

ORDINANCE NO. 716-A

Introduced by Commissioner Leslie W. NEWTON

AN ORDINANCE AMENDING ORDINANCE NO. 183-A BY DEFINING "COIN-OPERATED AMUSEMENT DEVICE;" ELIMINATING THE MINIMUM AGE REQUIREMENT; INCREASING LICENSE FEES; PROVIDING FOR A \$1,000.00 MASTER LICENSE; SETTING SEPARATE LICENSE FEE FOR JUKE BOX.

The City of Warrenton ordains as follows:

Ordinance No. 183-A is amended as follows:

Section 1. Coin-operated Amusement Device Defined. As used herein, the term "coin-operated amusement device" shall include the following:

(a) Any game, machine or device, whether mechanical, electronic or electrical, which is operated by inserting or depositing a coin or slug therein for the principal purposes of entertainment and/or amusement of the player. Specifically included are all pinball machines, video games, including poker, blackjack and electronic contests of skill, such as "Space Invaders," etc., pool tables, shuffleboard and foosball, and kiddie rides, music and/or juke boxes. Specifically excluded from this definition are vending machines which dispense soft drinks, food or tobacco products.

Section 2. Section 1 of the Ordinance No. 183-A be and the same is amended as follows:

Section 1. That the operation and/or maintenance of coin-operated amusement devices, (pinball machines--tables or boards--, merchandise machines known as grab machines and similar devices, also music boxes or machines which are operated by inserting or depositing a coin or slug), are hereby declared to be offensive to the public welfare and, in the judgment of the city commissioners, the public good requires such to be licensed and regulated.

Section 3. Section 2 of the Ordinance No. 183-A be and the same is amended as follows:

Section 2. It shall be unlawful for any person to operate or permit the operation or playing of any (pinball machine--table or board-- or grab machines or music boxes, in which coins or slugs are inserted or deposited, or similar device or game), coin-operated amusement device without first obtaining a license therefor in the manner as hereinafter provided.

The term "person" used in this ordinance shall mean any firm, individual or corporation.

Section 4. Section 3 of the Ordinance No. 183-A be and the same is amended as follows:

Section 3. Any person desiring to obtain a license (to operate or maintain a pinball machine--board or table--grab machine or similar device or game, or music box) for a coin-operated amusement device shall make application therefor to the auditor and police judge in the City of Warrenton on blanks provided for that purpose, and shall describe the place of business and premises where such (machine or device) coin-operated amusement device is to be operated and/or maintained and the number of such (machines or devices) coin-operated amusement devices, and such application shall be signed by such applicant.

Section 5. License Fee.

1. Coin-operated amusement device fees are as follows:

(a) \$120.00 for each coin-operated amusement device, excepting music or jukeboxes for each calendar year or any fraction thereof. Said fee shall not be prorated but shall be paid in full for any portion of a year in which the device is located in the city. However, for the calendar year 1981, the license fee for each coin-operated amusement device shall be \$60.00

(b) The owner of coin-operated amusement devices may license up to a maximum of ten (10) devices for \$1,000.00 per annum. Devices in excess of ten (10) shall be licensed at the rate of \$120.00 per annum for each device.

(c) Music/ ^{boxes} kiddie rides: \$25.00 per calendar year or fraction thereof.

(d) License fees are due by January 10, of each calendar year.

Section 6. All licenses herein provided for shall be paid in cash in advance before the license for such device shall be issued.

Section 7. Upon the payment of such license fee, the auditor and police judge shall issue to such applicant, as authorized by the city commission of the City of Warrenton, a license for each device so licensed for a period not to exceed December 31 of the year issued. It shall be the duty of the licensee to post and keep posted, on each device so licensed, the license therefor as issued by the auditor and police judge of the City of Warrenton. Said license may be transferred from one device to another for the calendar year.

Each licensee shall make a report between the 1st and 15th of April, the 1st and 15th of July and the 1st and 15th of October of each year of the location of said devices and any transfers which have occurred. Said report shall be verified.

Section 8. Section 7 of the Ordinance No. 183-A be and the same is deleted.

Section 9. Section 9 of the Ordinance No. 183-A be and the same is deleted.

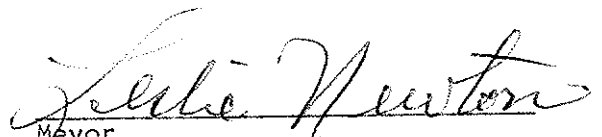
Section 10. Section 10 of the Ordinance No. 183-A be and the same is amended as follows:

Section 10. Any person violating the provisions of this ordinance shall, upon conviction thereof in the municipal court, be punished by a fine not exceeding (\$300.00) \$1,000.00, or by imprisonment in the city jail for a period not exceeding 100 days, or by fine and imprisonment.

Section 11. If any articles, sections, subsections, subdivision, phrase, clause, sentence or word in this ordinance shall for any reason be held invalid or unconstitutional by a court of competent jurisdiction, it shall not nullify the remainder of the ordinance, but shall be confined to the article, section, subsection, subdivision, clause, sentence or word so held invalid or unconstitutional.

Passed by the City Commission of the City of Warrenton, Oregon this 2nd day of September 1981.

Examined and approved by the Mayor of the City of Warrenton, Oregon, this 2nd day of September 1981.


Mayor

ATTEST:

Auditor and Police Judge