenaar & Toomey, 1998). In general, RBS programs are more likely to be successful when they include a policy development component, focus on skill development and active learning techniques, and are implemented in the entire community as part of a larger plan including compliance checks and media advocacy (Grube,1997; Saltz & Stanghetta, 1997; Toomey, et al, 1998).

Responsible Beverage Serving ordinances requires everyone involved in the selling and serving of alcoholic beverages to participate in a municipal-approved training program related to the prevention of alcohol sales to underage individuals in addition to responsible serving methods to decrease risky alcohol consumption in of-age customers.

Educating for Change

RESPONSIBLE BEVERAGE SERVING TRAINING PROGRAMS

Training for Intervention ProcedureS (TIPS) | www.gettips.com

TIPS is the global leader in education and training for the responsible service, sale, and consumption of alcohol. Proven effective by third-party studies, TIPS is a skills-based training program that is designed to prevent intoxication, underage drinking, and drunk driving.

Over the past 35 years, TIPS has certified over 4 million participants and trainers. TIPS training is conducted in all 50 states and the District of Columbia, and in over 50 different countries. Join the thousands of businesses and organizations that already enjoy the benefits of TIPS.

Techniques of Alcohol Management (TAM) | www.tamusa.org

TAM is an educational program developed by the licensed beverage industry in conjunction with liquor control, law enforcement, highway safety and substance abuse organizations. Created in 1982, TAM has proven extremely effective at increasing point of sale prevention efforts in the areas of underage purchases, identification procedures in both tobacco and alcohol, serving of intoxicated customers, and recognition of third party sales.

TAMUSA.org provides those in the hospitality industry with a one-stop server training portal, featuring access to online training, in-classroom training schedules, and all the resources needed to keep yourself or your staff fully trained.

New Jersey Recommendation: 100% Proofing

100% Proofing policies help restaurants and liquor stores remain compliant in federal and state laws banning the sale of alcohol to those under 21. These policies ensure that cashiers, wait staff, and others in the business of selling alcohol ask all customers for proof of identification, regardless of their age. By enacting a 100% proofing policy, businesses are able to remove the guesswork from alcohol beverage serving and alcohol retail.

Policy Recommendation

Prohibit the sale of alcohol to minors.

1. Any time a Guest orders an alcoholic beverage, request to see his/her identification. You must know the forms of identification that are valid in your area.
    a. Acceptable forms of identification: All must be valid:
        i. State Driver's license or Identification Card
        ii. Passport
        iii. Armed Forces ID
    b. All identification must be valid
        i. Check the photo to ensure it matches the individual.
        ii. Ensure the individual is at least 21.
        iii. Ensure the ID has not expired.
        iv. Must make a reasonable effort to ensure validity of the ID.
        v. If you question the validity of the ID, ask personal questions about information on the ID or ask for a second form of identification.

Community Spotlight: We Check 21

Begun in 1993, Cape May County's "We Check 21" program is a unique collaborative effort that brings together the public and private sectors of Cape May County in the fight against underage drinking, particularly during the summer months.

We Check for 21 is designed to raise awareness and prevent underage access and consumption of alcohol. Once a year, Cape May County holds a county training for all establishments that deals with alcohol. The training includes tips and information on how to spot fake IDs as well as keeping up with the latest laws that all bar establishments must follow.

In the almost 25 years since the program's inception, We Check for 21 has gotten statewide recognition and implementation. Businesses that sell and serve alcohol

receive information on the latest trends in counterfeit drivers' licenses and credentials from different states. The training occurs in partnership between Cape Assist, the Cape May County Municipal Alliances, the Cape May County Board of Chosen Freeholders, CMC Licensed Beverage Association, the Prosecutor's office, the Sheriff's office, the CMC Chiefs of Police Association and other county partners.

To learn more about how you can bring the "We Check for 21" Program to your coalition, visit: ***http://www.capeassist.org/***

“By enacting a 100% proofing policy, businesses are able to remove the guesswork from alcohol beverage serving and alcohol retail.”

New Jersey Recommendation: Comprehensive Alcohol Restaurant Policy

By assisting restaurants in incorporating comprehensive policies for their bartenders and servers, communities can reduce the prevalence of underage drinking while also encouraging the safety of all restaurant patrons. By providing staff with detailed policies as a part of their employee handbook, they can make sure that Responsible Beverage Serving policies are routinely and consistently implemented.

Policy Recommendation

Policies should address areas of responsible alcohol service, including:

1. The federal, state, and municipal laws regarding the sale and serving of alcohol.
2. Training requirements (i.e. Responsible Beverage Serving Training)
3. Monitoring and prevent guest intoxication
4. Prohibiting the sale and serving of alcohol to minors
5. Procedures to take with an intoxicated guest

Policies can additionally address ways for restaurant staff to; minimize the intoxication of guests during “Last Call,” handle the confiscation of false identification, preventing a guest from driving while intoxicated or under the influence, and how to ensure that a guest’s form of identification are valid.

***POLICY IN ACTION:* For the full text of sample New Jersey municipal Private Property Ordinances, please reference page 34 in the Appendix.**

Reducing Alcohol Marketing

Restricting Alcohol Marketing in Youth Markets → Sticker Shock Program

Restricting Alcohol Marketing in Youth Markets → Content Neutral Advertising

National Research: Restricting Alcohol Marketing in Youth Markets

The alcohol industry spends more than $4 billion each year marketing its products. Underage youth receive substantial exposure to this marketing, and many studies correlate this exposure with an increased likelihood of drinking. Increasingly, there has been a shift in advertising strategy that focuses on the sponsorship of concerts, sporting events, and celebrations. These are unmeasured media strategies that are not as easily regulated as more traditional forms of advertising such as radio, magazine, and television ads. As a result, it often falls to communities to create policy that restricts these unregulated efforts to reduce alcohol messaging to youth.

Root Causes Addressed	
Social Access	✓
Retail Access	✓
Social Norms	✓
Low Enforcement	✓
Community Norms	✓

Community Spotlight: Sticker Shock in Communities: Sussex

The Center for Prevention and Counseling's Coalition for Healthy & Safe Communities implemented the use of Sticker Shock with their STOP (Sober Truth on Prevention Underage Drinking) grant in 2008 as one of the activities to assist in reducing availability of alcohol to those under 21 along with changing social norms relating to underage drinking. Utilizing their DEFY youth group along with Coalition volunteers, stickers were placed on multi-packs of beer and any other alcohol products that appeal to underage drinkers at participating stores with the aim of educating those over 21 about the legal ramifications of providing alcohol to those under 21. Since 2008, they have completed 93 Sticker Shock events with over 176 youth participants in their county. A photo is taken at each event which is used in a press release to assist in spreading the message of the campaign along with thanking the liquor merchant for their commitment to keeping youth alcohol-free in Sussex County. Besides awareness within the community, a positive outcome is the interaction of youth with the customers in the stores at Stick Shock events, as the youth share the reason they are there and their commitment to reducing youth use of alcohol.

New Jersey Recommendation: Content-Neutral Advertising Ordinance

From the data above, marketing does influence youth, however we are restricted from targeting any specific business when encouraging community advertising ordinances. An alternative option to reduce marketing's negative influence on youth, such as alcohol and tobacco, are Content-Neutral Advertising Ordinances.

Content-Neutral advertising ordinances can restrict advertising on the outside of businesses to only a percentage of window space or amends a municipality's sign code to reduce the window area that can be covered by temporary and permanent signs. Content-Neutral advertising impacts all businesses in a municipality, which helps the ordinance meet fewer legal challenges, and refers to all types of advertisements; not just those that pertain to alcohol or other substances. The benefits of content-neutral advertising include decreased advertising of dangerous substances to youth, safety, and neighborhood beautification.

Policy Recommendation

Ideal Content-Neutral Advertising policy in the state of New Jersey would include:

1. Restricting all window signs to no more than 30% of window space;
2. Amending a jurisdiction's sign code to reduce the window area that can be covered by temporary and permanent signs.

Also including language for outdoor sandwich-board ads and banners are an important consideration when writing a new municipal ordinance, however these restrictions can make Content-Neutral Advertising ordinances more difficult to pass.

***POLICY IN ACTION:* For the full text of sample New Jersey municipal Private Property Ordinances, please reference page 46 in the Appendix.**

“Research shows that environmental factors such as alcohol price promotions and advertisements increase youth alcohol consumption.”

SECTION IV: Appendix

1. New Jersey Social Host Law Full Text
   a. NJ Revised Statutes 2C:33-17
   b. NJ Revised Statues 2A:15-5.6-Exclusive Civil Remedy
2. New Jersey Dram Shop Liability
3. New Jersey Alcohol Beverage Commission Compliance Check Restrictions
4. Sample Private Property Ordinance - Barnegat, NJ
5. Sample Responsible Beverage Server Training Ordinance - Piscataway, NJ
6. Sample 100% Proofing Business Policy
7. Sample Comprehensive Alcohol Restaurant Policy
8. Sample Content-Neutral Advertising Ordinance - Long Beach, CA
9. Coalitions Educating Communities
   a. Tuxedo Card Contest: Cumberland County Healthy Communities Coalition
   b. Parties, Proms & Pitfalls: Hunterdon SAFE Communities Coalition
   c. Celebrate…Without Alcohol: Vernon Coalition & Coalition for Healthy & Safe Communities (Sussex)
10. Sticker Shock: A New Jersey Guide
11. New Jersey Coalition Resources
    a. Parentcheck NJ
    b. NJ Regional Coalitions

Appendix 1.A

New Jersey Social Host Law

NJ Revised Statutes 2C:33-17 Availability of Alcoholic beverages to under aged, offenses

a. Anyone who purposely or knowingly offers or serves or makes available an alcoholic beverage to a person under the legal age for consuming alcoholic beverages or entices or encourages that person to drink an alcoholic beverage is a disorderly person.

This subsection shall not apply to a parent or guardian of the person under legal age for consuming alcoholic beverages if the parent or guardian is of the legal age to consume alcoholic beverages or to a religious observance, ceremony or rite. This subsection shall also not apply to any person in his home who is of the legal age to consume alcoholic beverages who offers or serves or makes available an alcoholic beverage to a person under the legal age for consuming alcoholic beverages or entices that person to drink an alcoholic beverage in the presence of and with the permission of the parent or guardian of the person under the legal age for consuming alcoholic beverages if the parent or guardian is of the legal age to consume alcoholic beverages.

b. A person who makes real property owned, leased or managed by him available to, or leaves that property in the care of, another person with the purpose that alcoholic beverages will be made available for consumption by, or will be consumed by, persons who are under the legal age for consuming alcoholic beverages is guilty of a disorderly persons offense.

This subsection shall not apply if:

1. the real property is licensed or required to be licensed by the Division of Alcoholic Beverage Control in accordance with the provisions of R.S.33:1-1 et seq;
2. the person making the property available, or leaving it in the care of another person, is of the legal age to consume alcoholic beverages and is the parent or guardian of the person who consumes alcoholic beverages while under the legal age for consuming alcoholic beverages; or
3. the alcoholic beverages are consumed by a person under the legal age for consuming alcoholic beverages during a religious observance, ceremony or rite.

L.1985,c.311,s.1; amended 1995,c.31.

Appendix 1.B

New Jersey Social Host Law

NJ Revised Statutes Title 2A: 15-5.6- Exclusive civil remedy

a. This act shall be the exclusive civil remedy for personal injury or property damage resulting from the negligent provision of alcoholic beverages by a social host to a person who has attained the legal age to purchase and consume alcoholic beverages.

b. A person who sustains bodily injury or injury to real or personal property as a result of the negligent provision of alcoholic beverages by a social host to a person who has attained the legal age to purchase and consume alcoholic beverages may recover damages from a social host only if:

1. The social host willfully and knowingly provided alcoholic beverages either:
   a. To a person who was visibly intoxicated in the social host's presence; or
   b. To a person who was visibly intoxicated under circumstances manifesting reckless disregard of the consequences as affecting the life or property of another; and

2. The social host provided alcoholic beverages to the visibly intoxicated person under circumstances which created an unreasonable risk of foreseeable harm to the life or property of another, and the social host failed to exercise reasonable care and diligence to avoid the foreseeable risk; and

3. The injury arose out of an accident caused by the negligent operation of a vehicle by the visibly intoxicated person who was provided alcoholic beverages by a social host.

c. To determine the liability of a social host under subsection b. of this section, if a test to determine the presence of alcohol in the blood indicates a blood alcohol concentration of:

4. less than 0.10% by weight of alcohol in the blood, there shall be an irrebuttable presumption that the person tested was not visibly intoxicated in the social host's presence and that the social host did not provide alcoholic beverages to the person under circumstances which manifested reckless disregard of the consequences as affecting the life or property of another; or

5. at least 0.10% but less than 0.15% by weight of alcohol in the blood, there shall be a rebuttable presumption, that the person tested was not visibly intoxicated in the social host's presence and that the social host did not provide alcoholic beverages to the person under circumstances which manifested reckless disregard of the consequences as affecting the life or property of another.

L. 1987, c. 404, s. 2.

Appendix 2

New Jersey Dram Shop Liability Full Text

N.J. Rev. Stat. §2A:22A-1 et seq.

This act shall be the exclusive civil remedy for personal injury or property damage resulting from the negligent service of alcoholic beverages by a licensed alcoholic beverage server. Nothing contained herein shall be deemed to limit the criminal, quasi-criminal, or regulatory penalties which may be imposed upon a licensed alcoholic beverage server by any other statute, rule or regulation.

N.J. Rev. Stat. §2A:22A-4

a. A person who sustains personal injury or property damage as a result of the negligent service of alcoholic beverages by a licensed alcoholic beverage server may recover damages from a licensed alcoholic beverage server only if:

1. The server is deemed negligent pursuant to subsection b. of this section; and
2. The injury or damage was proximately caused by the negligent service of alcoholic beverages; and
3. The injury or damage was a foreseeable consequence of the negligent service of alcoholic beverages.

b. A licensed alcoholic beverage server shall be deemed to have been negligent only when the server served a visibly intoxicated person, or served a minor, under circumstances where the server knew, or reasonably should have known, that the person served was a minor.

Appendix 3

New Jersey Alcohol Beverage Commission Compliance Check Restrictions full text

AGE TO PURCHASE

WHAT ARE THE CRITERIA FOR AVOIDING AN UNDERAGE SALE VIOLATION?

A licensee with retail license privileges cannot sell to a person under the legal age (21 years), which is often abbreviated as "PULA." A bartender or sales clerk who violates this law will be subject to a disorderly persons charge under N.J.S.A. 33:1-77, and the license itself will be subject to administrative charges under that statute or N.J.A.C. 13:2-23.1. The law does recognize a valid defense to a charge that a person or licensee sold to someone under the legal age. For this defense, all of the following criteria must be established:

1. that the purchaser falsely represented his or her age by producing
    a. a photo driver's license of any state; or an identification card issued by the New Jersey Motor Vehicle Commission or
    b. an official photo identification card issued by any state or the federal government; AND
2. that the purchaser falsely represented in writing that he or she was of legal age to make the purchase; AND
3. that the purchaser appeared to be 21 years of age or older AND (4) that the purchaser appeared to be the person described in the about proof of age.

The three elements together are necessary to establish a valid defense to a charge of sale to a person under the legal age. Any forms of identifictation other than those listed in (1) a or b above which may be presented, will not be recognized as a defense. Licensees are encouraged to also request alternative types of 4 identification in addition to the photographic identification to verify the true age and identity of the purchaser. This should also be done if the written representation is used and such alternative types of identification, together with numbers, etc., should be noted on the written representation paper. (See A.B.C. Bulletin 2457, Item 5.) (A suggested format for the written representation can be found on the ABC Website.) (See A.B.C. Bulletin 2445, Item 3.)

If there is any doubt that the purchaser is under 21 years of age, the sale should not be made. Licensees have the right to refuse a sale if they believe a purchaser is under the age of 21. (See also "False Identification" and "Patrons, Excluding.") A license which has four (4) such violations within two (2) years presumptively will be revoked.

Appendix 4

Private Property Sample Ordinance - Barnegat, NJ

ORDINANCE 2014-20
ORDINANCE OF THE TOWNSHIP OF BARNEGAT, COUNTY OF OCEAN, STATE OF NEW JERSEY, PROHIBITING CONSUMPTION OF ALCOHOLIC BEVERAGES BY UNDERAGE PERSON ON PRIVATE PROPERTY

Be it ordained by the Township Committee of the Township of Barnegat, County of Ocean, State of New Jersey, that Chapter 29 entitled "Alcoholic Beverages Consumption by Underage Person on Private Property Prohibited" be added to the Barnegat Township General Code Book.

§29. Alcoholic beverages consumption by underage person on private property prohibited.

§29.1 It is hereby unlawful for any person under the legal age to, without legal authority, knowingly possess or knowingly consume an alcoholic beverage on private property.
§29.2. Violations and penalties.

1. Any person found guilty of violating the terms of this article shall be subject to a fine of $250 for a first offense and a fine of $350 for any subsequent offense. In addition, the court may, upon a finding of guilty, in addition to the fine authorized for this offense, suspend or postpone for six months the driving privileges of the defendant. Upon the conviction of any person and the suspension or postponement of that person's driver's license, the court shall forward a report to the Division of Motor Vehicles stating the first and last day of the suspension or postponement period imposed by the court pursuant to this section. If a person at the time of the imposition of a sentence is less than 17 years of age, the period of license postponement, including a suspension or postponement of the privilege of operating a motorized bicycle, shall commence on the day the sentence is imposed and shall run for a period of six months after the person reaches the age of 17 years. If the defendant at the time of the imposition of the sentence has a valid driver's license issued by this state, the court shall immediately collect the license and forward it to the Division of Motor Vehicles along with the report. If for any reason the license cannot be collected, the court shall include in the report the complete name, address, date of birth, eye color and sex of the person, as well as the first and last date of the license suspension period imposed by the court.

2. The court shall inform the person orally and in writing that if the person is convicted of operating a motor vehicle during the period of license suspension or postponement, the person shall be subject to the penalties set forth in N.J.S.A. 39:3-40. The defendant shall be required to acknowledge receipt of the written notice in writing. Failure to receive a written notice or failure to acknowledge in writing the receipt of the written notice shall not be a defense to a subsequent charge of a violation of N.J.S.A. 39:3-40.

3. If the person convicted under this article is not a New Jersey resident, the court shall suspend

or postpone, as appropriate, the nonresident driving privilege of the person based on the age of the person and submit to the Division the required report. The court shall not collect the license of a nonresident convicted under this article. Upon receipt of a report by the court, the Division shall notify the appropriate officials in the licensing jurisdiction of the suspension or postponement.

§29.3. Exceptions.
1. This article shall not prohibit an underage person from consuming or possessing an alcoholic beverage in connection with a religious observance, ceremony or rite or consuming or possessing an alcoholic beverage in the presence of and with the permission of a parent, guardian or relative who has attained the legal age to purchase and consume alcoholic beverages.

2. This article shall not prohibit the possession of alcoholic beverages by any underage person while actually engaged in the performance of employment by a person who was licensed under Title 33 of the revised statutes or while actively engaged in the preparation of food while enrolled in a culinary arts or hotel management program at a county vocational school or post-secondary educational institution; however, this article shall not be construed to preclude the imposition of a penalty under this section, N.J.S.A. 33:1-81 or any other section of law against a person who is convicted of unlawful alcoholic beverage activity on or at premises licensed for the sale of alcoholic beverages.

§29.4. Adult permitting or encouraging underage violation.

1. No adult may knowingly permit or fail to take action to prevent the illegal consumption of alcohol beverages by an underage person on premises owned by the person or under the person's control. This subsection does not apply to alcohol beverages used exclusively as part of a religious service.

2. Any person or corporation who or which rents any private premises or dwelling unit to persons who are under the age of 21 years shall be required to take all reasonable steps to prevent the furnishing or serving of alcoholic beverages by such persons to others or the use of alcoholic beverages by the tenants themselves during the period of said tenancy. A person or corporation who or which rents such private premises or dwelling unit to such person and who or which fails to take such reasonable steps shall be deemed for purposes of this section of the Code to be the person who furnished, served or allowed the furnishing and serving of alcoholic beverages to any minor who shall use or serve alcoholic beverages in said premises.

3. Any person found guilty of violating the terms of this article shall be subject to a fine of $250 for a first offense and a fine of $350 for any subsequent offense. §29.5 Training:
Each and every liquor licensee is required to ensure all front of the house employees (Managers, Servers, Hosts, Bartenders, & Bussers) are certified and keep current a certification in Alcohol Management. TIPS (Training for Intervention Procedures) and
TAMS (Techniques of Alcohol Management) certifications will be accepted. Additional programs may be acceptable to be determined on an individual basis. The licensee will keep on record a copy of employee certification #'s and expiration dates as part of employee files and upon request shall attach all TIPS or TAMS program current cards to their E141A forms for inspection.

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced on first reading at a regular meeting of the Barnegat Township Committee held on the 28th day of July, 2014, and will be considered for second reading and final adoption at a regular meeting of said Committee to be held on the 18th day of August, 2014, at 900 West Bay
Avenue, Barnegat, New Jersey at which time and place any person wishing to be heard on the subject shall be given an opportunity to be so heard.

Appendix 5

Responsible Beverage Server Training Sample Ordinance - Piscataway, NJ

ORDINANCE

ORDINANCE TO AMEND AND SUPPLEMENT THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AMENDING CHAPTER VI (6) – ALCOHOLIC BEVERAGE CONTROL.

WHEREAS, the Mayor and Township Council of the Township of Piscataway, Middlesex County, finds it in the best interest of public safety to require Mandatory Responsible Beverage Server Training utilizing the T.I.P.S (Training for Intervention Procedures) Curriculum. This will require everyone involved in the selling and serving of alcoholic beverages to participate in an approved training program related to preventing alcohol sales to underage individuals as well as decrease the number of DUI incidents overall.

WHEREAS, research from the Office of Juvenile Justice and Delinquency Prevention demonstrates that a responsible beverage service program can prevent the sale of alcohol to intoxicated persons and reduce incidents of impaired driving. The long-term effects of a community-wide alcohol server training intervention, reported in the Journal of Studies on Alcohol, 60, 27-36 by Buka, S.L., & Birdthistle, I.J. (1999), revealed that more than one year after participating in a “Responsible Alcohol Service” curriculum, trainees continued to report significantly higher levels of acceptable serving behavior such as checking IDs, dealing with patrons showing the early effects of alcohol and dealing with intoxicated patrons.; and

BE IT THEREFORE ORDAINED by the Township Council of the Township of Piscataway, County of Middlesex, State of New Jersey, as follows:

Chapter 6 (Alcoholic Beverage Control) is hereby amended to add the following section as follows:

6-7 SERVER EDUCATION REQUIREMENTS

a. All licensees shall attend all mandatory liquor license training seminars required by the Township. If the license is in the name of an entity other than an individual person, a person or persons must be designated to attend the seminar on behalf of the licensee. This designee must have the authority to set, implement or change the licensee’s practices for selling and serving alcohol (Plenary retail consumption license “32” & “33”, Plenary retail distribution license “44”, Hotel/Motel license “36”

and Club license "31"). This designee must complete and pass the above referenced Township approved server education class:

1. Within ninety (90) days of beginning employment, and
2. Every 3(three) years thereafter unless probationary extension is granted for a hardship reason.

b. All persons licensed under Township Ordinance who are engaged in the selling or serving of alcoholic beverages or the managing thereof, shall complete a Township-approved server education class. All licensees shall require all their employees who are engaged in the selling or serving of alcoholic beverages or the managing thereof to complete and pass the above referenced Township approved server education class:

1. Within ninety (90) days of beginning employment, and
2. Every 3(three) years thereafter unless probationary extension is granted for hardship reason.

c. No licensed premises in which alcoholic or malt beverages are sold by the drink on the licensed premises shall allow any server employed over ninety (90) days to sell, dispense or service any alcoholic beverage or malt beverage or to manage any such licensed premises unless that server is the holder of a current server certification.

d. Each such licensed premises shall maintain a file at the licensed premises for each server for whom training is required. The file shall contain the name, job description, date of employment and proof of certification of each server regulated by this Section. This information shall be available at any reasonable time to any Alcoholic Beverage Control Officer, any police officer or the Township Clerk.

e. For all special events, including all fairs, festivals and events of the like, the chairperson of same must provide a list of all servers to the Township's Alcohol Beverage Control Officials no later than 15 days prior to the event. Additionally, there must be at least three (3) members of the event staff trained and certified that will be in attendance at all times for the duration of the event. Any server working at a special event for which a temporary alcoholic beverage license has been approved shall not be required to comply with this Section.

f. Any person who violates any provision of the mandatory education requirements set forth, shall be guilty and shall, for the first offense, be fined not less than one hundred ($100.00) dollars and not more than two hundred ($200.00) dollars, and each subsequent violation, shall be fined not less than two hundred ($200.00) dollars and not more than five hundred ($500.00) dollars.

The provisions of this Ordinance are hereby declared to be severable, and if any section, phrase or provision shall for any reason be declared invalid, such declaration of invalidity shall not affect the validity of the remainder of this Ordinance.

All prior Municipal Orders or Ordinances or parts of any Municipal Order or Ordinance in conflict with the education and the respective penalty's here within are hereby repealed.

This Ordinance shall take effect twenty (20) days after the first publication thereof, by summary, after final passage in the manner provided by law.

Appendix 6

100% Proofing Business Policy: Sample

Prohibit the sale of alcohol to minors.

1. The first time a Guest orders an alcoholic beverage, request to see his/her identification. You must know the forms of identification that are valid in your area. Each state has different rules regarding valid identifications and confiscation of false identification.
    a. Acceptable forms of identification: All must be valid.
        i. State Driver's license or Identification Card
        ii. Passport
        iii. Armed Forces ID
    b. All identification must be valid.
        i. Check the photo to ensure it matches the individual.
        ii. Ensure the individual is at least 21.
        iii. Ensure the ID has not expired.
        iv. Must make a reasonable effort to ensure validity of the ID.
        v. If you question the validity of the ID, ask personal questions about information on the ID or ask for a second form of identification.
        vi. "Power Hour" promotes drinking in large quantity in a short period of time for a minor who is turning 21 at midnight, near the end of a business day.
        vii. It is (Company) policy that a minor who turns 21 at midnight at the end of a business day will not be allowed to consume large quantities of alcohol. Birthday guests are held to the same level of responsible alcohol consumption/service as for any other guest. In other words, we do not over serve or serve those who are intoxicated.

Appendix 7

Comprehensive Alcohol Restaurant Policy: Sample

Responsible Alcohol Service Policy Statement

It is the policy of (company) to monitor guests, serve the Guests appropriately, and safely respond to any incidents that may arise at the Restaurant as a result of a Guest who has been drinking alcohol.

Guidelines:

1. Obey all laws prohibiting the sale of alcohol to persons who are visibly intoxicated.
2. Obey all laws prohibiting the sale of alcohol to minors.
3. All Guests who are consuming alcohol must have their identification checked as described in this policy.

Exceptions will not be made to our policy of not serving anyone under 21.

1. We will not serve alcohol to a parent or guardian purchasing for a minor child.
2. We will not serve alcohol to minor children in conjunction with any religious event or celebration.

Follow the procedures set forth in this policy to ensure that a Guest is not served too much alcohol, including suggestive selling of non-alcoholic drinks and food, slowing service to those Guests who appear to be nearing the point of intoxication, and refusing to serve Guests who appear to be visibly intoxicated.

Follow the procedures set forth in this policy regarding Guests who may have become intoxicated.

Know the actions to be taken to avoid Guest intoxication.

Recognize the signs of intoxication.

Follow the appropriate steps and state laws to protect Guests in the unlikely event they become intoxicated at our Restaurant.

Make every effort to prevent Guests from driving away from the Restaurant if they are intoxicated.

Complete an Incident Report when alcohol is refused to a Guest, when alternative transportation is arranged for a Guest, or whenever the police are called related to alcohol service.

In the case of state or local required alcohol training, a server or bartender must provide certification of course completion prior to their first solo shift. This training will not be at (Company's) expense if a newly hired server or bartender does not already have certification prior to employment at (Company).

Additional Company approved/specified Responsible Alcohol Service training must be completed within the established time frames. If these certifications are not completed within these time frames, Team Members will not be permitted to work in a position that requires serving alcohol.

1. Self-training (videos and practice exams) completed prior to first solo shift.
2. Formal Classroom instruction and certification will be completed and passed within 90 days of hire date.

It is each bartender and server's responsibility to ensure individual certification (local, or state where applicable, and company-specific) remains current.

It is each bartender and server's responsibility to use all skills and information learned during all certification processes, including but not limited to intoxication rate factors, BAC calculations and behavioral cues related to alcohol consumption.

Failure to follow this Responsible Alcohol Service policy will result in disciplinary action up to and including termination.

Monitor the consumption of alcohol.

1. In order to know what and how much Guests are consuming:
    a. Bartenders must follow strict recipe adherence when mixing alcoholic beverages, including correct glassware used for each recipe.
    b. A jigger (measured pours) must be used when mixing drinks.
    c. Free-pouring of alcohol is never allowed.
2. Do not serve a Guest who appears to be under the influence of illegal drugs. Immediately contact the Manager if you suspect illegal drug activity in the Restaurant.

Prohibit the sale of alcohol to minors.

1. The first time a Guest orders an alcoholic beverage, request to see his/her identification. You must know the forms of identification that are valid in your area. Each state has different rules regarding valid identifications and confiscation of false identification.
    a. Acceptable forms of identification: All must be valid
        i. State Driver's license or Identification Card
        ii. Passport
        iii. Armed Forces ID
    b. All identification must be valid
        i. i. Check the photo to ensure it matches the individual.
        ii. ii. Ensure the individual is at least 21.
        iii. iii. Ensure the ID has not expired.
        iv. iv. Must make a reasonable effort to ensure validity of the ID.
        v. v. . If you question the validity of the ID, ask personal questions about information on the ID or ask for a second form of identification.
        vi. vi. "Power Hour" promotes drinking in large quantity in a short period of time for a minor who is turning 21 at midnight, near the end of a business day.
        vii. vii. It is (Company) policy that a minor who turns 21 at midnight at the end of a business day will not be allowed to consume large quantities of alcohol. Birthday guests are held to the same level of responsible alcohol consumption/service as for any other guest. In other words, we do not over serve or serve those who are intoxicated.

Bars Program

1. It is your responsibility to comply with all state and local laws and guidelines. Local liquor agencies conduct “secret shops” to insure compliance. Any “Red Card” or failed shop will result in disciplinary action up to and including termination.

Confiscation of false identification:

1. After reviewing an ID, if there is reasonable doubt about identification’s authenticity or a second form of ID was not provided when it was requested, politely inform the Guest that you will not serve them, return their ID, document the incident and notify the Manager-On-Duty immediately.
2. Do not confiscate the ID.
3. If the Guest insists the ID is valid, inform the Guest that you can call the police to come and check out the ID and confirm its validity. If they do not wish for you to obtain this confirmation, no service is allowed.

When a Guest orders additional alcoholic beverages:

1. If the server or bartender has personally seen the Guest’s identification, he/she does not need to request to see it on subsequent alcohol purchases on that day.
2. If a guest brings an empty glass or bottle with him/her when ordering an alcoholic beverage, do not assume he/she was previously carded. Request to see the person’s identification if you did not personally card him/her.
3. In the event a Guest is attempting to purchase multiple alcoholic beverages, an ID for each drink must be presented and checked for authentication. It is the bartender/server’s responsibility to ensure that multiple drinks provided to one Guest are delivered to the appropriate people.
4. Team members delivering drinks to a table to help out the server who might be busy are responsible to make sure that id’s have been checked and that he/she is not delivering drinks to someone who is not of legal drinking age.
5. No minor may purchase alcohol to be consumed by another guest even if that person is over the age of 21.

Prevent Guest intoxication.

1. Observe the Guest upon arrival.
    a. If the Guest appears intoxicated, do not serve the Guest any alcohol.
    b. Complete an alcohol incident report.
    c. Discreetly, so not to cause embarrassment for the Guest, notify the Manager-on-Duty of the situation.
    d. A Guest who has become intoxicated in another restaurant should not be declined entrance, but should not be served any more alcohol.
    e. When possible, keep track of drinks consumed and in what time frame. You should know how much alcohol a Guest has consumed and to communicate such information to co-workers and managers as necessary. When counting drinks is not feasible, you must rely on your skills to recognize the signs of intoxication. Counting of drinks is simply a tool to assist you in this regard.
    f. It is the responsibility of each server and bartender to closely monitor alcohol consumption for the Guests in their section during the entire visit of the Guests.
    g. Suggestively sell food or non-alcoholic beverages to any Guest whom you need to slow down the consumption of alcohol. h. Engage Guests in conversation to observe any loss of inhibitions and judgment.
    h. Refuse to serve a guest who is at the point of intoxication.

Procedures for Last Call

1. Last call will be completed by the Manager-On-Duty or bartender no later than 20 minutes before the established closing time of the restaurant.
2. The bartender or server may take and serve last call orders for 5 minutes after last call is completed.
3. One last drink will be sold to a Guest during this time provided his/her current alcoholic beverage is less than half full. No drinks will be provided to Guests after this 5-minute last call window closes.
4. Alcoholic beverages approved for sale as part of last call are:
    a. 16 oz. Draft or 12 oz. Bottle Beer.
    b. 5 oz. wine
    c. A one shot (1 ¼ oz.) mixed drink.
5. Doubles and, multiple liquor mixed drinks will not be available for sale during last call.
6. All drink glasses (regardless if they have alcohol left in them or not) are pulled from all tables and emptied immediately at closing time of the Restaurant if required by local laws.
7. (Company) realizes that states/cities/counties may have more strict guidelines in regards to last call. In the event this occurs, the stricter guideline will prevail.

Procedures to Take with an Intoxicated Guest

1. It is against Company policy to serve alcohol to an individual who is visibly intoxicated. This applies whether this person has been drinking at your restaurant or arrived at your restaurant already intoxicated.
2. Immediately notify the Manager-On-Duty that the Guest is being cut off.
3. Take the Guest off to the side (use tact and be diplomatic) and away from others in order to inform them they are being cut off.
4. Do not use judgmental statements such as, “you’re drunk” or “you’re too smashed.” Minimize confrontation. Try to use statements that reflect your concern for their safety.
5. To cut off a debate or argument with a Guest, move away. Do not touch or have physical contact with the Guest. Do not raise your voice. Do not lose sight of the Guest when you move away.
6. Complete an alcohol incident report
7. Do not allow the Guest to drive. Offer solutions:
    a. Ask them for their keys (do not demand their keys or hold them without their consent.
    b. Suggest that a friend or someone else who is not impaired drive them home.
    c. Call a taxi (check on free fares in your city).
    d. Offer to call a friend of theirs to pick them up.
    e. If the Guest refuses help, tell him you will call the police and advise them that he/she does not appear able to drive safely. Most Guests will then accept help.
    f. If all else fails and the Guest refuses help, call the police and report the description and the make of the car. Again, do not use judgmental statements such as, “The Guest is drunk.” Instead state, “the Guest does not appear to be able to drive a car safely.”
8. Serving a guest who is visibly intoxicated may result in disciplinary action up to and including termination.

Proper Communication Regarding Guests:

1. If you have slowed or refused beverage service to a Guest, or believe that such action may soon be necessary, it is your responsibility to inform the Manager-On- Duty and co-workers who may need to be aware. This is particularly important during shift change.
2. If a Guest who has been drinking moves from one area of the Restaurant to another area, be sure to inform the co-worker in the other area of any information necessary to ensure the Guest is not over-served.
3. It is critical that decisions be enforced. Do not attempt to by-pass the rules, such as asking Team Members to bend the rules or to over-serve your friends or regular Guests. Completing an Alcohol Incident Report.
4. It is important to document all incidents that are alcohol related. Write the report immediately after an incident occurs; while the events are clear in your mind. Do not wait until the end of a shift or the next day.
5. The following types of incidents should always be documented:
    a. When service is refused.
    b. When transportation is arranged.
    c. When a minor presents a false ID.
    d. When the police are called.
    e. When a Guest becomes ill after drinking too much alcohol.
    f. When an altercation or violence is threatened or occurs.
6. Notify the Manager-on-Duty either before or immediately after you have an incident that requires you to fill out an Alcohol Incident Report.

Appendix 8

Content-Neutral Advertising Sample Ordinance: Long Beach, California

Article I. SIGNS

Sec. 3-1. Legislative intent.

a. The purpose of this chapter is to promote and protect the public health, welfare and safety by regulating existing and proposed outdoor advertising signs and outdoor signs of all types. It is intended to protect property values, create a more attractive economic and business climate, enhance and protect the physical appearance of the community. It is further intended hereby to reduce sign or advertising distractions and obstructions that may contribute to traffic accidents , reduce hazards that may be caused by signs overhanging or projecting over public rights-of-way, provide more visual open space, and curb the deterioration of the community's appearance and attractiveness.

b. The provisions of this article shall govern the construction, erection, alteration, repair and maintenance of all signs together with their appurtenant and auxiliary devices.

(Ord. No. 1689/89 SS 1, 2-21-89)

For full text of this ordinance, please visit: ***http://ecode360.com/attachment/LO2927/LO2927-003.pdf***

Appendix 9.A

Parents Who Host: Lose the Most Sample Programs

Community Messaging

Name: Tuxedo Card Contest
Strategies: Provide Information Change Physical Design

Coalition: Cumberland County Healthy Communities Coalition (CCHCC)
Materials: Printed materials
Information about local underage drinking laws and ordinances
Connections to local schools or youth organizations

Description: CCHCC encouraged teens to design a positive message about staying safe during prom and dance season by not drinking alcohol. The winning design is printed and placed in various businesses and organizations in Cumberland County. Tuxedo rental businesses placed a card in every tuxedo rented to teens. The teen who creates the winning artwork is given a $50 gift card awarded at a coalition meeting and also receives recognition in newsletters and the local paper.

Example of 2015 Teen Art Winner of Tuxedo Card Contest:

Appendix 9.B

Parents Who Host: Lose the Most Sample Programs

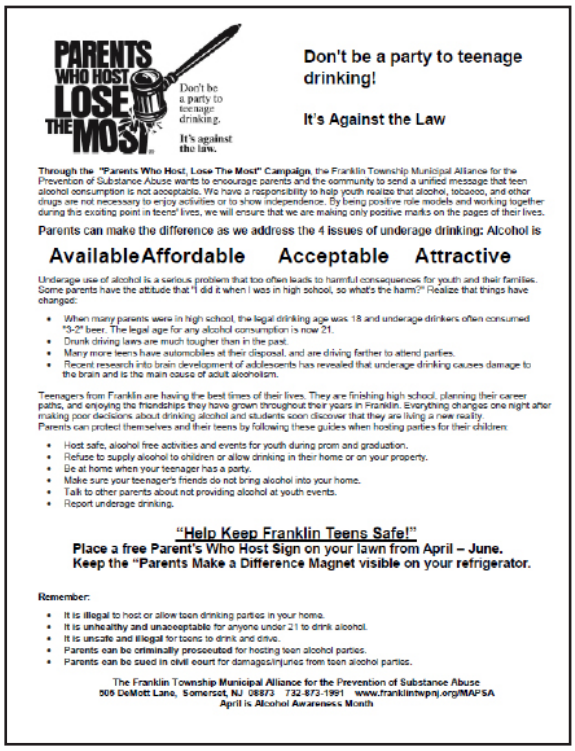
Name: Parties, Proms and Pitfalls

Coalition: SAFE Communities Coalition - Hunterdon County

Materials: Printed materials
Information about local underage drinking laws and ordinances
Connections to local schools

Strategies: Provide Information
Enhancing Skills
Providing Support

Description:



Appendix 9.C

Parents Who Host: Lose the Most Sample Programs

Name: Graduation Letters to Parents

Coalition: Vernon Coalition & Coalition for Healthy & Safe Communities - Sussex County

Materials: Printed materials
Letter signed by local police chiefs
Information about local underage drinking laws and ordinances
Connections to local schools

Strategies: Provide Information
Providing Support

Description:

Dear Parents/Guardians:

High school graduations are a time filled with pride and anticipation of bright futures. It truly is a reason to celebrate! We congratulate your child on their accomplishments. We also congratulate you as the support person who has helped your son or daughter reach this significant milestone.

We would also like to remind you that despite this remarkable achievement, your child continues to benefit from your guidance, and may need your support and monitoring to avoid risky situations involving alcohol during this time. Surveys show that parents are the number one factor influencing their children's decision on whether or not to drink. Please continue to have an open, honest dialogue with your teen regarding the risks of using alcohol and other drugs and be sure to send a clear, consistent "no use" message. Before your teen goes out, discuss his or her plans to stay safe and let them know that you will pick them up at any time, for any reason.

Lastly, at the same time we issue the above words of caution, there are also very serious criminal and civil sanctions as well as substantial legal penalties that can be brought against **any** individual who serves or makes alcohol available to persons under the legal drinking age of 21 years of age in New Jersey. We urge you to please take the time to read below!

- **Fact 1:** Penalties can be as great as fines of up to $1,000 and 180 days in jail per person served. Parents can be held civilly liable even if they are not present during the time of the party at their residence.
- **Fact 2:** If serving an underage person alcohol results in injury, the adult found responsible may be charged with Endangering the Welfare of a Child, and subject to a fine of up to $15,000 and 5 years in state prison (NJSA 2C: 24-4).
- **Fact 3:** New Jersey law imposes civil liability on social hosts who serve alcohol to anyone under the legal drinking age of 21 who is subsequently involved in an incident causing injury or death.
- **Fact 4:** 20 of Sussex County's 24 municipalities have adopted the Underage Drinking Ordinance, (NJ statute 40:48-1.2) which empowers those municipalities to "enact an ordinance making it unlawful for any person under the legal age who, without legal authority, knowingly possesses or knowingly consumes an alcoholic beverage on private property." The penalty for underage drinking is a $250 fine for the first offense, $350 for any subsequent offense and the suspension or postponement of driving privileges for six months.

If you will be hosting a party for your graduate and his or her friends, we encourage you to visit the Center for Prevention and Counseling's website at www.centerforprevention.org for parent party tips that can help ensure a safe event. For more information on underage drinking prevention and treatment, contact the Center at (973) 383-4787.

Again, we want to offer our sincerest congratulations to you and your child while at the same time thanking you for your concern regarding this very important matter.

Sussex County Prosecutor Francis A. Koch
Andover Police Chief Danielson
Byram Police Chief Zabita
Franklin Police Chief McInerney
Hamburg Police Director Yahn
Hardyston Police Chief Alemy
Hopatcong Police Chief Brennan
Becky Carlson, Executive Director, CFPC

New Jersey State Police Lt. John Widovic
Newton Police Chief Richards
Ogdensburg Police Chief Gordon
Sparta Police Chief Reigstad
Stanhope Police Chief Pittopher
Sussex County Sheriff Strada
Vernon Police Chief Mills
Tina Ase, Director of Prevention Services, CFPC

Appendix 10

Sticker Shock: A New Jersey Outline

Sticker Shock began as a MADD Massachusetts Youth In Action (YIA) project and has grown to be a popular underage drinking intervention in many states across the country. In New Jersey, coalitions utilize sticker shock as an environmental strategy to minimize shoulder taps and parents and older peers from purchasing alcohol for teenagers. Sticker Shock is an event where youth raise public awareness about the minimum drinking age law by placing stickers on multi-packs of beer, wine coolers, and any other alcohol products that appeal to underage drinkers.

Coalitions connect with local liquor stores in their communities to arrange a time to visit the store and sticker the products. Coalitions can connect with businesses by mailing letters, sending out project announcements, and by contacting the businesses by phone or in person.

Groups that have participated report finding greater recognition among the community-at-large about providing alcohol to minors, greater collaboration between youth, retailers, parents, law enforcement, and prevention professionals and high profile, positive media coverage. Sticker shock is also known to strengthen the deterrent effect of the law against providing alcohol to minors.

Sticker Shock: Sample Best Practices

1. Begin by having staff go to potential sites to speak with store owners. Present a letter etc. etc.
2. Have a police officer accompany the coalition on the day of for peace of mind of the establishment and the coalition.
3. Have at least 1 youth coordinator for every 5-10 youth.
4. Sticker only packages of alcohol. Ask store owner if youth can also sticker product in the back of the shop.
5. Incorporate media in the Sticker Shock event
6. After the event, have youth write thank you letters to shop owners.
7. Write letters to the town Licensing Board acknowledging the stores that participated in the activity.

Appendix 11.A

Resources Parentcheck NJ

ParentcheckNJ.com was developed in partnership between New Jersey Prevention Network, the Partnership for a Drug Free New Jersey, and the New Jersey AD Club in addition to other collaborative partners. The website and its contents were designed to implement a statewide effective prevention program that would positively impact 18 to 25 year olds and their parents. The website features interactive quizzes parents can take to measure how much they know about how specific substances can affect their children. Through Parentchecknj.com, parents can also outreach to their teenaged and college-aged youth by sending powerful e-cards and can interact with statewide resources and campus policies regarding substance use.

Go to ***ParentCheckNJ.com*** to learn more.

Appendix 11.B

Resources
NJ Regional Coalitions

Across New Jersey's 21 counties, 17 Regional Coalitions have formed to address local community needs. The Regional Coalitions mobilize their regions to make positive community change through the use of environmental strategy best practices by utilizing the Strategic Prevention Framework and CADCA's Seven Strategies for Community Change related to key statewide priorities:

1. Underage drinking
2. Illegal drug use/misuse
3. Prescription drug abuse
4. New and emerging drugs
5. Tobacco

This progressive statewide initiative is funded by the New Jersey Department of Human Services, Division of Mental Health and Addiction Services.

For more information about the Regional Coalitions, or to find the Regional Coalition nearest you, visit the website at: ***http://www.njpn.org/networks/regional-coalition/***

IMPACT NJ

INSPIRING & MOBILIZING PEOPLE TO AFFECT COMMUNITY TRANSFORMATION

New Jersey Prevention Network

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