

ORDINANCE 16-1424

AN ORDINANCE OF THE BOROUGH COUNCIL OF THE BOROUGH OF MILLTOWN, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY SUPPLEMENTING CHAPTER 4 GENERAL LICENSING ESTABLISHING ARTICLE 40 GAMES OF CHANCE TO ESTABLISH REGULATIONS REGARDING GAMES OF CHANCE

WHEREAS, the Borough Council of the Borough of Milltown finds that it is in the best interest of the citizens of the Borough of Milltown to supplement Chapter IV General Licensing to establish regulations regarding games of chance,

NOW, THEREFORE, BE IT ORDAINED, by the Borough Council of the Borough of Milltown, in the County of Middlesex, State of New Jersey, as follows:

Chapter 4 Article 40 Games of Chance is hereby established as follows:

4-40.1 Purpose

This chapter is for the purpose of regulating all games of chance held, operated or conducted within the municipality pursuant to the Acts of the Legislature of the State of New Jersey known as "Bingo and Raffles Licensing Laws" 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 Law and Public Safety 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 chapter.

4-40.2 Hours of Operation

No licensee shall be authorized to hold operate or conduct any game of chance at the place where the game of chance is being conducted under any license except between the hours of 12:00AM and 2:00AM the following day.

4-40.3 Games of Chance on Sunday

Games of chance commonly known as "bingo" or "raffles", as provided by the laws of the State of New Jersey may be conducted in the municipality, on any day of the week, including the first day of the week, commonly known and designated as "Sunday," provided that the applicant for the license to conduct such game otherwise qualifies under the provisions of the aforementioned laws of the State of New Jersey and the rules and regulations of the Legalized Games of Chance Control Commission, and specifically provided that the organization conducting the games is a charitable, religious or other organization specifically qualifying under the provisions of the aforementioned laws.

4-40.4 Required Compliance with State Guidelines

No license to conduct a game of chance as authorized by law shall be issued to any organization not having applied for and obtained a registration certificate reflecting the organizations' identification from the Legalized Games of Chance Control Commission. Organizations are subject to the qualifications outlined by statutes of the State of New Jersey and the rules and regulations of the Legalized Games of Chance Control Commission.

4-40.5 Issuing Authority

Pursuant to N.J.A.C. 13:47-4.1(a), an "issuing authority" reviews and determines whether to approve or deny a bingo or raffle license application. The issuing authority in Milltown shall be the Municipal Clerk.

4-40.6 Application

The issuing authority shall approve or deny all applications for bingo or raffle licenses. Applications must be received a minimum of 4 (four) weeks prior to scheduled date of game of chance. The application must be filed with the valid registration issued by the Legalized Games of Chance Control Commission, fees as required by the Legalized Games of Chance Control Commission and the Borough of Milltown, and must demonstrate in writing compliance with the provisions of all applicable laws and regulations. The application must be submitted in quadruplicate, with original signatures and notary seals as required by the Legalized Games of Chance Control Commission.

4-40.7 Fees

Applicants are subject to the fees of the Legalized Games of Chance Control Commission. The Borough of Milltown will collect \$5.00 (five dollars) in fees per application submitted; no additional fees will be required after the game of chance is conducted.

4-40.8 Prohibited Prizes

Applicants must abide by the rules and regulations regarding prizes pursuant to N.J.A.C. 13:47-6.19 et seq.

4-40.9 Conduct of Games

No person under the age of 18 (eighteen) shall be permitted to hold, operate, assist, conduct or participate in any game of chance. No game may be conducted where alcoholic beverages are sold, dispensed or consumed during the period of the commencement of the first and the conclusion of the last game of chance.

4-40.10 Unlicensed Games Prohibited

No person, organization, club, company, or squad shall conduct, operate, run, participate in or attend any unlicensed game of chance in this municipality.

4-40.11 Violation and Penalties

Any person violating any provision of any law or regulation administered by the Legalized Games of Chance Control Commission shall be subject to the violations, penalties, suspension, revocation or other sanctions pursuant N.J.A.C. 13:47-2.10.

Section 2. All ordinances or parts of ordinances in conflict or inconsistent with any part of this Ordinance are hereby repealed to the extent that they are in such conflict or inconsistent.

Section 3. This Ordinance may be renumbered for codification purposes.

Section 4. In the event that any section, part or provision of this Ordinance shall be held to be unenforceable or invalid by any court, such holding shall not affect the validity of this Ordinance as a whole, or any part thereof, other than the part so held unenforceable or invalid.

Section 5. This Ordinance shall take effect upon final passage and publication as provided by law.

Introduced: April 11, 2016

Recorded Vote

Motion made by Council President Dixon
Second by Councilwoman Kerber

Roll Call

	Aye	Nay	Abstain	Absent
Council President Dixon	X			
Councilman Farkas	X			
Councilman Guthlein	X			
Councilman Guyette	X			
Councilwoman Kerber	X			
Councilman Ligotti	X			

Adopted on First Reading
Dated: April 11, 2016

Gabriella Siboni, RMC
Borough Clerk

Adopted: May 9, 2016

Recorded Vote

Motion Made by Youth in Government Student Erin Drebych representing Councilman Guyette
Second by Youth in Government Student Jenn Kane representing Councilwoman Kerber

	Aye	Nay	Abstain	Absent
Council President Dixon	X			
Councilman Farkas	X			
Councilman Guthlein	X			
Councilman Guyette	X			
Councilwoman Kerber	X			
Councilman Ligotti	X			

Adopted on Second Reading
Dated: May 9, 2016

Gabriella Siboni, RMC
Borough Clerk

Approval by the Mayor on this 10th day of May, 2016.

Eric A. Steeber, Mayor