

INTRODUCED: 3/19/15

PUBLIC HEAR: 4/9/15

EFFECTIVE: 5/6/15

TOWNSHIP OF MAHWAH

ORDINANCE NO. 1764

AN ORDINANCE AMENDING AND SUPPLEMENTING ARTICLE IV  
ENTITLED GENERAL LICENSING, SECTION 4-5 LEGALIZED  
GAMES OF CHANCE FOR THE TOWNSHIP OF MAHWAH,  
COUNTY OF BERGEN, STATE OF NEW JERSEY

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.

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Mahwah as follows:

Section One. Article IV General Licensing Section 4-5 Legalized Games of Chance is amended and supplemented as follows:

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. 5:8-50, 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 Township Clerk shall make an investigation of the qualifications of each applicant and the merits of each application in accordance with the applicable licensing laws. The Township 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 Council.

**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 Township 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. 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.

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

The Township Clerk shall:

- a) File with the Legalized Games of Chance Control Commission a certified copy of this Ordinance within sixty (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 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.

**10. 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.

**11. Laws Invoked.**

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

- a) The Raffles Licensing Law (N.I.S.A. 5:8-50).
- b) The Bingo Licensing Law (N.I.S.A. 5:8-24).
- c) The Legalized Games of Chance Control Law (N.I.S.A. 5:8-1).

et seq.)

- d) The provisions of this chapter:

**12. 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.

**13. Suspension and Revocation.**

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

**Section Two.** The remaining portions of Article IV General Licensing, Section 4-5 Legalized Games of Chance not modified by this ordinance are hereby ratified and confirmed.

**Section Three.** If any section, paragraph, sub-section, clause or provision of this ordinance shall be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of this ordinance as a whole or any part thereof.

**Section Four.** All ordinances or parts of ordinances of the Township heretofore adopted that are inconsistent with any of the terms and provisions of this ordinance are hereby repealed to the extent of such inconsistency.

**Section Five.** This Ordinance shall take effect twenty (20) days after final passage, adoption and publication according to law.