

ORDINANCE NO. 348

AN ORDINANCE REQUIRING PERMITS FOR PERSONS OWNING, OPERATING, CONTROLLING, HAVING AN INTEREST IN OR MANAGING SOCIAL GAMES WITHIN THE CITY OF BROOKINGS, ESTABLISHING PERMIT FEES THEREFOR, AND DECLARING AN EMERGENCY.

The City of Brookings does ordain as follows:

Section 1. DEFINITION.

"Social Games" shall include, but not be limited to, the following items, devices, and operations:

(a) "Mechanical amusement devices" herein being defined as each machine which, upon the insertion of a coin, trade-token or slug, operates or may be operated as a game or contest of skill or amusement of any kind or description, whether or not such contains an automatic payoff device for the return of money or trade-token or slugs, or which makes no provision whatever for the return of money to the player. A "mechanical amusement device" is hereby further defined as any machine, apparatus, or contrivance which is used or which may be used as a game of skill and amusement wherein or whereby the player initiates, employs or directs any force generated by the machine. The term "mechanical amusement device" is also hereby defined to be and shall include each machine vending recorded music or a period of radio or television entertainment in return of the insertion or deposit therein of a coin, or of trade-tokens or slugs; provided, however, that this does not include coin-operated radios or television sets in private quarters, or commercial lodging establishments. A "mechanical amusement device" shall be construed to include all novelty games that will not give more than 15 free plays, juke boxes, pool tables, and such like commercial social game devices; and.

(b) Black jack, poker and other such card and gaming tables operated as a private business, in a private club or commercial establishment, or a place of public accommodation permitting social games between players at such place as defined by Ordinance 252.

Section 2. PERMIT.

It shall be unlawful for any person, firm, or corporation to install, operate or maintain any such above defined social games or amusement devices without having first obtained a permit for such purpose from the City of Brookings. Applications therefore shall be made to the City's Finance Director. No permit shall be granted except to a person of good character and upon payment of the fee set forth herein. In addition, no application shall be considered prior to said applicant having obtained a business license under the appropriate ordinance of the City of Brookings then in effect.

Section 3. FEE.

A fee is prescribed for each social game or amusement device above defined as follows:

(a) Juke boxes, pool tables, novelty games and other such "mechanical amusement devices":

\$ 25.00 per year. (Twenty Five Dollars)

(b) Black jack, poker and other such card and gaming tables as well as their counter part coin operated amusement devices:

\$150.00 per year. (One Hundred Fifty Dollars)

Section 4. PLAIN VIEW.

All such games or devices shall at all times be kept and placed in plain view of any person or persons who may frequent or be in any place of business where such devices are kept or used.

Section 5. REVOCATION OF PERMITS.

(a) Any permit issued pursuant to the provisions of this ordinance may be revoked upon violation of the provisions of Ordinance No. 252.

(b) Prior to revocation of a permit, a hearing shall be held by the City Council following ten days' written notice of proposed revocation to the holder of the permit.

Section 6. REPEAL.

City of Brookings Ordinance No. 256 is hereby repealed in its entirety.

Section 7. EMERGENCY CLAUSE.


It is hereby determined that it is in the interest of public welfare, peace and safety of the City of Brookings that this ordinance be immediately adopted because the contents of this ordinance was approved by the Brookings City Council more than six weeks prior to the first reading hereof and persons affected hereby are in the process of making application for permits, and an emergency is therefore declared to exist, and that this ordinance shall be in full force and effect from and after the date of its passage.

First Reading: November 11, 1980

Second Reading: By Title Only-11/11/80

Passage: November 11, 1980

Signed by me in authentication of its passage this 11th day of
November, 1980.



Mayor

ATTEST:



City Recorder