



BOROUGH OF FANWOOD
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Fanwood, New Jersey 07023
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Administration Office

APPLICATION FOR AMUSEMENT LICENSES
BOROUGH OF FANWOOD CODE 114:1-12
(To be completed by Proprietor of Premises)

NAME OF APPLICANT _____

APPLICANT'S ADDRESS _____

TELEPHONE NUMBER _____

FAX NUMBER _____

NUMBER OF MACHINES _____

NAME OF GAME(S) _____

**NAME OF RESTAURANT,
CLUB, ETC.** _____

LOCATION OF GAME _____

VENDOR NAME _____

VENDOR ADDRESS _____

VENDOR TELEPHONE NUMBER _____

**Has person making application ever been convicted of a crime or of a violation of
any Borough Ordinance involving gambling? Yes _____ No _____**

The annual license fee for the first automatic amusement game shall be five hundred dollars (\$500.00), and each additional amusement game shall be one hundred dollars (\$100.00), which shall be payable by the proprietor of the premises where the machine is to be installed.

The period of the licenses granted herein shall be for one (1) year, commencing January 1 and expiring on December 31. The annual license fee shall be prorated during the course of the license year.

The license fee shall accompany the filing of the application. If the license is not granted, the fee shall be returned to the applicant. Licenses are issued at the discretion of the Mayor and Council.

Signature_____ **Date:**_____

Print Name_____

Office Use Only

Date License Received_____

Fee Paid_____

Date License Approved_____

Chapter 114 AMUSEMENTS, AUTOMATIC

- § 114-1. Definitions.
- § 114-2. License required.
- § 114-3. Disqualification of licensee.
- § 114-4. Restrictions on number and location of devices.
- § 114-5. Application for license; fee payable in advance.
- § 114-6. Fee; term of license; purpose of fee.
- § 114-7. Contents and display of license.
- § 114-8. Transfer of license.
- § 114-9. Gambling prohibited.
- § 114-10. Age restriction on players.
- § 114-11. Revocation of license.
- § 114-12. Violations and penalties.

[HISTORY: Adopted by the Mayor and Council of the Borough of Fanwood 12-15-1971 by Ord. No. 631R as Ch. 42 of the 1971 Code. Amendments noted where applicable.]

GENERAL REFERENCES

Police Department — See Ch. 67.
 Alcoholic beverages — See Ch. 110.
 Fire prevention — See Ch. 156.
 Noise — See Ch. 264.
 Peace and good order — See Ch. 212.
 Pool parlors and billiard rooms — See Ch. 220.
 Food and beverage vending machines — See Ch. 314.

§ 114-1. Definitions.

For the purposes of this chapter, the terms used herein are defined as follows:

AUTOMATIC AMUSEMENT GAMES, AUTOMATIC AMUSEMENT MACHINES or AUTOMATIC AMUSEMENT DEVICES — All games, machines and devices commonly known and designated as bagatelle, baseball or pin amusement games or similar machines or devices operated, maintained or used in any public or quasi-public place or in any building, store or other place wherein the public is invited or wherein the public may enter, and particularly, but not by way of limitation, all coin-operated automatic amusement devices of the type commonly known as bagatelle games, baseball games, pin amusement games or similar machines or devices operated, maintained or used as aforesaid. The aforesaid definition includes all devices which are manually, mechanically or electronically activated and operated by the insertion of a coin, slug or token. [Amended 10-10-1979 by Ord. No. 702R]

§ 114-2. License required.

No automatic amusement game shall be placed, operated, maintained or used without first obtaining a license therefor from the Mayor and Council. Licenses may be issued at the discretion of the Mayor and Council.

§ 114-3 FANWOOD CODE § 114-5

§ 114-3. Disqualification of licensee.

No license shall be issued to any person who shall have been convicted of a crime or of a violation of any Borough ordinance involving gambling.

§ 114-4. Restrictions on number and location of devices. [Amended 7-9-1986 by Ord. No. 86-15R]

- A. Not more than two coin-operated amusement devices shall be licensed or operated within the first 1,000 square feet of floor space in any one place, location or premises. An additional coin-operated amusement device will be permitted for every additional 500 square feet in excess of the first 1,000 square feet.
- B. Each coin-operated amusement device shall have an unobstructed perimeter zone or distance of 18 inches around three of the sides of the device. The perimeter zone area, which is required hereunder for each such device, shall not be encroached upon by the perimeter zone area of any other coin-operated amusement device. It is the intent of this chapter that, for purposes of preventing overcrowding and assuring safe passage of the general public, each coin-operated amusement device shall have its own unobstructed perimeter zone.
- C. Each coin-operated amusement device shall be placed in accordance with the sketch approved with the application and shall not be moved within the premises to another location without the prior approval by the Council of an amended application and sketch plan.
- D. All coin-operated amusement devices shall be so placed within the premises as to permit a clear view thereof from the exterior of the premises at all times.

§ 114-5. Application for license; fee payable in advance.

- A. The forms for license application shall be furnished by the Clerk. Said application shall set forth the following information:
 - (1) The applicant's name.
 - (2) The applicant's post office address.
 - (3) The number of machines to be operated.
 - (4) Whether or not the person making the application has ever been convicted of a crime or of a violation of any Borough ordinance involving gambling.
 - (5) Such other information as the Mayor and Council shall deem necessary and proper.
- B. The license fee shall accompany the filing of the application. If the license is not granted, the fee shall be returned to the applicant.

§ 114-6 AMUSEMENTS, AUTOMATIC § 114-10

§ 114-6. Fee; term of license; purpose of fee. [Amended 10-10-1979 by Ord. No. 702R]

A. The annual license fee for the first automatic amusement game shall be \$500, which shall be payable by the proprietor of the premises where the machine is to be installed. [Amended 7-9-1986 by Ord. No. 86-15R]

B. The annual license fee for each additional automatic amusement game shall be \$100, which shall be payable by the proprietor of the premises where the machine is to be installed. [Amended 7-9-1986 by Ord. No. 86-15R]

C. The period of the licenses granted herein shall be for one year, commencing as of January 1 of the year of the issuance and expiring on December 31 of the same year. [Amended 12-28-1999 by Ord. No. 99-25R]

D. The annual license fee shall be prorated any year when any amendments to this section are adopted. [Amended 12-28-1999 by Ord. No. 99-25R]

E. The license fees hereunder are imposed for purposes of regulation and revenue. [Amended 12-28-1999 by Ord. No. 99-25R]

§ 114-7. Contents and display of license.

- A. The license shall be issued to and in the name of the proprietor of the premises where the automatic amusement game is to be installed. The license shall state the name and address of the licensee and the maximum number of automatic amusement games which the licensee is permitted to operate on the premises.
- B. The license shall be displayed in a conspicuous place in the room where such automatic amusement games are to be operated.

§ 114-8. Transfer of license.

The Mayor and Council may, upon application, in its discretion, transfer the license from one premise to another.

§ 114-9. Gambling prohibited.

Any person who shall use or permit to be used any of the machines or devices licensed hereunder for the purpose of gambling shall be deemed to be guilty of a violation of this chapter and shall be punishable therefor as hereinafter provided.

§ 114-10. Age restriction on players.

Any person who shall knowingly permit a minor under the age of 16 years to play or operate any of the machines or devices licensed under this chapter shall be deemed to be guilty of a violation of this chapter.

§ 114-11 FANWOOD CODE § 114-12

§ 114-11. Revocation of license.

If the licensee shall be convicted of a crime or of a violation of any ordinance involving gambling, the Mayor and Council shall immediately revoke the license.¹

§ 114-12. Violations and penalties. [Amended 12-15-1971 by Ord. No. 631R; 12-28-1999 by Ord. No. 99-25R; 5-10-2005 by Ord. No. 05-10R; 6-13-2006 by Ord. No. 06-11R]

Any person who shall violate any provision of this chapter shall, upon conviction thereof, be punished by a fine not exceeding \$2,000 or by imprisonment for a term not exceeding 90 days; and/or be required to perform community service for a term not exceeding 90 days.

¹ Editor's Note: Former § 42-12, Purpose, which previously followed this section, was redesignated as § 114-6E by Ord. No. 99-25R, adopted 12-28-1999.