

**ORDINANCE NO. 2438**

**AN ORDINANCE AMENDING CHAPTER 5, SECTIONS 5-1.2 and 5-1.3  
OF THE CODE OF THE BOROUGH OF ROSELLE PARK  
REGARDING NUMBER OF LICENSES PER PREMISES LIMITED**

**BE IT ORDAINED** by the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey that Chapter V, Section 5-1.2 and 5-1.3 of the of the Borough Code is hereby amended as follows:

**SECTION 1.**

**5-1.2 Licensing Fees; Exemption.**

a. *Licensing Fee.* The Municipal Clerk shall be paid annually the sum of two hundred and fifty (\$250.00) dollars for each amusement, entertainment machine or device installed on any premise up to a total of five for a period of one year or any part thereof; for all amusement, entertainment machine or device licenses in any one location in excess of five up to a maximum of 15 (i.e., the next 10 amusement, entertainment machines or devices), the fee shall be the sum of \$125.00 each for the same period as herein above stated.

b. *Exemption from Payment of Fees.* Any subdivision of the Borough of Roselle Park or the Board of Education shall be exempt from the payment of any fees set forth herein, upon application by the subdivision or by the Board of Education to the Governing Body for this exemption. (1980 Code § 78-2; New)

**5-1.3 Number of Licenses Per Premises Limited**

There shall be permitted no more than one (1) amusement or entertainment machine or device for each one hundred fifty (150) square feet of a public area up to a maximum number of fifteen (15) machines or devices per licensed premises. The public area shall be deemed not to include any area used for storage, kitchen, office, counter, walks, alleys, drive and parking facilities or such other areas contained within the premises to which the public is not customarily invited or permitted to occupy. The Construction Official shall determine the maximum number of square feet in each prospective licensed premises which is subject to this section. Premises holding plenary retail consumption licenses and heretofore licensed for video games and/or amusement games are specifically excluded from the square footage requirements of this section and shall be entitled to hold at least the same number of licenses as they held prior to the enactment of this section. (1980 Code § 78-3; New)

**SECTION 2.** If any section or portion of a section of this Code shall be invalid for any reason, such invalidity shall not affect the validity of the remaining sections or portions of this ordinance.

**SECTION 3.** All ordinances or parts of ordinances, to the extent that they are inconsistent herewith, are hereby repealed.

**SECTION 4.** This amendment to the Code of the Borough of Roselle Park shall become effective upon publication and in accordance with law.

Introduced: April 16, 2015

Adopted:

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Mayor

Attest: \_\_\_\_\_  
Borough Clerk