

**EXPLANATION:** This Ordinance amends Chapter 177 of the Code of the Township of Hillsborough, titled “Games of Chance”, by authorizing the Township Clerk to act as the issuing authority for bingo and raffle licenses and providing for suspension or revocation of licenses.

### **ORDINANCE 2010-12**

#### **AN ORDINANCE AMENDING CHAPTER 177 OF THE CODE OF THE TOWNSHIP OF HILLSBOROUGH, TITLED “GAMES OF CHANCE”, BY AUTHORIZING THE TOWNSHIP CLERK TO ACT AS THE ISSUING AUTHORITY FOR BINGO AND RAFFLE LICENSES AND ADDING A NEW SECTION, TITLED “SUSPENSION OR REVOCATION OF LICENSES.**

**BE IT ORDAINED** by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, as follows:

Section 1. Chapter 177 of the Code of the Township of Hillsborough, titled “Games of Chance”, is amended to add a new Subsection 1 authorizing the Township Clerk to act as the issuing authority for bingo and raffle licenses as follows:<sup>1</sup>

**§ 177-1 Issuing authority.**

The issuing authority for the Township of Hillsborough responsible for approving bingo and raffle licenses shall be the Township Clerk.

Section 2. Section 177-1 of the Code of the Township of Hillsborough titled “Bingo prohibited on Sundays” is renumbered Section 177-2.

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<sup>1</sup> Editor’s Note: The portions to be deleted are shown with strike-outs and will be deleted from the codified version of this Ordinance and the text of the underlined portions will remain in the codified version of this Ordinance.

Section 3. Section 177-2 of the Code of the Township of Hillsborough titled “Conduct of raffles on Sundays with special permission” is amended as follows:

**§ 177-~~23~~ Conduct of raffles on Sundays with special permission.**

- A. No raffle or other game of chance in which cash or merchandise shall be offered as a prize shall be conducted on ~~the first day of the week, commonly known and designated as~~ Sundays, unless it shall be specifically permitted in the license for the holding, operation and conducting of such raffle or game of chance issued by the Township ~~Committee of Hillsborough Clerk~~.
- B. The applicant for a license to conduct a raffle or other game of chance who desires permission to conduct such raffle or game of chance on ~~the day commonly designated as~~ Sundays must specifically request such permission in its application, must specify the type and nature of the game for which such permission is sought and must demonstrate good cause for the issuance of such special permission.
- C. Any applicant who fails to specifically request such special permission or fails to demonstrate good cause for the issuance of such special permission shall not be permitted to conduct such games on Sundays.
- D. The Township ~~Committee Clerk~~ may, in ~~its~~ ~~his or her~~ discretion and for good cause shown and subject to the conditions set forth in Subsection E below, issue a license to conduct raffles or other games of chance which would permit the conduct of raffles and other games of chance on ~~the day commonly known as~~ Sundays.
- E. Licenses permitting raffles or other games of chance on ~~the day commonly known as~~ Sundays may be issued only to ~~resident qualified nonprofit organizations of Hillsborough Township~~, and no organization may be granted permission to conduct such raffles or other games of chance on more than one Sunday in any calendar year.

Section 4. Section 177-3 of the Code of the Township of Hillsborough, titled “Regulation under New Jersey State Raffles Licensing Law”, is renumbered Section 177-4.

Section 5. Section 177-4 of the Code of the Township of Hillsborough, titled “Licensing fees with respect to raffles”, is renumbered Section 177-5.

Section 6. Section 177-5 of the Code of the Township of Hillsborough, titled “Senior citizen association exemption”, is renumbered Section 177-6

Section 7. Chapter 177 of the Code of the Township of Hillsborough, titled “Games of Chance” is hereby amended by adding a new Section 177-7, titled “Suspension or revocation of license” as follows:

**§ 177-7 Suspension or revocation of license.**

The Township Committee, pursuant to N.J.S.A. 5:8-30 and N.J.S.A. 5:8-57, may suspend and revoke any issued bingo or raffle license, after a hearing, for any violation of this Ordinance or applicable law. The Township Committee may suspend the operation of a bingo or raffle pending hearing, in which case a hearing must be held within five (5) days after such action. Notice of a hearing shall be served personally upon an officer of the licensee or the member in charge of the conduct of the bingo or raffle or sent by registered mail or certified mail to the licensee at the address shown on the license. All decisions and findings by the governing body regarding the suspension or revocation of a bingo or raffle license shall be in writing.

Section 8. Severability.

If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision and the remainder of this Ordinance shall be deemed valid and effective.

Section 9. Effective Date.

This Ordinance shall take effect as provided by law.

**ATTEST:**

**HILLSBOROUGH TOWNSHIP COMMITTEE**

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Kevin P. Davis, Clerk

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Frank DelCore, Mayor

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*Published: 04/01/10*

*Public Hearing: 04/27/10*

*Adopted: 04/27/10*

*Published: 05/06/10*