STATE OF NEW JERSEY
Office of the Attorney General
Department of Law and Public Safety
Division of Gaming Enforcement

Petition of RIH Acquisitions NJ. LLC d/b/a The Atlantic Club Casino Hotel to Expand Its Casino Hotel Alcoholic Beverage ("CHAB") License for Special Events, Pursuant to N.J.S.A. 5:12-103 and N.J.A.C. 19:50-5.6 **(Beach Bar)**	)	ORDER PRN 0871203

Upon review of the Request (PRN 0871203) filed on behalf of RIH Acquisitions NJ. LLC d/b/a The Atlantic Club Casino Hotel ("Atlantic Club") with the Division of Gaming Enforcement ("Division") for a temporary expansion of its Casino Hotel Alcoholic Beverage ("CHAB") license in order to operate a beach bar on its beach area leased from the City of Atlantic City, and upon review of the lease authorization originally given by the City of Atlantic City on April 9, 2009 and ending on February 28, 2013, and upon the authorization given by the New Jersey Department of Environmental Protection initially issued on April 1, 2009 and continuing until April 1, 2014 for the environmental approval of the beach bar construction, and having considered the relevant provisions of the Casino Control Act, *N.J.S.A. 5:12-1 et seq.*, I hereby ORDER that the petition be granted and a Temporary Miscellaneous Contingency Permit be issued to effectuate the relief requested in the petition.

This Temporary Miscellaneous Contingency Permit shall be subject to the following conditions:

1. The Temporary Miscellaneous Contingency Permit granted by the Division pursuant to N.*J.S.A.* 5:12-103a and N.*J.A.C.* 13:69I-5.6 is valid only for the cash and complimentary sale and service of alcoholic beverages in open containers for on-premises consumption at the beach bar between the hours of 10:00 a.m. and 2:00 a.m. from May 25, 2012 to September 30, 2012.

2. Atlantic Club will institute procedures to insure against the service of alcoholic beverages to any person under the age of twenty-one (21) and to insure against the service of alcoholic beverages to any individual who is actually or apparently intoxicated.

3. All alcoholic beverages served at the beach bar will emanate only from the bars identified in the petition.

4. When the beach bar is restocked with alcoholic beverages, the authorized Atlantic Club CHAB employee transporting such alcoholic beverages is to be accompanied by a licensed Atlantic Club security employee.

5. When stocked with alcohol, the beach bar is to be staffed at all times by authorized Atlantic Club CHAB personnel.

6. Atlantic Club will maintain at the beach bar, available for inspection by the Division, a list of its on-duty CHAB employees.

7. All alcohol remaining in the beach bar at closing time is to be stored in locked refrigerators and storage cages in the locked beach bar service bar or in the locked and alarmed shed identified in the site plan.

8. Atlantic Club is to post signage, as submitted to the Division, at the entrances to the beach bar and on the beach.

9. All alcoholic beverages are to be served at the beach bar in plastic containers with the Atlantic Club logo. However, malt alcoholic beverages may be served at the beach bar and in the cabanas in uncapped, original plastic containers or in open cans not exceeding 16 oz. in size for consumption by an individual.

10. No individual will be permitted to leave the beach bar with an alcoholic beverage after 6:00 p.m. on all days of operation.

11. All minors must vacate the beach bar by no later than 9:00 p.m. on all days of operation.

12. Atlantic Club is to limit the service of alcoholic beverages at the beach bar to two drinks per person at any one time.

13. Atlantic Club may serve malt alcoholic beverages in pitchers, which do not exceed 96 oz. in size, at the beach bar and in the cabanas to two or more individuals who are of legal age to consume alcoholic beverages.

14. Atlantic Club may provide glass bottle service to tables at the beach bar from 6:00 p.m. to closing subject to the following conditions:

A. Only one bottle shall be served at a time.
B. Service shall be limited to parties of four (4) or more.
C. Bottles must remain at the tables to which they were served and may not be removed.
D. Partially full bottles may not be removed by a patron and will be disposed of by Atlantic Club when the patron leaves.
E. Patron shall not be permitted to consume directly from the bottles.
F. Rules for full bottle service shall be posted on the tables.

15. Atlantic Club is to notify the Division of any material change in the operation of the beach bar and must obtain supplementary approvals from all appropriate governmental agencies for any "special events."

16. Atlantic Club may serve "Bucket of Beers" containing plastic bottles or cans only to groups of no less than two (2) customers.

17. Atlantic Club will be liable for any violation of applicable alcoholic beverage laws and regulations of the Division and, as deemed applicable, the New Jersey Division of Alcoholic Beverage Control, that may occur during the operation of the beach bar.

18. Atlantic Club is to provide security for the beach bar in accordance with the following submitted security plan, [redacted]

19. The beach bar is to be operated in accordance with the description and representations contained in PRN 0871203.

20. The Director of the Division reserves the right, based upon Division observations and information relative to Atlantic Club's operation of its beach bar, to reevaluate Atlantic Club's security plan for its beach bar delineated herein, and require changes to that plan, including an increase in the number of security personnel assigned to the beach bar.

Dated: 18 May 2012

David L. Rebuck
DAVID L. REBUCK
DIRECTOR