

Chapter 9

Regulation and Licensing of Amusement Arcades

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Sec. 7-9-1 Definitions.

The following definitions shall be applicable in this Chapter:

- (a) **Amusement Arcade.** Any premises or arcade operated by any organization, whether incorporated or not, which is the owner, lessee or occupant of a building whose primary purpose or object of its existence or operation is that of providing "amusement devices" to the public at retail, and/or any premises operated by any organization, whether incorporated or not, which is the owner, lessee or occupant of a building, the majority of whose gross receipts are derived from the providing of "amusement devices" to the public at retail or where six (6) or more amusement devices are located.
- (b) **Amusement Device.** Any table, platform, mechanical device or apparatus operated or intended to be operated for amusement, pleasure, test of skill, competition or sport, the use or operation of which is conditioned upon payment of a consideration either by insertion of a coin or token in a slot or otherwise. Such amusement device shall include, but not be limited to, devices commonly known as baseball, football, basketball, hockey, pinball, shuffleboard, ray guns bowling games, bumper games, skiball, electronic video games, and shall also include billiard tables and pool tables (whether coin operated or not). Such definition does not include a bowling alley, juke box or other coin-operated music machine or a mechanical children's amusement riding device.

Sec. 7-9-2 Amusement Arcade License.

- (a) **License Required.** No person, firm or corporation shall operate or keep an amusement arcade as defined herein without having obtained and posted on the premises, in plain view, a license to operate such arcade. Application shall be made to the City Clerk on the

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form provided by such office, accompanied by an application fee of Five Dollars (\$5.00) which shall cover the cost of processing the application and shall be nonrefundable. The application shall set forth the following information:

- (1) The name and address of the applicant or, if a partnership, the name and addresses of all the partners or, if a corporation, the names and addresses of the principal officers and registered agent thereof, and the name and address of the person who will supervise the game room.
 - (2) The name and addresses of the owners of the amusement devices to be located on the licensed premises, if such others are different from that of the applicant. If the owner of the amusement devices is a partnership, the names and addresses of all the partners or, if a corporation, the names and addresses of the principal officers and registered agent thereof.
 - (3) A building plan of the premises to be licensed specifically describing and otherwise showing all dimensions, indicating the intended division of floor space, exits and entrances, the areas to be used for amusement devices, and the common aisles.
 - (4) A site plan of the premises to be licensed which shall include the proposed landscaping for the subject premises, and all the improvements, parking and driveway areas, and landscaping located on property adjacent to and within twenty (20) feet of the property lines of the premises to be licensed.
 - (5) If the applicant operates other game rooms in other areas, the names and addresses of such other licensed establishments.
 - (6) Such application shall also contain such additional information as the City deems necessary to assist it in determining the qualifications of the applicant for such license.
- (b) **Inspection.** The City Clerk shall notify the Chief of Police and Building Inspector of each new application for license and these officials shall inspect or cause to be inspected each application and the premises, together with such other investigation as shall be necessary to determine whether the applicant and the premises sought to be licensed comply with the regulations, ordinances and laws applicable thereto, including those governing sanitation in restaurants, and whether the applicant is a proper recipient of a license. The Chief of Police and Building Inspector shall furnish to the Common Council in writing the information derived from such investigation, accompanied by a recommendation as to whether a license should be granted or refused. No license shall be renewed without a re-inspection of the premises and report as originally required.
- (c) **Public Hearing.** The application shall be forwarded to the Common Council which shall hold a public hearing prior to the granting or denial of any amusement arcade license. In reviewing each application, the Common Council shall find:
- (1) That the establishment, maintenance or operation of an amusement arcade at the location requested will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.

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- (2) That the proposed amusement arcade will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose already permitted, nor substantially diminish and impair property values within the neighborhood.
 - (3) That the establishment of the amusement arcade will not impede the normal orderly development and improvement of the surrounding property for uses permitted in the district.
 - (4) That adequate measures have been or will be taken to maintain good order surrounding the location thereof.
- (d) **Issuance of License; Term.** The City Clerk shall issue a license upon approval of the application by the Common Council upon the payment by the applicant of an annual license fee of Five Dollars (\$5.00). All licenses issued herein shall be for one (1) year ending on the 30th day of June and shall not be transferable.

Sec. 7-9-3 Hours of Operation for Amusement Arcades.

No premises for which an amusement arcade license has been issued shall be permitted to remain open for the offering of electronic amusement devices to the public at retail between the hours of 11:00 p.m. and 8:00 a.m.

Sec. 7-9-4 General Requirements for Amusement Arcades.

The following general requirements shall apply to all amusement arcades licensed in accordance with this Chapter:

- (a) All amusement arcades shall have a supervisor, age eighteen (18) or older, on the premises at all times in which the game room is open to the public.
- (b) Every amusement arcade shall provide an adequate area and number of bicycle racks for the orderly parking of bicycles, as determined by the Common Council, which area shall be separate from a required vehicle parking stall and shall be so located so as to not occupy any portion of a public sidewalk or to otherwise obstruct pedestrian passage to and from the premises.
- (c) Game rooms licensed herein shall comply with all other building, fire code and applicable City laws and regulations.
- (d) All arcades shall post rules of non-acceptable patron conduct.

Sec. 7-9-5 License Revocation.

Licenses may be revoked by the Common Council after notice and public hearing in the event an amusement arcade's location or operation fails to conform to standards provided in this Chapter or violates any other provision of the Code of Ordinances.