

ORDINANCE

O-6-2024

BOROUGH OF NORTH CALDWELL, ESSEX COUNTY

AN ORDINANCE SUPPLEMENTING THE BOROUGH CODE OF THE BOROUGH OF NORTH CALDWELL WITH CHAPTER 61, GAMES OF CHANCE

WHEREAS, N.J.S.A. 5:8-24 et seq., N.J.S.A. 5:8-50 et seq., and N.J.A.C. 13:47-6.8 prohibit a municipality from authorizing the holding, operating or conducting of a game of chance on Sunday, unless specifically so authorized by an ordinance duly adopted by the municipality; and

WHEREAS, the Borough of North Caldwell wishes to permit games of chance on Sundays.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of North Caldwell, in Essex County, New Jersey, that Chapter 61, Games of Chance be hereby added to the Borough Code as follows:

1. CHAPTER 61, GAMES OF CHANCE

Section 61-1. Authorization for Sunday games.

Games of chance, commonly known as "bingo" and "raffles", as provided pursuant to the Acts of the Legislature of the State of New Jersey known as the "Bingo Licensing Law" (N.J.S.A. 5:8-24 et seq.) and the "Raffles Licensing Law," (N.J.S.A. 5:8-50 et seq.) , may be conducted in the Borough of North Caldwell, County of Essex, on any day of the week including the first day of the week, commonly known and designated as "Sunday", provided that the applicant for the license to conduct such game otherwise qualifies under the provisions of the aforementioned statutes of the State of New Jersey and the rules and regulations of the Legalized Games of Chance Control Commission and, specifically, provided that the organization conducting the games is a charitable, religious, educational, patriotic, fire company or first-aid organization or other type of organization specifically qualifying under the provisions of the aforementioned statutes.

Section 61-2. Issuance of license.

The Borough Council or the persons duly authorized by the Borough Council shall be permitted to issue a license for the holding, operating and conducting of games of chance on the first day of the week, commonly known as "Sunday". The requirements for the issuance of said license and for the manner of holding, operating or conducting such games of chance shall meet all the requirements of any federal, state, county or municipal statutes, ordinances or regulations.

2. Any article, chapter, section, paragraph, subsection, clause, or other provision of the Borough Code inconsistent with the provisions of this ordinance is hereby repealed to the extent of such inconsistency.
3. In case, for any reason, any portion or provision of this Ordinance shall be held to be unconstitutional or invalid, the same shall not affect any other portion or provision of this Ordinance, except so far as the portion or provision so declared unconstitutional or invalid shall be severed from the remainder or any portion thereof.
4. The Borough Clerk is hereby directed to give notice at least ten (10) days prior to the hearing on the adoption of this Ordinance to the Borough of North Caldwell Planning Board and to all other entities entitled thereto pursuant to the provisions of N.J.S.A. 40:55D-15. Upon adoption of this ordinance, after public hearing thereon, the Borough Clerk is further directed to publish notice of the passage thereof and to file a copy of this ordinance as finally adopted.
5. This Ordinance shall be part of the Code of the Borough of North Caldwell as though codified and fully set forth therein. The Borough Clerk shall have this Ordinance codified and incorporated in the official copies of the Code.
6. This Ordinance shall take effect immediately upon publication and final passage according to law.

Introduced: March 26, 2024
Public Hearing: April 16, 2024
Adopted: April 16, 2024

Moved By: Council President Floria-Callori
Seconded By: Councilman Weinstein

COUNCIL MEMBER	YES	NO	ABSTAIN	ABSENT	COUNCIL MEMBER	YES	NO	ABSTAIN	ABSENT
ATLAS				X	REES	X			
FLORIA-CALLORI	X				TILTON	X			
KESSLER				X	WEINSTEIN	X			

ATTEST:


TAMI MICHELOTTI, BOROUGH CLERK


JOSHUA H. RAYMOND, MAYOR