

TOWNSHIP OF WEST ORANGE
66 Main Street, West Orange, NJ 07052

Application for License for Coin Operated Automatic Amusement Games
Games of the Type Commonly Called Bagatelle or Pin Ball, etc.
(Chapter 5-12.1)

Issue Date: _____

Expiration Date: _____

Name of Applicant: _____ Telephone #: _____

Address: _____

Vendor Name: _____ Telephone #: _____

Vendor Address: _____

Serial No.(s) of Machine(s) 1. _____ 2. _____

3. _____ 4. _____

5. _____

Business Name: _____ Telephone #: _____

Address: _____

If Applicant is an Operator who owns the machine in accordance with Chapter 5-12.1 of Township Code, please check _____

I do hereby certify that the statements made by me in this application are true to the best of my knowledge, information and belief, and if willfully false, I am subject to punishment in accordance with the law.

Signature of Applicant

For Office Use Only

Fees:

Juke Box:

\$50.00 each

Mechanical Amusement Devices:

Distributors: \$250. Per Machine

Owner/Operator: \$50. Per Machine

Proof of Ownership of Mechanical Device(s) _____

of Machines: _____ (5 Maximum)

License: _____ Approved _____ Denied

Signature-Municipal Clerk or Designee

5-12 MECHANICAL AND ELECTRONIC AMUSEMENT DEVICES.

5-12.1 Definitions.

As used in this section:

Distributor shall mean any person who supplies any mechanical **amusement** device to another for use in his place of business, whether under lease or any similar arrangement.

Mechanical amusement device shall mean any machine whether operated mechanically, electrically or by other means, or regardless of whether or not it registers scores or tallies which, upon the insertion of a coin, slug, token, plate, disc or key, or which has been designed, altered or adjusted so as not to require insertion of any of the foregoing, may be operated by the general public as a **game** or for entertainment or **amusement**. Examples of mechanical **amusement** devices include marble machines, video games, pinball machines, bagatelle, skill ball, mechanical grab machines and coin-operated pool or billiard tables. The preceding list is intended to be illustrative only and the term mechanical **amusement** device shall include all games, machine or devices of a similar nature regardless of what names are given to them.

Operator shall mean any person in whose place of business any mechanical **amusement** device is placed or kept for operation by the public.

(1972 Code § 6-13.1; Ord. No. 1101-91 § 1)

5-12.2 Exceptions.

This section shall not apply to mechanical **amusement** devices which are not operated for profit. (1972 Code § 6-13.2)

5-12.3 License Required.

No distributor or operator of a mechanical **amusement** device shall place, maintain, operate or use any mechanical **amusement** device on or within any public place, store, building or other place of business within the Township without first having obtained a license therefor and paid the required license fee. (1972 Code § 6-13.3)

5-12.4 Applications for Licenses.

Applicants for distributor's or operator's licenses shall supply such information as shall be prescribed by resolution. Applicants shall in all events be required to supply a description of the machine or device sought to be licensed. (1972 Code § 6-13.4)

5-12.5 License Fees.

- a. The maximum number of mechanical **amusement** devices permitted in any one (1) premises shall be five (5) machines.
- b. Distributors of mechanical **amusement** devices shall be charged two hundred fifty (\$250.00) dollars for each machine distributed as an annual license fee, provided, however, that the total annual license fee charged to a distributor shall not exceed two thousand (\$2,000.00) dollars for the machines at any one (1) place.
- c. Operators of mechanical **amusement** devices shall be charged fifty (\$50.00) dollars for each machine as an annual license fee. An operator who uses machines owned by him or her in his/her own place of business shall be charged only an operator's fee for each such machine, provided however, that he or she submit proof satisfactory to the Township Clerk that he or she is the actual owner of the machine or machines.

- d. In any licensed premises there shall be fifty (50) square feet of operating area for each mechanical **amusement** device. The calculation of the operating area shall exclude any area of the premises which is used for other purposes but shall include access and walkways primarily serving the **amusement** device, provided however, that the maximum number of mechanical **amusement** devices permitted in any one (1) premises shall be five (5) machines. (1972 Code § 6-13.5; Ord. No. 1280-94 § 1; Ord. No. 1288-94 § 2)

5-12.6 Transferability.

A license may be transferred from one (1) machine to another by giving notice to the Township Clerk to that effect and giving a description of the new machine. A license may be transferred from one (1) place to another by giving notice to the Township Clerk to that effect and supplying the required information as to the new premises. (1972 Code § 6-13.6)

5-12.7 Location.

- a. No mechanical **amusement** device shall be placed, maintained, operated or used at any location set forth in subsection 5-12.3 within two hundred (200) feet of a public or private elementary or secondary school during the hours of 7:00 a.m. to 3:30 p.m. on Mondays through Fridays when schools are in session.
- b. The distance shall be measured from the property line to property line at the nearest point of any school referred to in paragraph a. above. (1972 Code § 6-13.7; Ord. No. 1200-93 § 1)

5-12.8 Regulations.

- a. Premises on which mechanical **amusement** devices are located shall be so arranged as to permit a clear view of the interior from the exterior at all times.
- b. No operator shall knowingly permit any person convicted of a crime involving moral turpitude to be associated with him or her in the ownership or management of the business or to be in his or her employ or to loiter on the premises.
- c. No operator shall offer or permit to be offered any prizes or awards, whether in cash or otherwise, as an inducement to use mechanical **amusement** devices except for trophies or plaques or items of a similar nature of nominal value.
- d. No operator shall permit any minor under the age of sixteen (16) years unaccompanied by a parent or guardian to remain on the premises after 10:00 p.m.
- e. No operator shall permit any activity which is illegal or immoral or which creates an undue amount of noise or a danger of a breach of the peace to occur on the premises. (1972 Code § 6-13.8)

5-12.9 Gambling Devices.

Nothing in this section shall be construed to authorize any gambling device of any kind whatsoever, including any device that dispenses any kind of payoff or reward, or any device that has been judicially determined to be a gambling device or declared to be a gambling device under any law of the State of New Jersey. If the Chief of Police has reason to believe any mechanical **amusement** device is used as a gambling device, he or she shall cause that machine to be seized and impounded. If after trial it is determined that the machine was in fact being used as a gambling device, it shall be destroyed and the license of the operator or distributor shall be revoked. Revocation of license and seizure of machine are in addition to any other penalty which may be imposed for a violation of this section. (1972 Code § 6-13.9)

5-12.10 Juke Boxes.

- a. *Application of Regulation.* This subsection shall apply to those machines located in commercial establishments which play music automatically upon the insertion of a coin, slug, token, plate, disc or key, and which are commonly known as juke boxes.
- b. *License Required.* No owner of a juke box shall permit such machine to be used within the Township without first obtaining a license and paying the required fee for each machine.
- c. *Issuance of License.* The Township Clerk shall issue licenses and collect license fees from owners of juke boxes upon application being made on forms supplied by the Township Clerk and upon the payment of the requisite fee.
- d. *Fee.* Owners shall pay a license fee of fifty (\$50.00) dollars per machine per year at the time of applying for a license from the Township Clerk.
- e. *Penalty.* For violation of any provision of this subsection, penalties shall be in accordance with Chapter I, Section 1-5.
(1972 Code § 6-13; Ord. No. 340-74 § 1; Ord. No. 342-74 § 1; New; Ord. No. 470-78 § 1; Ord. No. 594-80 § 1; Ord. No. 696-83 §§ 1-3; Ord. No. 1289-94 § 1)