

**TOWNSHIP OF DOWNE**

**CUMBERLAND COUNTY, NEW JERSEY**

**ORDINANCE 4-2014**

**AN ORDINANCE REGARDING GAMES OF CHANCE FOR DOWNE TOWNSHIP AND  
REPEALING ORDINANCE 87.3A ENTITLED "AN ORDINANCE ADOPTING "BINGO LICENSING  
LAW" P.L. 1954 C.6 P. 32 ET SEQ. IN THE TOWNSHIP OF DOWNE, COUNTY OF CUMBERLAND  
AND STATE OF NEW JERSEY"**

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**BE IT ORDAINED** by the Township Committee of the Township of Downe, County of Cumberland and State of New Jersey as follows:

**WHEREAS**, New Jersey Law makes provision for games of chance to be undertaken by certain qualified groups which call for adherence to New Jersey Law as to application, licensure and other measures, the Downe Township Committee does hereby Ordain the following.

**1. Purpose.**

This Ordinance is for the purpose of regulating all games of chance held, operated or conducted within the Township, pursuant to the Acts of the Legislature of the State of New Jersey, known as the "Bingo Licensing Law", N.J.S.A. 5:8-24, the "Raffles Licensing Law", N.J.S.A. 4:8-50, and in accordance with the rules and regulations issued or to be promulgated by the Legalized Games of Chance Control Commission in the Department of State of the State of New Jersey. All applications, licenses and proceedings in connection therewith shall be subject to the provisions of the Acts and the rules and regulations and any laws, rules and regulations hereafter enacted and shall be further subject to the provisions of this Ordinance.

**2. Conditions of License Issuance.**

Subject to the terms, conditions and restrictions of this Ordinance, the Raffles Licensing Law (N.J.S.A. 5:8-50), the Bingo Licensing Law (N.J.S.A. 5:8-24), the Legalized Games of Chance Control Law (N.J.S.A. 5:8-1 et seq.) and the rules and regulations adopted and promulgated or to be adopted and promulgated hereafter by the Legalized Games of Chance Control Commission of the State of New Jersey, licenses shall be issued to bona fide organizations or associations as determined by these laws.

**3. Investigation of Applications; License Issuance.**

The Municipal Clerk shall make an investigation of the qualifications of each applicant and the merits of each application in accordance with applicable licensing laws. The

Municipal Clerk is designated as the person having authority to approve the issuance of raffle and bingo licenses. All other licenses to be issued under this Ordinance shall be approved by the Township Committee.

**4. Restrictions for Issuance.**

No license shall be:

- a) Issued for a period of more than one year.
- b) Issued for holding, operating or conducting any game of chance which may be licensed under other licensing laws.

**5. License Forms.**

Each license shall be in the form prescribed by the State Control Commission.

**6. Control and Supervision.**

The Municipal Clerk issuing any license pursuant to this Ordinance and applicable licensing laws shall have and exercise control and supervision over all licenses games of chance.

**7. Participation by Underage Persons.**

No person under the age of 18 years shall be permitted to participate in any game or games of chance held, operated or conducted pursuant to any license issued by the Township.

**8. Operating Restrictions.**

No licensed game or games of chance shall be held, operated or conducted on more than six days in any calendar month, or in any room or outdoor area where alcoholic beverages are sold or served during the progress of the game or games.

**9. License and Operating Regulations.**

All licenses issued under this Ordinance shall be subject to applicable conditions, restrictions, regulations and rules of the Raffles Licensing Law, Bingo Licensing Law, Legalized Games of Chance Control Law and the State Control Commission.

**10. Filing of Certified Copy; Reports of Licenses Issued and Violations.**

The Municipal Clerk shall:

- a) File with the Legalized Games of Chance Control Commission a certified copy of this Ordinance within 60 days after its adoption.
- b) On or before the first day of February in each year or at any other time or times which the Commission may determine, report to the Commission the number of licenses issued by the Township; the names and addresses of all persons who have violated this chapter; the names and addresses of all persons prosecuted for such violations; and the result of each such prosecution, including the penalties imposed therein, during the preceding calendar year or the period the report is required.

**11. License Fees for Raffles.**

License fees for raffles shall be:

- a) Ten dollars (10.00) per day for a raffle where tickets or rights to participate require a person to be present at the time of the drawing or allotment of prizes; and
- b) Ten dollars (\$10.00) per each \$1,000.00 of the value of prizes awarded in a raffle where tickets or rights to participate are allowed to be sold in advance of the time of the drawing or allotment of prizes.

**12. License Fees for Bingo.**

The license fee for bingo shall be zero dollars (\$0.00) for each occasion upon which any game or games are to be conducted under such license by any qualified organization.

**13. Disposition of Fees.**

All license fees shall become the property of the Municipality.

**14. Unlicensed Operation.**

No person, organization, club, company or squad shall conduct, operate, run, participate in or attend at any unlicensed raffle or bingo games in the Township.

**15. Laws Invoked.**

No person, organization, club, company or squad shall violate any of the terms or provisions of:

- a) The Raffles Licensing Law (N.J.S.A. 5:8-50).
- b) The Bingo Licensing Law (N.J.S.A. 5:8-24).
- c) The Legalized Games of Chance Control Law (N.J.S.A. 5:8-1, et seq.)
- d) The provisions of this chapter.

**16. Violations and Penalties.**

Any person, organization, club, company or squad convicted of a violation of any of the provisions of this Ordinance shall be subject to the following penalties:

- a) Suspension and revocation of the license issued by the Township pursuant to this Ordinance in accordance with N.J.S.A. 5:8-30; and
- b) Any additional penalties, including civil monetary penalties, that may be imposed by the Legalized Games of Chance Control Commission pursuant to N.J.S.A. 5:8-30 a through e and N.J.S.A. 5:8-30.2.

**17. Suspension and Revocation.**

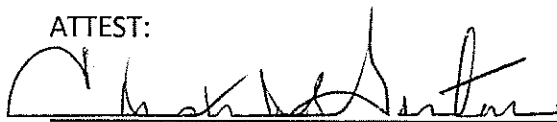
A conviction for violating this Ordinance hereunder shall be grounds, in the discretion of the Municipal Clerk, to suspend or revoke a license issued under this Ordinance.

**Section One. Repealer.** All former Ordinances of the Township of Downe which are in conflict with the provisions contained in this Ordinance are hereby repealed upon the adoption of this Ordinance including Ordinance 87.3A as modified, by Ordinance 3.21

**Section Two. Severability.** If any part or parts of this Ordinance are held to be invalid for any reason such decision shall not affect the validity of the remaining portions of this Ordinance.

**Section Three.** This Ordinance shall take effect after final adoption and publication as required by law.

ATTEST:



Constance S. Garton, Clerk



Robert G. Campbell, Mayor