



STATE OF NEW JERSEY

OFFICE OF THE ATTORNEY GENERAL
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF ALCOHOLIC BEVERAGE CONTROL
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DAVID P. RIBLE
Director

NOTICE AUTHORIZING THE CREATION OF A GRAND OPENING PERMIT

Pursuant to my authority under N.J.S.A. 33:1-74, I hereby authorize the creation of a Grand Opening Permit which authorizes the holder of a license or permit that confers the right to sell alcoholic beverages to consumers for on-premise consumption to sponsor a one-time private event on its licensed premises at the initial opening thereof. A grand opening (commonly referred to as a "soft opening") is a social event that is intended to introduce a limited number of members of the community to a new licensee before its premises is opened to the general public.

During the event, the permit holder may offer an open bar. Without the permit, such activity would generally be prohibited by N.J.A.C. 13:2-23.16(a)1 (prohibited promotions) and/or N.J.A.C. 13:2-24.8(a) (prohibition of sales below cost). Thus, this permit represents a relaxation of these regulations and, therefore, the permit may be canceled by the Director at any time without notice, reason or cause.

The permit is expressly subject to all limitations and conditions contained therein (or imposed after the issuance of the permit but before or during the event) and to all rules and regulations of the Division of Alcoholic Beverage Control. Notably, the restrictions set forth in N.J.A.C. 13:2-23.1 (prohibition of sales, service or delivery of alcoholic beverages to, or consumption by, persons under the legal age or persons who are actually or apparently intoxicated) shall apply with full force and effect.

The requirements for a Grand Opening Permit are as follows:

1. The event must take place on the licensee's licensed premises.
2. The event must be by private invitation only, and all attendees must have accepted the invitation prior to the event. The licensee must maintain a log identifying each invitee and the date on which they accepted the invitation.
3. The event may not be open to the public, no same day invitations may be issued, and no walk-ins may attend the event. Invitees must be identified in advance to ensure that the event is a private event and to distinguish them from members of the "public at large."



4. The licensee may not create the impression that the event is open to the general public. During the event, the licensee must conspicuously display signs indicating that the event is private and not open to the public.
5. The event is for a limited duration not to exceed three hours (unless otherwise specified in the permit) and the entire licensed premises must be closed to the public during the duration of the event.
6. Applications shall be made on forms prescribed by the Director and endorsed by the chief of police (or authorized designee) and the clerk of the municipality wherein the affair is to be held.
7. Within 10 days after the event, the licensee must provide a list of all attendees of the event with a log identifying when they accepted the invitation. The failure to timely provide the attendee list may be deemed a violation of the Grand Opening Permit and could subject the licensee to suspension.
8. The fee for the permit is \$100.00.

Because this is a new permit, a licensee may make an application for a Grand Opening Permit by letter until the Division develops an application form. The application must be submitted at least 14 days before the event. The application must identify the following:

1. the name and trade name of the applicant license holder;
2. the licensee's address (which must also be the location of the event);
3. the license number;
4. the date and hours of the event;
5. a list of all persons who will be invited to attend the event;
6. an acknowledgment by the licensee that the event is closed off to invitees who did not accept the invitation prior to the event;
7. the expected number of guests; and
8. the charge, if any, being collected by the licensee from the attendees.

This Notice supersedes A.B.C. Bull. 2461, Item 9 (December 3, 1993), to the extent it is inconsistent therewith. This Notice shall remain in effect unless and until it is superseded by regulation or subsequent notice or ruling.

Date: August 6, 2018



David P. Rible, Director