

**RESOLUTION NO. 19-58**

**RESOLUTION AUTHORIZING PERSON TO PERSON AND PLACE TO PLACE  
TRANSFER OF SEASONAL RETAIL CONSUMPTION LICENSE 1306-34-011-009  
SLBD ASSOCIATES LLC TO 1000 MAIN LIQUOR LICENSE LLC**

**WHEREAS**, application has been made to the Mayor and Council for a person to person transfer and a place to place transfer for seasonal retail consumption license no. 1306-34-011-009 in the name of SLBD Associates LLC held as an inactive (pocket) license to 1000 Main Liquor License LLC., and

**WHEREAS**, said application is accompanied with the appropriate fees.

**WHEREAS**, the Borough Council finds the following:

1. The application form received August 23, 2018 is complete.
2. The applicant is qualified to be licensed according to all standards established by statute, rules and regulations.
3. The applicant has disclosed the source of all financing obtained in connection with the licensed premises.
4. The Police Department has completed their investigation.
5. The premises is at 1000 Main Street – D/B/A Flames Brazilian Steakhouse

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Belmar that a Seasonal Retail Consumption License be and is granted for a period beginning on completion of transfer and expiring June 30, 2019 and is subject to the following special conditions:

1. Service and sale of alcoholic beverages is to be permitted only in the licensed areas as described above.
2. No alcoholic beverages shall be sold, served, delivered to, or consumed in the license premises during such time as the number of persons, exclusive of employees, occupying the licensed premise exceeds the occupancy limit established herein or by the Fire Official, whichever is less.
3. That the licensees provide the Chief of the Belmar Police Department, in writing, with the names and addresses of all employees.
4. Preliminary occupancy is limited to 203 seated inside which includes table/ chairs and standing room. These numbers are submitted as preliminary occupancy load, as the operators of Flames Brazilian Steakhouse will be providing a signed and sealed egress plan conducted by adesign professional
5. Outdoor dining area will have no alcohol service until proposed plan from zoning and Alcoholic Beverage Control is approved.
6. Live music in the inside bar/dining area will be permitted provided that it shall be limited to 3 pieces (without heavy percussion) and DJ's (with amplification) and shall conclude no later than 10:00pm. After 10:00 pm the change in the type of music played will be a calmer, "mellow" type of music that will cease at 10:00pm during the week and 1:00am on the weekend.
7. Once approved, the outdoor dining area shall be closed by 10:00pm on weeknights, being Monday through Thursday; and, by 11:00 p.m. on weekends, being Friday through Sunday. If Monday is the holiday, such as Memorial Day weekend or Labor Day weekend, the

hours of operation will extend to 11:00pm. Any patron served alcohol in the outdoor dining area must be seated and dining. No bar of any type is permitted in the outdoor dining area. The outdoor dining area may not be used as a smoking area at any time.

8. All sales of alcoholic beverages in the restaurant and at the bar shall cease pursuant to their hours of operation.
9. Unruly Patrons: All personnel responsible for the distribution of alcohol and providing security will be trained in ServSafe program as well as have knowledge of the local ordinances. When a patron acts in a manner that is violent, abusive, indecent, profane, boisterous, or otherwise disorderly, they will be immediately asked to leave. If a patron refuses, management will notify the Borough of Belmar Police Department.
10. Intoxicated Patrons: All personnel may not sell, dispense, or give away alcohol to any person who is deemed intoxicated. When a customer has been “cut- off”, the server will notify the other employees. Management will support the server’s decision to terminate service to any customer. The customer will be asked to leave and management will secure a sober driver or provide a taxi service to take the patron home. If the customer refuses, management will notify the Belmar Police Department with a description of the person and the license plate number of the vehicle, if possible.
11. False IDs: All identification cards used to prove age must be valid (i.e., may not be expired), and must be government issued. If the identification card is expired or appears at all questionable to the employee, the employee shall request a second form of identification. The employee shall make sure that the individual purchasing the liquor resembles the identification card. All employees are encouraged to ask purchasers questions relating to identification in order to verify the information. If the employee checking an ID has a suspicion that an ID is false, altered, or belongs to someone other than the person presenting the ID, he/she shall confiscate the ID and turn it over to management, to be presented to the police.
12. Control/Supervision of Patron under 21 (restaurant applications) Licensee will request proof of age from any customer who appears to be under the legal age and will refuse service to any customer who cannot produce adequate ID.
13. Circumstances under which the Police will be called: The police will be called, in a timely manner, any time management or staff has information to believe a crime has been or about to be committed and/or whenever a threat of or act of violence occurs in the premises or off the premises in areas that would be considered in view or earshot of the establishment.
14. Handling of Physical Disturbances, including fights: Security or management will ask anyone who is fighting to leave. If necessary, security or management will call the local law enforcement agency for assistance. Licensee will permanently refuse admittance to any chronic problem customer.
15. It is the requirement that all wait staff, bartenders, and personnel involved with the sale or service of alcohol undergo TAMS training within 30 days of being hired; records of this requirement are to be maintained by the licensee and available upon request.
16. The licensee shall ensure that all employees who are involved with the sale and/or service of alcohol or who are involved with checking identification and/or handling of intoxicated and/or unruly patrons or who are involved in security; i.e. floor men, waitresses, and bartenders have undergone Techniques in Alcohol Management (TAM) provided through the NJ Beverage Licenses Association. Certification of the employee’s attendance will be provided to the Belmar Police Department, upon request. This training is to be completed within 30 days of the date of employment at the establishment.

offered the above resolution and moved its adoption.

Council Members:	AYES	NAYS	ABSTAIN	ABSENT
Mr. Brennan				
Ms. Wann				
Mr. McCracken				
Mr. Carvelli				
Mayor Walsifer				

Adopted: