

RESOLUTION NO. 07-134

**RESOLUTION SEEKING TO SUBMIT QUESTION OF ADOPTION OF THE
PROVISIONS OF THE RAFFLES LICENSING LAW
IN THE BOROUGH OF COLLINGSWOOD TO THE VOTERS**

WHEREAS, pursuant to the Raffles Licensing Law, N.J.S.A. 5:8-50 et seq., the Borough must submit the question of whether the Borough shall adopt the provision of the Raffles Licensing Law to the legal voters of the Borough;

WHEREAS, the Commissioners of the Borough of Collingswood have determined to ascertain whether the legal voters of the Borough of Collingswood desire to have the Borough adopt the provisions of the Raffles Licensing Law;

NOW BE IT RESOLVED by the Commissioners of the BOROUGH OF COLLINGSWOOD, that:

1. The question of whether the Borough of Collingswood should adopt the provisions of the Raffles Licensing Law, N.J.S.A. 5:8-50 et seq., shall be submitted to the legal voters of the Borough of Collingwood at the next general election.

2. The question to be placed on the ballot is as follows:

“Shall the Raffles Licensing Law, N.J.S.A. 5:8-50 et seq., be adopted within this municipality.”

3. The provisions of an ordinance adopting the Raffles Licensing Law shall be as follows:

I. **PURPOSE.**

The purpose of this Ordinance is to establish a procedure and authorize rules and regulations thereunder for the licensing of raffles to be conducted by charitable organizations

within the Borough of Collingswood. The Borough has determined that raffles will promote the public interest by raising funds for the benefit of charitable organizations.

II. ENACTMENTS.

Section 1. Requirement of License.

It shall be unlawful for any person, firm, partnership, corporation, association or organization of any kind (hereinafter collectively referred to as "applicant") to create, establish, operate, maintain or otherwise be engaged in conducting a raffle within the Borough of Collingswood unless such applicant shall hold a currently valid license issued pursuant to the terms of this ordinance.

Section 2. Application for License.

Pursuant to the Raffles Licensing Law (N.J.S.A. 5:8-50 *et seq.*) (hereinafter referred to as "the Act"), application for the required license shall be made to the Borough Clerk and shall be signed by the applicant. The application shall be signed by the Chief of Police and contain the following information:

- A. A description of the entity wishing to apply for a license to conduct a raffle within the Borough of Collingswood, including the name and address of the applicant along with sufficient facts relating to its incorporation and organization to enable the Borough to determine that the applicant is a bona fide organization or association of veterans of any war in which the United States has been engaged, or a church or a religious congregation or religious organization, or a charitable, educational or fraternal organization, or a civic or service club, or a senior citizen association or club, or an officially recognized volunteer fire company or an officially recognized volunteer first aid or rescue squad;

- B. The names and addresses of the officers of the entity;
- C. A description of the specific kind or kinds of game or games of chance intended to be held, operated and conducted by the applicant, and the place or places where, the day or dates and the time or times when, such game or games of chance are intended to be held, operated and conducted by the applicant, under the license applied for;
- D. The items of expense intended to be incurred or paid in connection with the holding, operating and conducting of such games of chance and the names and addresses of the persons to whom, and the purposes for which, they are to be paid;
- E. The specific purposes to which the entire net proceeds of such game or games of chance are to be devoted and in what manner;
- F. That no commission, salary, compensation, reward or recompense will be paid to any person for holding, operating or conducting of such game or games of chance and shall assist therein except as provided under the Act; and
- G. That no prize will be offered and given in cash except as otherwise provided in the Raffles Licensing Law and a description of the value and character of the prizes which are to be given and any other information which said rules and regulations may require.

Each application shall designate an active member or members of the applicant entity under whom the game or games of chance described in the application are to be held, operated and conducted. The application shall also include a statement executed by the applicant and by the member or members, so designated, that he, she, or they will be responsible for the holding, operation and conduct of such games of chance in accordance with the terms of the license and the provisions of said rules and regulations governing the holding, operation and conduct of

such a game or games of chance and of the Act, if such license is granted.

If any equipment is to be used in or in connection with the holding, operating or conducting of any such game of chance is to be leased from any person, persons or corporation, a written statement shall accompany the application, signed and verified under oath by such person or persons or executed and verified under oath on behalf of such corporation, stating his, her or its address and the amount of rent which will be paid for such equipment and that such rental conforms to the schedule of authorized rentals prescribed by rules of the Legalized Games of Chance Control Commission and that such lessor or lessors, or if a corporation, all of its officers and each of its stockholders who hold 10% or more of its stock issued and outstanding have been approved by said commission as being of good moral character and not having been convicted of a crime.

Section 3. Borough Clerk Review of Application.

Upon receipt of the application, the Borough Clerk will make an investigation of the qualifications of the applicant and the merits of the application and if it shall determine that the applicant is duly qualified to be licensed under the Act to hold, operate and conduct games of chance under the provisions of the Act and the rules and regulations governing the holding, operation and conduct thereof in the municipality; that the designated member or members of the applicant designated in the applicant to hold, operate or conduct the game or games of chance which the license is applied for are bona fide active members of the applicant and persons of good moral character and have never been convicted of a crime; that such game or games of chance are to be held, operated and conducted in accordance with the provisions of the Act and in accordance with the rules and regulations governing holding, operation and

conduct thereof and that the proceeds thereof are to be disposed of as provided by the Act, and if the governing body is satisfied that no commission, salary, compensation, reward or recompense whatever will be paid or given to any person holding, operating or conducting or assisting in the holding, operation or conduct of any such game of chance except as in the Act otherwise provided; that any rental to be paid for any equipment to be used in or in connection with the holding, operation and conduct of such game or games of chance conforms to the schedule of authorized rentals prescribed by rules of the Legalized Games of Chance Control Commission and that such lessor or lessors have been approved as to good moral character and freedom from conviction of crime by said commission; that no prize will be offered or given in cash except as authorized by regulation promulgated by the control commission or of greater value than is provided in the Act in any game or games of chance held, operated and conducted under license.

Section 4. Issuance of the License.

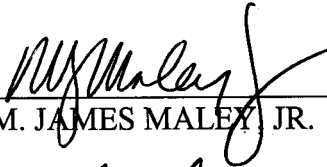
Upon satisfactory determination of those factors, the Borough shall issue a license to the applicant for the holding, operation and conduct of the specific kind, or one or more of the specific kinds, of games of chance applied for accordingly, upon the payment of a license fee as prescribed by regulation promulgated by the control commission.

Section 5. Duration of License.

Licenses issued hereunder shall be effective no longer than a period of 1 year.

III. **EFFECTIVE DATE.**

This Ordinance shall take effect immediately upon final passage, approval, and publication as provided by law.


M. JAMES MALEY, JR.


JOAN LEONARD


MICHAEL HALL

ADOPTED: 7-2-07


ALICE MARKS, BOROUGH CLERK

DATED: 7-2-07