

TOWNSHIP OF EVESHAM
ORDINANCE NO. 32-12-2017

AN ORDINANCE OF THE TOWNSHIP OF EVESHAM
TO AMEND CHAPTER 83
OF THE CODE OF THE TOWNSHIP OF EVESHAM
ENTITLED "GAMES OF CHANCE"

WHEREAS, the Township has reviewed its code, and desires to update Chapter 83 to be in compliance with State Legislation pursuant to "Bingo Licensing Law" and "Raffles Licensing Law".

NOW THEREFORE BE IT ORDAINED AND ENACTED, by the Township Council of the Township of Evesham, County of Burlington, State of New Jersey that the Code of the Township of Evesham is hereby amended as follows:

SECTION I.

Chapter 83 of the Code of the Township Of Evesham is hereby repealed in its entirety and replaced as follows:

Chapter 83
GAMES OF CHANCE
ARTICLE I

§ 83-1. Purpose; statutory authority.

The purpose of this article is to regulate all games of chance held, operated or conducted within the Township of Evesham, pursuant to Acts of the Legislature of the State of New Jersey known as the "Bingo Licensing Law," N.J.S.A. 5:8-24 et seq., and the "Raffles Licensing Law," N.J.S.A. 5:8-50 et seq., and in accordance with the rules and regulations issued or to be promulgated by the Legalized Games of Chance Control Commission within the Department of Law and Public Safety in the State of New Jersey (LGCCC). All applications, licenses and proceedings in connection therewith shall be subject to the provisions of such acts and any laws and rules and regulations hereafter enacted and shall be further subject to the provisions of this article.

§ 83-2. Licensing authorized; eligible organizations.

It shall be lawful for the Municipal Clerk, except when prohibited by statute, to license bona fide organizations or associations of veterans of any war in which the United States has been engaged, churches or religious congregations and religious organizations, charitable,

educational and fraternal organizations, civic and service clubs, senior citizen associations and clubs, officially recognized volunteer fire companies, and officially recognized volunteer first aid or rescue squads, to hold and operate the specific kind of game or games of chance commonly known as "bingo" and "raffles" when the entire net proceeds of such games of chance are to be devoted to educational, charitable, patriotic, religious or public-spirited uses, and in the case of senior citizen associations and clubs to the support of these organizations, and for any such organization or association, church, congregation, society, club, company or squad, when so licensed, to hold, operate and conduct such games of chance pursuant to the terms and conditions set forth in and by this article, the New Jersey Bingo and Raffles Licensing Laws, the LGCCC Law and the rules and regulations adopted and promulgated or to be promulgated or adopted by the New Jersey LGCCC but only when the entire net proceeds thereof are devoted to the uses aforesaid and for any person or persons to participate in and play such games of chance conducted under any such license.

§ 83-3. License required.

No person, organization, association, club, fire company or squad shall operate or conduct within the Township of Evesham any game of chance, as the same is defined in the Bingo Licensing Law (N.J.S.A. 5:8-24 et. seq.) and the Raffles Licensing Law (N.J.S.A. 5:8-50 et seq.) as the same may be hereinafter amended and supplemented, without first obtaining a license issued by the Township of Evesham. Said license shall be issued pursuant and subject to the provisions of the aforementioned statutes and the rules and regulations promulgated pursuant thereto or issued thereunder by the LGCCC or its successor.

§ 83-4. Application for license.

Each applicant for either a bingo or raffle license or any game of chance covered by the aforesaid statutes shall file with the Municipal Clerk a written application on forms prescribed by and in conformance with the statutes referred to in the previous section and the rules and regulations promulgated or issued by the LGCCC.

§ 83-5. Investigation; issuance of licenses.

The Municipal Clerk shall, in accordance with the Bingo and Raffles Licensing Laws and in accordance with the rules and regulations issued by the LGCCC, cause a background investigation of members of applicant listed in Part G of the application, with due expedition after the filing of the application. If the Municipal Clerk determines that the applicant is duly qualified to be licensed to hold, operate and conduct games of chance, the Municipal Clerk shall issue a license to the applicant for the holding, operation and conduct of the specific kind of games of chance applied for, accordingly, upon payment of the license fee or fees.

§ 83-6. Form and contents of license; display.

Each license shall be in such form as shall be prescribed in the rules and regulations promulgated by the LGCCC and shall contain a description of the kind of games of chance authorized to be held, operated and conducted thereunder; a statement of the name and address of the licensee; the names and addresses of the member(s) of the licensee under whom such games of chance will be held, operated and conducted; the number of times or the hours during which such games of chance are authorized to be conducted; the place(s) where and the date(s)

and time(s) when such games of chance are to be conducted; the specific purposes to which the entire net proceeds of such games of chance are to be devoted; if any prize(s) is (are) to be offered and given in cash, a statement of the amounts of the prizes authorized so to be offered and given; and any other information which may be required by said rules and regulations to be contained therein, and each license issued for the conduct of any game or games of chance shall be conspicuously displayed at the place where the same is to be conducted at all times during the conduct thereof.

The prize(s) to be awarded are of nominal retail value;

§ 83-7. Conduct on Sunday.

Games of chance commonly known as "bingo" and "raffles," as provided by the Laws of the State of New Jersey 1954, Chapters 5 and 6, may be conducted on 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 statutes of the State of New Jersey and the rules and regulations of the LGCCC and, specifically, provided that the organization conducting the games is a charitable, religious or other organization specifically qualifying under the provisions of the aforementioned statutes.

§ 83-8. Issuing authority.

The issuing authority responsible for approving and granting of bingo and raffle licenses shall be the Municipal Clerk.

§ 83-9. Fees.

A municipal fee in an amount equal to the amount charged by the LGCCC shall be charged for each license and shall be due at the time the application is made. This fee is in addition to, separate and apart from, the fee charged by the LGCCC.

§ 83-10. Suspension and revocation of license.

Whenever the suspension or revocation of a license is to be considered, the rules set forth at N.J.A.C. 13:47-10 et seq. shall be followed.

SECTION II. INCONSISTENT ORDINANCES:

All Ordinances and provisions thereof inconsistent with the provisions of this Ordinance shall be and are hereby repealed to the extent of such inconsistency.

SECTION III. DECLARATION OF INVALIDITY:

If any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision and the remainder of this ordinance shall be deemed valid and effective.

SECTION IV. EFFECTIVE DATE:

This Ordinance shall take effect upon final adoption and publication in accordance with the law.

Please take notice that the ordinance published herewith was introduced and passed on first reading at the Regular Meeting of the Township Council of the Township of Evesham in the County of Burlington, State of New Jersey, held on November 21, 2017, and said ordinance will be further considered for final passage after public hearing at a meeting of said Township Council to be held on December 12, 2017, at 6:30 P.M. in the Municipal Complex, 984 Tuckerton Road, Marlton, New Jersey, at which time and place all persons interested will be given an opportunity to be heard concerning such ordinance.

Mary Lou Bergh, Township Clerk