

**BOROUGH OF WOODBURY HEIGHTS
COUNTY OF GLOUCESTER
ORDINANCE 13-2024**

**AN ORDINANCE OF THE BOROUGH OF WOODBURY HEIGHTS, IN THE COUNTY OF
GLOUCESTER, STATE OF NEW JERSEY TO REPEAL AND REPLACE THE CODE OF THE
BOROUGH OF WOODBURY HEIGHTS, CHAPTER 38 ENTITLED "AMUSEMENTS"**

WHEREAS, the Borough Council of Woodbury Heights finds that it is in the best interest of the citizens of the Borough of Woodbury Height to repeal and replace Chapter 38 "Amusements" to establish regulations regarding games of chance,

NOW, THEREFORE, BE IT ORDAINED, by the Borough Council of the Borough of Woodbury Heights, with the Mayor concurring, that Chapter 38 of the Borough Code entitled "Amusements" be repealed, amended and supplemented with the following:

SECTION 1:

Chapter 38: Amusements & Games of Chance

Article I: Games of Chance

§ 38-1 Compliance Required:

- A. All conditions, restrictions, regulations or rules relating to the licensing and conduct of games of chance shall be in accordance with the Raffles Licensing Law, Bingo Licensing Law, Legalized Games of Chance Control Law and the rules and regulations of the State Control Commission.
- B. No person, organization, club, company or squad shall violate any of the terms or provisions of:
 - 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.).
 - The provisions of this chapter.

§ 38-2 License Required:

- A. Under and subject to the terms, conditions and restrictions of this chapter, N.J.S.A. 5:8-1 to 5:8-77 and the rules and regulations adopted and promulgated or to be hereafter adopted and promulgated by the Legalized Games of Chance Control Commission of the state or its successor, by whatever name the same may be called, licenses shall be issued in the Borough to bona fide organizations or associations as designated and described in such laws, which organizations or associations have their principal place of business or building for the holding of their meetings in the Borough.
- B. No person, organization, club, company or squad shall conduct, operate, run, participate in or attend any unlicensed raffle or bingo game in the Borough.

§ 38-3 Issuing Authority for Raffle and Gaming Licenses:

- A. The Borough Clerk, and the Deputy Clerk in the Clerk's absence, is authorized to approve the granting of raffle and gaming licenses as provided by law. For purposes of this section, the Borough Clerk, and the Deputy Clerk in the Clerk's absence, is now the issuing authority for raffle and gaming licenses in the Borough of Woodbury Heights, County of Gloucester.

§ 38-4 Application:

- A. 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 Woodbury Heights, 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.

§ 38-5 Fees:

- A. Bingo. License fees for bingo shall be \$20 for each occasion.
- B. On-premises draw raffle for cash (50/50) or merchandise (exceeding \$400 total prize value): \$20 for each day on which a drawing is to be conducted under license.
- C. On-premises draw raffle for cash (50/50) or merchandise (not exceeding \$400 total prize value): no licensing fee. If the raffle should exceed \$400, then \$20 must be submitted at the time of filing the report of operations.
- D. Off-premises draw raffle awarding merchandise as a prize (for each \$1,000 or part thereof): \$20.
- E. Carnival games or wheel: \$20 for each game or wheel held on any one day, or any series of consecutive days not exceeding six at one location.
- F. Off-premises cash (50/50) raffle: a \$20 fee at application. If more than \$1,000 in awarded prizes, then \$20 per \$1,000 in awarded prizes or part thereof.
- G. Special door prize raffle: no fee and no license, provided the merchandise is wholly donated and has a retail value of less than \$50. This raffle cannot be conducted when other games of chance are being conducted, held or operated.
- H. Calendar raffle: \$20 for each \$1,000 or part thereof of the retail value of the prize.
- I. Instant raffle: 1) \$20 for each day on which instant raffle tickets are sold or offered for sale; or 2) \$750 for a one-year license.
- J. Golf hole-in-one: \$20 for each \$1,000 or part thereof of retail value of ancillary prizes.
- K. Armchair race: \$50 per licensed day of operation.
- L. Casino nights: \$100 per occasion.
- M. Woodbury Heights volunteer committees, associations and groups may be exempt from the fees

imposed by the Borough pursuant this subsection, at the discretion of the governing body. This exemption does not apply to fees required by State of New Jersey or any other non-Borough entity.

§ 38-6 Term of License; State-Authorized Games:

No license shall be issued for a period of more than one year or shall be required for the holding, operation and conduct of any game of chance authorized by the state.

§ 38-7 Investigation of Applicants:

The Municipal Clerk with assistance from the Police Chief shall make an investigation of the qualifications of each applicant and the merits of each application as directed in N.J.S.A. 5:8-6, 5:8-27 and 5:8-53, and the Borough Clerk is hereby charged with the duty and responsibility of making an initial investigation of each application and reporting the result thereof in writing, to be filed, prior to the approval of the first license granted to any organization qualified under this article.

§ 38-8 Hearing Necessary for Refusal:

No application for the issuance of a license shall be refused until after a hearing is held upon due notice to the applicant. At the hearing, the applicant shall be entitled to present information concerning the qualifications of the applicant and the merits of the application. The hearing shall be held before the Borough Attorney.

§ 38-9 Form of License:

Each license shall be in such form as shall be prescribed in the rules and regulations promulgated by the State Control Commission.

§ 38-10 Control and Supervision of Games:

The Mayor and Borough Council shall have and exercise control and supervision over all games of chance licensed pursuant to this article, in accordance with the licensing laws.

§ 38-11 Suspension or Revocation of License:

A conviction resulting from violation of any provision of this article shall also be a proper ground, in the discretion of the licensing body, to suspend or revoke a license issued pursuant to this article.

§ 38-12 Participation by Minors Prohibited:

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

§ 38-13 Frequency of Games:

No game or games of chance shall be held, operated or conducted under any license issued by the Borough more often than on six days in any calendar month.

§ 38-14 Reports:

The Borough Clerk shall, on or before the first day of February in each year, or at any other time which the Legalized Games of Chance Control Commission may determine, make report to the Commission of the number of licenses issued in the Borough under each of the licensing laws and the names and addresses of the licensees, the aggregate of the license fees collected, the names and addresses of all persons detected of violation of each of the laws or of the rules and regulations adopted by the State Control Commission and of all persons prosecuted because of such violations and the result of each such prosecution and the penalties imposed, during the preceding calendar year or the period for which the report is required.

§ 38-15 Violations and Penalties:

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

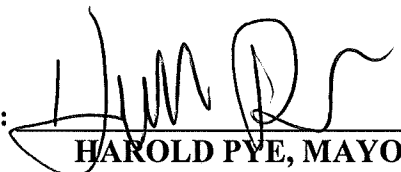
- A. Suspension and revocation of the license issued by the Borough pursuant to this chapter in accordance with N.J.S.A. 5:8-30; and
- B. Any additional penalties, including civil monetary penalties, that may be imposed by the Legalized Games of Chance Control Commission pursuant to N.J.S.A. 5:8-30a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

SECTION 2: All other ordinance in conflict or inconsistent with this Ordinance are hereby repealed to the extent of such conflict or inconsistency.

SECTION 3: Should any section, paragraph, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason, the remaining portions of this Ordinance shall not be affected thereby and shall remain in full force and effect, and to this end the provision of this Ordinance are hereby declared to be severable.

SECTION 4: A copy of this ordinance shall be transmitted to the State Treasurer and to every Cannabis Establishment within the Borough of Woodbury Heights.

BOROUGH OF WOODBURY HEIGHTS

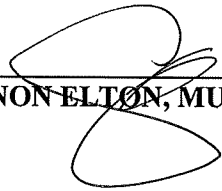
BY: 
HAROLD PYE, MAYOR

ATTEST:

BY: 
SHANNON ELTON, MUNICIPAL CLERK

NOTICE

Notice is hereby given that the foregoing ordinance was introduced and passed on first reading at a meeting of the Borough Council of the Borough of Woodbury Heights, held on the _____ day of _____, 2024 and will be considered for final passage at a meeting of the Borough Council of the Borough of Woodbury Heights, to be held on the _____ day of _____, 2024 at 7:30 pm, at which time and place any interested party will be given the opportunity to be heard.



SHANNON ELTON, MUNICIPAL CLERK