

ORDINANCE NO. 2024 – 05

**ORDINANCE OF THE TOWNSHIP OF LACEY, COUNTY OF OCEAN, STATE OF NEW JERSEY, REPEALING CHAPTER 141 OF THE TOWNSHIP CODE OF THE TOWNSHIP OF LACEY ENTITLED “BINGO AND RAFFLES” AND ESTABLISHING NEW CHAPTER 141 ENTITLED “BINGO AND RAFFLES” SO AS TO MAKE CERTAIN REVISIONS TO THE TOWNSHIP CODE PERTAINING TO THE ISSUANCE OF BINGO AND RAFFLE LICENSES**

**BE IT ORDAINED**, by the Mayor and Township Committee of the Township of Lacey, County of Ocean, State of New Jersey, as follows:

**SECTION 1.** Chapter 141 of the Township Code of the Township of Lacey, entitled “Bingo And Raffles” is hereby repealed in its entirety and shall be replaced with new Chapter 131 entitled “Bingo and Raffles” which shall read as follows:

**Chapter 141**  
**BINGO AND RAFFLES**

**§ 141-1. Authorization of licenses.**

Under and subject to the terms, conditions and restrictions of this article, the Raffles Licensing Law (L. 1954, Ch. 5), the Bingo Licensing Law (L. 1954, Ch. 6), the Legalized Games of Chance Control Law (L. 1954, Ch. 7) 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 in this municipality to bona fide organizations or associations as described in said laws.

**§ 141-2. Investigation of applicants.**

The governing body of this municipality shall make an investigation of the qualifications of each applicant in accordance with the requirements of state law.

**§ 141-3. Duration and effect of license.**

No license under either licensing law shall be issued for a period of more than one year nor shall be issued for the holding, operation and conduct of any game of chance which may be licensed under the other of said licensing laws.

**DASTI, McGUCKIN,  
McNICHOLS, CONNORS  
ANTHONY & BUCKLEY**

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620 WEST LACEY ROAD  
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**§ 141-4. Hearing on application.**

No application for the issuance of a license shall be refused by the governing body until after a hearing is held on due notice to the applicant, at which the applicant shall be entitled to be heard upon the qualifications of the applicant and the merits of the application.

**§ 141-5. 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.

**§ 141-6. Control and supervision of games.**

The governing body of the municipality issuing any license under this chapter and either of said licensing laws shall have and exercise control and supervision over all games of chance so licensed in accordance with said licensing laws.

**§ 141-7. Minimum age of participants.**

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 this municipality.

**§141-8. Maximum number of games per month; alcoholic beverages.**

No game or games of chance shall be held, operated or conducted under any license issued by this municipality oftener than on six days in any calendar month nor in any room or outdoor area where alcoholic beverages are sold or served during the progress of the game or games.

**§ 141-9. Adherence to statutory provisions.**

All conditions, restrictions, regulations or rules relating to the licensing and conduct of games of chance shall be in accordance with said Raffles Licensing Law, Bingo Licensing Law, Legalized Games of Chance Control Law and the rules and regulations of said State Control Commission.

**§ 141-10. Duties of Township Clerk.**

The Township Clerk shall, on behalf of the municipality:

- A. Be a person to whom the Township has delegated the authority to approve the granting of raffle and bingo licenses. This delegation shall also extend to the Deputy Township Clerk. Any reference within this chapter to the authority of the governing body or the Township Committee to issue or authorize licenses shall include the Township Clerk and the Deputy Township Clerk as an appropriate issuing authority.
- B. File with the Legalized Games of Chance Control Commission a certified copy of this article within 10 days after its adoption.

- C. On or before the first day of February in each year or at any other time or times which said Commission may determine, make a report to the Commission of the number of licenses issued in this municipality under each of said 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 a violation of each of said laws or of the rules and regulations adopted by the State Control Commission, of all persons prosecuted of such violations and the result of each such prosecution and the penalties imposed therein, during the preceding calendar year of the period for which the report is required.

**§ 141-11. License fees for raffles.**

The license fees for raffles, carnival games or wheels, armchair races and casino nights shall be those fees delineated within N.J.A.C. 13:47-4.9 and any amendments thereto.

**§ 141-12. License fees for bingo.**

The license fees for bingo shall be those fees delineated within N.J.A.C. 13:47-4.9 and any amendments thereto.

**§ 141-13. Powers of governing body; Sunday games.**

- A. The governing body of the municipality issuing any license under this article and either of said licensing laws shall have and exercise control and supervision over all games of chance so licensed in accordance with said licensing laws.
- B. The Township Committee may authorize the holding of a raffle or bingo on Sunday when, in its opinion, the raffle or bingo cannot be held on any other day of the week to meet the needs of the organization requesting the same. If the Township Committee determines that the raffle or bingo can be held on a Sunday, the license issued by the Township shall specifically provide that the raffle or bingo can be held on Sunday.

**§ 141-14. Unlicensed games prohibited.**

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

**§ 141-15. Violation of regulatory laws.**

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

- A. Bingo Licensing Law, L. 1954, Ch. 6 (N.J.S.A. 5:8-24 et seq.).
- B. Raffles Licensing Law, L. 1954, Ch. 5 (N.J.S.A. 5:8-50 et seq.).
- C. Legalized Games of Chance Control Law, L. 1954, Ch. 7 (N.J.S.A. 5:8-1 et seq.).

D. This article.

**§ 141-16. Violations and penalties.**

- A. Any person violating or failing to comply with any of the provisions of this article shall, upon conviction thereof, be punishable by a fine of not more than \$2,000, by imprisonment for a term not to exceed 90 days or by community service of not more than 90 days, or any combination of fine, imprisonment and community service as determined in the discretion of the Municipal Court Judge. The continuation of such violation for each successive day shall constitute a separate offense, and the person or persons allowing or permitting the continuation of the violation may be punished as provided above for each separate offense.
- B. The violation of any provision of this article shall be subject to abatement summarily by a restraining order or injunction issued by a court of competent jurisdiction.

**§ 141-17. Suspension or revocation of license.**

A conviction hereunder shall also be a proper ground, in the discretion of the licensing body, to suspend or revoke the license if any has been issued and is outstanding..

**SECTION 2.** That should any section, paragraph, sentence, clause, or phase of this ordinance be declared unconstitutional or invalid for any reason, the remaining portion of this ordinance shall not be affected thereby and shall remain in full force and effect, and to that end the provisions of this ordinance are hereby declared to be severable.

**SECTION 3.** That all ordinances or parts of ordinances inconsistent with this amending ordinance are hereby repealed to the extent of their inconsistencies only.

**SECTION 4.** That this ordinance shall be in full force and take effect twenty (20) days after final passage and publication, as required by law.

**DASTI, McGUICKIN,  
McNICHOLS, CONNORS  
ANTHONY & BUCKLEY**

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**NOTICE**

**NOTICE IS HEREBY GIVEN** that the foregoing Ordinance was introduced and passed by the Township Committee of the Township of Lacey on first reading at a meeting held on the 14<sup>th</sup> day of March, 2024. The Ordinance will be considered for second and final reading at a meeting of the Township Committee which is scheduled for the 28<sup>th</sup> day of March, 2024 at 6:00 p.m., or as soon thereafter as the matter may be reached, at the Municipal Building located at 818 Lacey Road, Forked River, New Jersey, at which time the public is invited to ask questions, raise objections, or provide public comment with regard to the proposed adoption of this Ordinance.

  
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AMY MCGUCKIN, RMC  
Municipal Clerk, Township of Lacey

**DASTI, MCGUCKIN,  
McNICHOLS, CONNORS  
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