



BOROUGH OR RINGWOOD
60 Margaret King Avenue
Ringwood, New Jersey 07456

**APPLICATION FOR COIN-OPERATED AMUSEMENT DEVICE
LICENSE**

Limit: 3 Games, Devices or Machines

Date: _____

The undersigned hereby applies to the Borough of Ringwood for a Coin-Operated Amusement Device License and for that purpose submits the following answers to questions contained in this application:

1. Proprietor of Premises

Full Name _____

2. Permanent Home Address _____

3. Phone Number _____

4. What is the location of Game, Device or Machine? Name, Address and Phone Number of Establishment.

5. What is amount of coin required to operate the said Game, Device or Machine? _____

Description of Game, Device or Machine _____

6. Have you ever been convicted of or pleaded guilty to:

(a) A crime relating to narcotics or a controlled dangerous substance as defined in the Statutes of the State of New Jersey

(yes)

(no)

(b) A crime pertaining to gambling or gaming in violation of the Statutes of the State of New Jersey

(yes)

(no)

(c) A crime involving moral turpitude

(yes)

(no)

7. Fingerprint
Classification _____

8. What type of alcoholic beverage license do you own?

Applicant's Signature

Subscribed and sworn to
before me on this _____
day of _____, 20____.

Notary Public

License No. _____
Calendar Year _____
Fee _____
Date Paid _____

4. Identification of the impounded vehicle to include make, model, color, vehicle identification number, license number, and name of registered owner if known.

5. A vehicle impounded by the police shall not be released without a tow order release form authorizing the release.

6. A written record shall be kept or maintained by the towing service indicating the name of the person releasing the vehicle, the type of proof of ownership presented, and the name of the person receiving the vehicle.

c. It shall be the responsibility of the towing company to obtain proper proof of ownership and identification prior to the release of any vehicle. Release of any vehicle to an unauthorized person by the towing company shall result in liability against such company.

(1985 Code § 10-7.15)

4-6.17 Rotating Call List.

a. Wreckers performing towing service under this section shall perform on a rotating basis. The rotating list shall be limited to approved wrecker operators. The Chief of Police is hereby authorized to establish a system of rotation in the assignment of wreckers in the area. Wreckers shall be assigned from the rotating list only. No person shall respond to the scene of an accident except upon notification by the officer in charge of police headquarters or upon request of the driver or owner of the disabled vehicle.

b. Additional rules and regulations regarding the rotation of wreckers, as may be promulgated hereunder by the Chief of Police, shall take effect immediately after service of a copy thereof upon all permit holders for wreckers in the Borough. Service may be made by addressing same to the permit holders by mail at their last known addresses.

(1985 Code § 10-7.16)

4-7 AUTOMATIC AMUSEMENT DEVICES; BILLIARDS; POOL.

4-7.1 Definitions.

For the purpose of this section:

Automatic Amusement Device shall mean any machine, device or game, which, upon the insertion of a coin, slug, token, plate or disc, may be operated by the public generally for use as a game, entertainment, or amusement, whether or not registering a score, including, but not limited to, such devices as marble machines, pinball machines, skill ball, mechanical grab machines, the games of billiards and pool, video type games or machines, or similar devices that use a display screen for points, lines and dots of light that can be manipulated to simulate games or other types of entertainment, and all game operations or transactions similar thereto under whatever name they may be indicated.

Operator shall mean any person in whose premises any automatic amusement device is placed or kept for operation.

Person shall mean any person, firm, corporation, partnership or association.

(1985 Code § 10-1.1; Ord. No. 2002-24)

4-7.2 Purpose and Objective.

The purpose and objective of this section is to license, regulate and control the business of automatic amusement devices so as to prevent nuisances to patrons and the public; fire hazards from overcrowding; poor ingress and egress at premises where automatic amusement devices are located; the promotion of gambling and the creation of an unhealthy atmosphere for the residents or other foreseeable undesirable effects of such devices. (1985 Code § 10-1.2; Ord. No. 2002-24)

4-7.3 Permits; Licenses Required; Exceptions.

No person shall maintain, operate or possess any automatic amusement device in any store, building or other place where individuals may enter or where any club or organizational meetings are held, excluding private residences, unless that person has first obtained a license therefor. (1985 Code § 10-1.3)

4-7.4 Application.

a. All applications for a license under this section shall be delivered to the Borough Clerk on forms to be supplied for that purpose and shall be subscribed and sworn to by the applicant.

b. The application for the license shall contain the following:

1. Name, address, and telephone number of applicant and name, address, and telephone number of site where automatic amusement devices are located.

2. Name under which the place is being operated and the location of the automatic amusement device.

3. Number and type of alcoholic beverage licenses, where applicable.

4. Number and type of machines sought to be licensed.

5. Location where each automatic amusement device is to be located.

6. Description of each automatic amusement device sought to be licensed.

7. Information indicating whether the applicant or transferee or any person connected, by any way of employment, with the operation of the establishment wherein the automatic amusement device is to be installed has ever been convicted of or pleaded guilty to:

(a) A crime relating to narcotics or a controlled dangerous substance as defined in the Statutes of the State of New Jersey;

(b) A crime pertaining to gambling or gaming in violation of the Statutes of the State of New Jersey; and

(c) A crime involving moral turpitude.

c. The Borough Clerk may request that an applicant supply additional information supplementing the information given in the application.
(1985 Code § 10-1.4; Ord. No. 2002-24)

4-7.5 Limit on Number of Automatic Amusement Devices; Separate Licenses Required.

No more than three (3) automatic amusement devices of the type or types defined in subsection 4-7.1, shall be permitted to be used or operated in any one place, location or premises. A separate license shall be obtained for each automatic amusement device so operated.

A replacement automatic amusement device shall require a separate license. (1985 Code § 10-1.5; Ord. No. 2002-24)

4-7.6 Fees.

AMENDED - SEE ORD 2015-#12 attached

The annual license fee for each automatic amusement device, as defined in subsection 4-7.1, shall be twenty-five (\$25.00) dollars payable in advance. (1985 Code § 10-1.5)

4-7.7 License Term; Transferability; Renewal.

a. All licenses issued under this section shall be for a term of one (1) year, commencing on January 1st and expiring on December 31st of the year of issuance.

b. A license may be transferred from one automatic amusement device to another by written notice to the Borough Clerk giving a description of the new machine. A license may be transferred from one place to another by written notice to the Borough Clerk and by supplying the required information as to the new premises upon approval by the Borough Council. There shall be a fee for all transfers from one place to another in the amount of twenty-five (\$25.00) dollars per place.

c. An application for renewal of a license shall be submitted to the Borough Clerk for review no later than November 1.
(1985 Code § 10-1.7; New)

4-7.8 Verification and Inspection.

The Chief of Police or his designee shall make an investigation of the applicant to determine the truth of the facts set forth in the application. The Fire Subcode Official or his designee shall inspect the premises to determine whether the premises comply with existing fire regulations and the Fire Code of the Borough. The Chief of Police and the Fire Subcode Official, upon completion of their investigation and inspection, shall attach to the application their reports in writing. The report of the Chief of Police shall advise the Borough Clerk as to the veracity of the facts as set forth in the application. The report of the Fire Subcode Official shall advise the Borough Clerk as to the compliance or noncompliance of the premises with the fire regulations code. (1985 Code § 10-1.8)

4-7.9 Approval or Disapproval of Application.

a. *Review by Borough Clerk.*

1. Upon receipt of the application and reports, as set forth above, the Borough Clerk shall consider the application, and shall either approve or disapprove the issuance of a license to the applicant.

2. The Borough Clerk shall act to approve or disapprove the application within forty-five (45) days from the date of the application. Failure to take such action within forty-five (45) days by the Borough Clerk shall constitute an approval of the application.

3. If the application is approved, the Borough Clerk shall issue the license upon the receipt of the license fee or fees as herein provided.

b. *Notice to Applicant of Disapproval.* If the application is disapproved, the applicant shall be notified, in writing, of the disapproval and the reasons therefor.

c. *Hearing Before Borough Council.*

1. The applicant, upon being advised of a disapproval of this application, may, in writing, request a hearing before the Borough Council, and shall be afforded an opportunity to dispute or disprove the reasons for the disapproval at the hearing. An applicant may be represented by an attorney at the hearing.

2. The Borough Council shall either affirm or reverse the decision disapproving the application within fifteen (15) days after the date of the hearing unless there is an extension of time agreed to by both the applicant and the Borough Council.

(1985 Code § 10-1.9)

4-7.10 Revocation of License; Display of License; Number of Automatic Amusement Devices.

a. *Revocation of License.*

1. Grounds for Revocation. At any time after the granting of a license under this section, the Borough Council shall have the power to revoke or terminate any license granted hereunder for the following reasons:

(a) Gambling on the premises;

(b) False or incorrect material on the application or information furnished by the applicant;

(c) Failure to maintain good and safe conduct on the premises;

(d) The presence of automatic amusement devices that result in gambling, obscene and loud language disturbing to the public or to other patrons of the premises or creating a nuisance, excessive noise, litter, traffic or rowdyism by the patrons.

2. Notice and Hearing. The Borough Clerk shall give notice to the licensee of any proposed action with respect to suspension, termination or revocation of license. Upon receipt of a notice, the licensee may, within ten (10) days after receipt, request, in writing, a hearing before the Borough Council. The Borough Manager has the authority to temporarily suspend any license hereunder, until or pending action by the Borough Council.

b. *Posting and Display of License.* An operator's license granted pursuant to this section shall:

1. Be conspicuously posted within ten (10) feet of the location of the licensed automatic amusement device; and

2. State the name and address of the licensee.

c. *Number of Automatic Amusement Devices.* The number of automatic amusement devices per establishment shall be three (3).

(1985 Code § 10-1.10; Ord. No. 2002-24)

4-7.11 Seizure and Removal of Automatic Amusement Devices by Police Department.

a. *Gambling Devices.* For the purpose of this section a mechanical amusement device, the operation of which is based in any part on random chance or the random assignment of numbers and the operation of which does not require more than minimal skill or hand-eye coordination, shall be presumed to be intended to be utilized for gambling purposes. By way of clarification, but not limitation, amusement devices used for the purpose of gambling shall be deemed to include the following:

1. Mechanical amusement devices known as Joker Poker, or any similar mechanical amusement devices displaying playing cards; Keno or any similar mechanical amusement devices displaying a number board where numbers are designated at random; Horse Racing; Roulette; Dice; Lucky Lines; Cherry Master or any similar automatic amusement device styled after a slot machine with a rolling display or circular wheel on which are depicted symbols; lotto or lottery-type machines.
2. Any automatic amusement device which does not have an operable slot or receptacle for the insertion of coin or paper money.
3. Any automatic amusement device with buttons or controls labeled "double up" or "bet."
4. Any automatic amusement devices which can be controlled or operated from a remote location by other than the individual operator.
5. Any automatic amusement device readily capable of being converted by the internal technology of the automatic amusement device to machines such as set forth in paragraph 1., above, including but not limited to, "dual screen" machines.

b. *Seizure of Automatic Amusement Devices Used for Gambling.* If a Police Officer or other Law Enforcement Officer with the authority to act within this jurisdiction shall have probable cause to believe that any automatic amusement device is used for gambling, or if an automatic amusement device is prohibited pursuant to this section, such automatic amusement device may be seized and removed from the premises by the Police Department, its authorized personnel or other Law Enforcement Officer with the authority to act within this jurisdiction, and impounded and considered contraband. As an alternative to the seizure and removal of the automatic amusement device as a whole, a police officer may remove from the automatic amusement device such internal components as will disable the automatic amusement device. If possible, those removing the automatic amusement device shall provide the person in charge of the premises with a report to be filed with the Police Department, noting any obvious damage to the property. Thereafter, any person aggrieved thereby may demand a hearing, in writing, directed to the Borough Manager.

c. *Seizure of Unlicensed Machines.* If a Police Officer or other Law Enforcement Officer with the authority to act within this jurisdiction shall have probable cause to believe that any automatic amusement device is unlicensed, but is not being used for gambling nor is prohibited pursuant to this section, then such an automatic amusement device shall not be subject to immediate seizure. In such a case, the Police Officer shall advise the person in charge of the premises that the license fee for the automatic amusement device must be paid and a license for the automatic amusement device obtained within a three (3) day period. If such a license is not obtained within the three (3) day period, a Police Officer may seize and remove such automatic amusement device from the premises. As an alternative to the seizure and removal of the automatic amusement device as a whole, a Police Officer may remove from the device such internal components as will disable the automatic amusement device. If possible, those removing the automatic amusement device shall provide the person in charge of the

premises with a report to be filed with the Police Department, noting any obvious damage to the property. Thereafter, any person aggrieved thereby may demand a hearing, in writing, directed to the Borough Manager.

d. *Hearing.* After seizure, any person aggrieved may demand a hearing as provided hereinabove and shall be given a hearing within ten (10) days from the date of such demand. In the event that the Borough Manager finds that the seizure was justified under the provisions of this section, the automatic amusement device shall not be released until proper ownership and/or licensing fees are paid and properly presented, together with a removal/storage charge of five (\$5.00) dollars per day, per automatic amusement device seized. In the event that only the internal components of the automatic amusement device were seized, removal/storage charge per automatic amusement device will be five (\$5.00) dollar per day. In the event that the Borough Manager finds that the seizure was unjustified, the automatic amusement device shall be returned to the person from whom it was seized forthwith, but such person shall have no further remedy against the Borough.

e. *Failure to Claim Seized Automatic Amusement Device.* If no person makes a claim to a seized automatic amusement device within one hundred twenty (120) days from the date of seizure, the automatic amusement device may be destroyed or otherwise disposed of in accordance with State statute or local ordinance.

(1985 Code § 10-1.13; New)

4-7.12 Violation and Penalties.

Any person who violates any provision of this section shall, upon conviction thereof, be liable to the General Penalty contained in Chapter I, Section 1-5. (New)

4-8 RESERVED.

4-9 SUNDAY RAFFLES AND BINGO.

Games of raffles, as provided in N.J.S.A. 5:8-57, and games of bingo, as provided in N.J.S.A. 5:8-30, are hereby authorized to be conducted on Sundays in the Borough, provided the proper licenses are secured from the issuing authority.

The Borough Clerk shall issue and approve the granting of bingo and raffle licenses pursuant to the above mentioned statutes. The Borough license fee shall be twenty (\$20.00) dollars per raffle application. (1985 Code § 10-6.1; Ord. No. 2008-#14)

4-10 PUBLIC DANCES, SHOWS, ENTERTAINMENTS, PERFORMANCES, EXHIBITS AND MISCELLANEOUS AMUSEMENTS.

4-10.1 License Required.

a. It shall be unlawful for any person to conduct any public dance, lecture, concert, theatrical performance, moving picture show, athletic exhibition or entertainment, circus, carnival, traveling or other street show, merry-go-round or carousel or amusement device of similar nature, entertainment

Ordinance No. 2015-#12

AN ORDINANCE AMENDING CHAPTER 4 -
GENERAL LICENSING AND BUSINESS
REGULATIONS - OF THE REVISED ORDINANCE OF
THE BOROUGH OF RINGWOOD, SECTION 4-7 -
AUTOMATIC AMUSEMENT DEVICES; BILLARDS;
POOL

BE IT ORDAINED, by the Municipal Council of the Borough of Ringwood that Chapter 4,
GENERAL LICENSING AND BUSINESS REGULATIONS, SECTION 4-7 - AUTOMATIC
AMUSEMENT DEVICES; BILLARDS; POOL, be amended as follows:

4-7.6 FEES

The annual license fee for each automatic amusement device, as defined in
Subsection 4-7.1, shall be one hundred (\$100.00) dollars for the first machine, \$50.00
each additional machine up to a maximum of three (3) machines at the same
location.

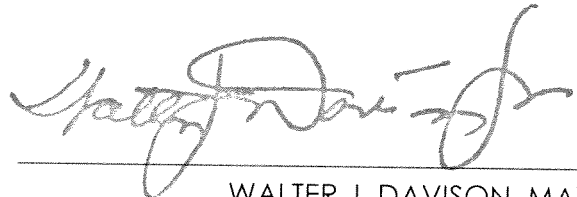
Effective Date

This ordinance shall take effect upon passage and publication as provided by law.

Introduced: October 13, 2015

Adopted: November 19, 2015

Effective: December 9, 2015



WALTER J. DAVISON, MAYOR


KELLEY HALEWICZ, RMC
BOROUGH CLERK