

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

**NOTICE TO ALL CLERKS OF MUNICIPAL ISSUING AUTHORITIES  
CONCERNING LATE RENEWALS OF LIQUOR LICENSES**

As you know, N.J.S.A. 33:1-12.18 provides that

... in any case in which a timely renewal was not filed, nothing in this act shall be deemed to prevent the issuance of a new license to a person who files an application therefor within one year following the expiration of the license renewal period, but who pays the municipal and State renewal fees for the year for which a timely renewal application was not filed, **if the director shall determine in writing that the applicant's failure to apply for a renewal of his license was due to circumstances beyond his control or other extraordinary circumstances.**  
[Emphasis added.]

It has been brought to my attention that some licensees are routinely using the relief available in N.J.S.A. 33:1-12.18 to avoid timely renewing their liquor licenses and paying the associated municipal and State renewal fees. The statute requires me to make a finding that a licensee's failure to renew is based on "circumstances beyond his control or other extraordinary circumstances." This Notice is to advise you that I do not consider a lack of funds available for renewal or a desire to spread payment of renewal fees over a two-year period as meeting the standard for relief in N.J.S.A. 33:1-12.18. Accordingly, licensees should be alerted of the risk that relief under N.J.S.A. 33:1-12.18 may not be granted if their failure to renew is based solely on financial reasons that do not rise to the level of circumstances beyond their control or other extraordinary circumstances.

If you have any questions about N.J.S.A. 33:1-12.18, please contact Chris Margounakis in the Counsel to Director's Office at (609) 292-9301.



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Michael I. Halfacre  
Director

Dated: August 9, 2013