

ORDINANCE NO. 49

AN ORDINANCE REGULATING AND LICENSING AMUSEMENT AND VENDING MACHINES AND DEVICES IN THE TOWN OF TROUTDALE, PROVIDING PENALTIES, REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH, AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE TOWN OF TROUTDALE:

SECTION 1. In order that amusement be conducted in the Town of Troutdale in a peaceful and law-abiding manner, it is necessary that the Town provide such services as police and fire protection, streets, sidewalks, water and lighting. For the efficient administration of such services, it is necessary that amusement in the Town be regulated and licensed, and that license fees be fixed and levied for the purpose of providing and financing such licensing and regulation.

SECTION 2. As used herein, the term "person" shall include any person, firm, partnership, corporation, or association. The term "device subject to license" shall include any device mentioned in Section 4 of this Ordinance.

SECTION 3. No person shall possess or receive any proceeds from a device subject to license in the Town of Troutdale unless he shall have first obtained a license therefor as herein provided, and paid to the City Recorder the license fee herein prescribed.

SECTION 4. The license fee shall be as follows:

<u>Device Subject to License</u>	<u>Fee per Month</u>
Pinball machine	\$ 10.00

SECTION 5. The agent of a non-resident person possessing or receiving any proceeds from a device subject to license shall be liable for the license fees levied and penalties provided by this Ordinance to the same extent as such non-resident person.

SECTION 6. If a person possesses or receives any proceeds from more than one device subject to license in the Town, then he shall first obtain a license for each such device subject to license.

SECTION 7. Licenses shall be issued to be effective on a calendar month basis. The license fee for any portion of a month shall be the same as for a full month. Application for a license shall be made to the City Recorder, who shall issue a license upon a proper application and upon receipt of the license fee. The application shall be signed by the applicant or his agent, and shall set forth the following:

- a. Device sought to be licensed, with make, model and serial number;
- b. Name of applicant;
- c. Name of agent making application, if any;
- d. Location of device in the Town.

The license, when issued, shall be signed by the City Recorder, and shall state the name of the licensee, the device subject to license, with make, model and serial number, the effective dates of the license, and the license fee paid.

SECTION 8. The person licensed shall display his license in a convenient place at the location of the device subject to license, and shall exhibit the same upon demand to any officer of the Town. A license shall not be assignable or transferable, except with the device licensed.

SECTION 9. The various officers and agents of the Town are hereby empowered and directed to investigate and examine the location of devices

subject to license within the Town, at reasonable times, to determine whether such location is a menace to public health, safety or morals. Any officer finding such a condition shall immediately report the same to the Common Council.

SECTION 10. Nothing herein shall be deemed to vest any right in any licensee. Any license fee may be decreased or increased, and devices may be reclassified, by appropriate action of the Common Council. If a licensee possesses or operates his device in violation of any law or Ordinance, he shall be subject to penalty to the same extent as if no license had been issued him.

SECTION 11. The license fees provided in this Ordinance shall be in addition to any general taxes now or hereafter levied.

SECTION 12. Any person who shall violate any provision of this Ordinance, or who shall make any knowingly false statement in the application provided in Section 7 of this Ordinance, shall upon conviction thereof be punished by a fine not to exceed \$50.00, or by imprisonment not to exceed 10 days, or by both such fine and imprisonment. Each day of unlicensed possession of a device subject to license shall be a separate violation of this Ordinance.

SECTION 13. In addition to the penalties provided in Section 12 of this Ordinance, a person who violates Section 3 of this Ordinance shall be and remain liable to the Town for the license fee applicable to his device for the period for which he failed to obtain a license, and in any action for the recovery thereof, he shall be liable also for costs, interest and reasonable attorney fees.

SECTION 14. This Ordinance shall take effect January 1, 1958.

SECTION 15. If any part of this Ordinance is declared invalid, such judgment shall not effect any of the other provisions hereof.

Passed by the Common Council of the Town of Troutdale this 12 day of Nov, 1957.

YEAS: 3

NAYS: 0

Signed by the Mayor this 12 day of Nov, 1957.

Walter W. Rowland
MAYOR

ATTEST:

Jessie Overstad
RECORDER