

6/3/47

ORDINANCE BILL NO. 5 1947

ORDINANCE NO. 642

A BILL FOR:

AN ORDINANCE DEFINING, REGULATING AND TAXING CERTAIN AMUSEMENT MACHINES IN LEBANON, OREGON. PROHIBITING CERTAIN PRACTICES INCLUDING THE OPERATION OF SUCH MACHINES BY MINORS: PROVIDING FOR THE SEIZURE AND DISPOSITION OF UNTAXED MACHINES: PROVIDING PENALTY FOR THE VIOLATION HEREOF AND DECLARING AN EMERGENCY.

THE PEOPLE OF THE CITY OF LEBANON, OREGON, DO ORDAIN AS FOLLOWS:

Section 1. The words "amusement machines" as used in this ordinance shall mean and include every machine, device, contrivance and apparatus of whatever kind, nature or description operated or played by the use of coins, merchandise tokens, slugs, or chips, excepting therefrom automatic merchandise vending machines, telephones, meters and machines producing only music, provided that nothing in this ordinance shall be deemed to provide for the taxing of devices prohibited by law.

Wherever the word "person" appears in this ordinance shall be known to mean and include a natural person, persons, firm, corporation or co-partnership and the singular number shall include the plural.

Section 2. It shall be unlawful for any person to place in operation any amusement machine in Lebanon, Oregon, where the same may be played by the public without having paid the tax therefor as herein required.

Section 3. The tax stamp required for amusement machines by this ordinance shall be issued by the Recorder only upon the written application of the operator of the game, device or equipment to be taxed, which application shall contain the following:

- (a) A description of the game, device or equipment to identify it, including any manufacturer's serial number;
- (b) The name of the applicant, with a statement that he operates the game, device or equipment to be taxed;
- (c) The location of the place where such game, device or equipment may be found;
- (d) The date of the application;
- (e) The period for which the tax is to run;
- (f) The amount of money tendered for the tax; and
- (g) The signature of the applicant.

Such applicant shall pay a monthly tax to the City of Lebanon, Oregon, for each machine in the sum of Twenty-five Dollars per month or major portion thereof; said tax to be paid in advance.

Section 4. It shall be unlawful for any person to make any false statement in any application for any license issued under this ordinance, regardless of the materiality thereof.

Section 5. The Recorder shall issue a signed sticker or stamp which shall have plainly stated thereon the name of the owner or operator, the amount of tax paid, a brief description of the game, device or equipment taxed, the street address of the premises where space is leased to the operator for the operation of such amusement machine, and the date of the expiration of such tax period. The owner or operator shall forthwith affix such sticker to the equipment so taxed so that it may be in plain view of the public, and it shall be unlawful for any person to operate or maintain for operation, within the City of Lebanon, any game, device or equipment required to be taxed by this ordinance unless the same shall have such sticker affixed.

Section 6. Any amusement machines operated in the City of Lebanon without being tagged as hereinbefore provided shall be held as evidence against the operator thereof, and thereafter disposed of in such manner as shall be directed by the Recorder's Court, either by destruction or sale thereof, and the proceeds, if any, from the sale thereof shall be the sole and exclusive property of the City of Lebanon. The foregoing remedy is not exclusive, but may be in addition to any other penalties herein provided for violation of this ordinance.

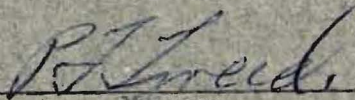
Section 7. This ordinance shall not be construed to permit the operation of slot machines, or devices wherein a slot machine constitutes the principal operation, or any device which may be prohibited from operation by the laws of the State of Oregon or any ordinance of the City of Lebanon relative to gambling and or slot machines.

Section 8. It shall be unlawful for the operator of any such amusement machine so taxed to permit minors under the age of 21 years to play the same, or for such minor so to do.

Section 9. Any person violating any of the provisions of this ordinance shall upon conviction thereof in the Recorder's Court, be punished by a fine of not more than Twenty-five (\$25.00) Dollars for the first violation and not more than Fifty (\$50.00) Dollars for any subsequent violation hereof.

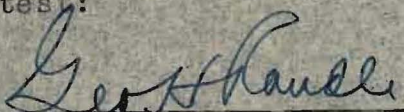
Section 10. Pin ball games having been installed and put to operation in the City of Lebanon without any city tax thereon existing and the same requiring regulation, this ordinance is necessary for the preservation of the peace, health, and safety of the people of the city of Lebanon and shall be in full force and effect from and after its passage by the council and approval by the mayor.

Passed by the Council and approved by the Mayor June 3, 1947



Mayor

Attest:



City Recorder