

## Chapter 6

### AMUSEMENT GAMES

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HISTORY: Adopted by the Mayor and Borough Council of the Borough of Seaside Park 3-16-1962 as Ordinance No. 606. Amended 12-29-1969 by Ord. No. 663; 7-14-1977 by Ord. No. 756; 12-16-1982 by Ord. No. 856; 5-19-1983 by Ord. No. 875; 5-16-1985 by Ord. No. 931; 3-15-1990 by Ord. No. 1087; 11-19-2001 by Ord. No. 1285; 12-20-2001 by Ord. No. 1291.

GENERAL REFERENCES: See Chapter 37 (Games of Chance); Chapter 43 (Mercantile Licenses).

*Be it ordained by the Mayor and Borough Council of the Borough of Seaside Park, in the County of Ocean and State of New Jersey, as follows:*

#### §6-1. Amusement area described.

It is hereby determined, declared and found that this municipality constitutes a seashore resort with parts thereof customarily constituting an amusement or entertainment area according to the customary understanding of said terms in the community, and which said parts thereof are more particularly described as follows: All of the lands located within the area bounded on the north by the center line of Porter Avenue and the said center line extended in an easterly direction; on the south by the center line of Stockton Avenue and the said center line extended in an easterly direction; on the west by the easterly side of Ocean Avenue; and on the east by a line running parallel to and five hundred (500) feet easterly from the high-water mark of the Atlantic Ocean.

#### §6-2. License required.

It shall be unlawful for any person, firm or corporation to own or operate within this municipality any

amusement game or games, as said terms are defined by said "Amusement Games Licensing Law" (Chapter 109, P.L. 1959)<sup>1</sup> whether said game or games are of skill or chance, or both, and whether said game or games be played and operated with or without numbers or figures, without first having obtained a license from the Mayor and Council of the Borough of Seaside Park so to do. Said license shall be issued pursuant to and subject to the provisions of "Amusement Games Licensing Law" (Chapter 109, P.L. 1959).

#### §6-3. Application for license.

Each applicant for a license shall file with the Municipal Clerk a written application in such form as prescribed by and in accordance with said Amusement Games Licensing Law, as amended and supplemented, and the rules and regulations promulgated by the Amusement Games Control Commissioner of the State of New Jersey.

<sup>1</sup> EDITOR'S NOTE: N.J.S.A. 5:8-100 et seq.

**§6-4. Fee schedule.**

*Amended 12-29-1969 by Ord. No. 663  
12-16-1982 by Ord. No. 856; 5-19-1983 by Ord. No. 875  
5-16-1985 by Ord. No. 931; 3-15-1990 by Ord. No. 1087 11-  
19-2001 by Ord. No. 1285*

The fee for an amusement game license shall be six hundred fifty dollars (\$650.).

**§6-5. Loud noises; amplifiers.<sup>2</sup>**

No loud sounds or noise shall emanate from buildings where the aforesaid games are conducted, and all amplifiers must face inside the building so that the sound will be modified and will not be heard outside of the building.

**§6-6. Identification card; fee.**

Each applicant and applicant employee shall pay a fee of one dollar (\$1.) for fingerprinting, registering and issuance of identification cards under the rules and regulations promulgated by the Amusement Games Control Commissioner for each licensee and employee of said licensee.

**§6-7. Control and supervision.**

The Mayor and Council of the Borough of Seaside Park shall have and exercise control and supervision over all amusement games held, operated or conducted under such license, with all the powers authorized or granted to it under the Amusement Games Licensing Law and all amendments and supplements thereto and the rules and regulations of the State Amusement Games Control Commissioner.

**§6-8. Forfeiture of license.**

In the event that any licensee shall violate any of the provisions of this ordinance or the Amusement Games Licensing Law or the rules and regulations promulgated by the State Amusement Games Control Commissioner or the terms of such license, such licensee shall be a disorderly person and, if convicted as such, shall, in addition to suffering any other penalties which may be imposed, forfeit any license issued to said licensee under this ordinance.

**§6-9. Violations and penalties.**

*Amended 7-14-1977 by Ord. No. 756  
12-20-2001 by Ord. No. 1291*

Any person, firm or corporation violating any of the provisions of this ordinance shall be subject by the Municipal Court to a penalty not to exceed one thousand (\$1,000.) dollars or to imprisonment not to exceed ninety (90) days, or both. Each day that a violation exists shall be considered a separate offense. In addition, the governing body shall have the powers of suspension and revocation of any such license as provided for herein.

**§6-10. Severability.**

If any portion of this ordinance shall be determined to be unconstitutional, then the same shall not affect the remainder of said ordinance.

**§6-11. Inconsistent ordinances repealed.**

All ordinances or parts of ordinances inconsistent herewith be and are hereby repealed but only to the extent of such inconsistencies.

**§6-12. When effective.**

This ordinance shall take effect upon final passage and publication as provided by law.

<sup>2</sup> EDITOR'S NOTE: See Chapter 48 (Noise).