

TOWNSHIP OF WANTAGE

AN ORDINANCE REGULATING THE LICENSING OF AMUSEMENT GAMES WITHIN THE TOWNSHIP OF WANTAGE

ORDINANCE #2013-03

WHEREAS, at the General Election held on November 6, 2012 the voters of Wantage Township authorized by way of a non-binding referendum the licensing of amusement games within the Township of Wantage; and

WHEREAS, by virtue of the successful referendum, the Wantage Township Committee must now adopt an ordinance regulating the licensing of amusement games within the Township.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Township Committee of the Township of Wantage, as follows:

Section 1. License Required. No person, firm or corporation shall maintain, operate or possess, in any store, building or other place wherein the public is invited or where the public may enter, or any building or other place wherein any club or organization meetings are held, within the Township of Wantage, any amusement games or machines of games of skill or chance, without first obtaining a license therefor.

Section 2. License for Games and Machines. The annual license fee shall be \$200.00 per application, with each application covering up to 50 games, payable in advance for the calendar year in which the license is issued.

Section 3. Application for License. The Township Clerk shall cause to be prepared the necessary form of application for license to maintain such games or machines of skill or chance. The application shall state the name and address of applicant or, if applicant is a corporation, the names of the officers and directors and the address of the corporation; the exact location where the game or machine is to be installed; the kind of game or machine; whether or not the applicant has been convicted of a crime or violation of any federal, state or local laws; and such other information as the Township Committee shall deem necessary and proper. A separate application shall be required for each game or machine. The license fee shall accompany each application, and if the application is denied, the fee shall be returned to the applicant.

Section 4. Issuance of License; Required Signature. The proprietor of the premises where the game or machine is to be installed shall be the applicant for the license, and the proprietor must sign the application. If applicant is a corporation, the application shall be signed by the president and secretary. Upon receipt of the application, the Township Clerk shall refer the same to the Township Construction Department and Fire Prevention Bureau, both of whom shall make or cause to be made inspections of the premises described in the application. Both parties, upon completion of the inspections, shall attach to the application their reports, in writing, and shall state their approval or disapproval and the reasons therefor. Upon receipt of the application and attached inspections reports, the Township Committee shall proceed to consider the application and shall approve or disapprove the issuance of a license. If the application is approved, the Township Committee shall authorize the Township Clerk to issue the license.

Section 5. Revocation of License. At any time after the granting of the license, the Township Committee may, in the exercise of its discretion, revoke same for any willful false statement in the application. The license may be revoked in the event the licensee is convicted of any violation of this ordinance.

Section 6. Substitution Permitted; Individual License Required. Nothing herein contained shall prohibit the holder of a license for games or machines from substituting a game or machine at the location set forth in the license, but at no time shall more than one game or machine be operated under one license.

Section 7. Transfer of License Restricted. Every such license shall apply only to the applicant to whom it is issued and for the premises stated in the application and license. The license shall not be transferred to another person unless the Township Committee approves the transfer in writing. The license shall not apply if the licensed game or machine is moved to another premise unless the Township Committee approves the movement in writing.

Section 8. Quantity Restricted. No more than fifty (50) amusement games or machines of the type herein regulated shall be permitted to be used in any one place, location or premises.

Section 9. Display of License Required. Said license, when granted, shall be affixed in a conspicuous place to the game or machine for which it was issued and shall show the name and post office address of the licensee, the address where the device is installed or maintained and the amount required to operate the device and shall state that the device to which the license is affixed is licensed by the Township of Wantage.

Section 10. Use for Gambling Prohibited; Obscene Material Prohibited. No licensee shall permit any mechanical amusement game, such as blackjack or other such gambling amusement device, to be operated on the premises except as otherwise provided by law.

Section 11. Violations and Penalties. Any person violating any of the provisions of this ordinance, upon conviction thereof, shall be penalized by a fine in any sum not exceeding \$2,000 or may be imposed in the Township or county jail for a term of not exceeding 90 days, or both, in the discretion of the Magistrate before who such conviction is had. Any corporation violating any of the provisions of this ordinance shall, upon conviction thereof, pay a fine not exceeding \$2,000, which may be recovered and collection in the manner provided by law.

Section 12. Severability. If any provision of this ordinance or the application of this ordinance to any person or circumstances is held invalid, the remainder of this ordinance shall not be affected and shall remain in full force and effect.

Section 13. Repealer. All ordinances or parts of ordinances or resolutions inconsistent or in opposition to the provisions of this Ordinance are hereby repealed in their entirety.

Section 14. Effective Date. This ordinance shall take effect after publication and passage according to law.

Ronald Bassani
Mayor

ATTEST:

James R. Doherty, Administrator/Clerk

NOTICE

TAKE NOTICE that the above entitled ordinance was introduced at a regular meeting of the Mayor and Township Committee of the Township of Wantage, County of Sussex, New Jersey, held on February 12, 2013 and will be considered for final passage after public hearing at a regular meeting of the Mayor and Township Committee to be held on February 28, 2013 at 7:00 p.m. in the Municipal Building, Route 23, Wantage, New Jersey. During the preceding week, copies of the ordinance will be made available at the Clerk's office in the Municipal Building to members of the general public.

James R. Doherty, Clerk/Administrator