

CITY OF SHERWOOD, OREGON

ORDINANCE NO. 741

AN ORDINANCE AMENDING ORDINANCE NO. 124 REGARDING LICENSING AND REGULATING PINBALL GAMES, GAME TABLES, ELECTRONIC AND OTHER GAME DEVICES INVOLVING AN ELEMENT OF SKILL

The City of Sherwood does ordain as follows:

Section 1. Ordinance No. 124, enacted April 13, 1937, be and the same is hereby amended to read as follows:

Section 1. Wherever the word "person" appears in this ordinance, it shall mean and include a natural person, a firm, a corporation or co-partnership, and the singular number shall include the plural and the masculine gender the feminine and neuter, and vice versa in each case.

Wherever the word "proprietor" is used herein it shall mean any person, firm, corporation, partnership or other entity having on its premises any game, machine, or device herein described.

Section 2. Any proprietor having or desiring to locate for use and operation in the city of Sherwood any pinball game, electronic game, pool tables, game tables, or other game, device or machine, the playing or operation of which involves an element of skill, shall make written application for license to do so, and file the same with the city recorder. Such application shall show the name, address and place of business of the applicant, a description of the machines, devices or game sufficient to identify the same, and the total number of such machines, devices or games desired to be covered by the application, and shall also set forth the addresses and locations of the places where the applicant desires to place or locate such tables, machines, devices or games.

The application shall be accompanied by deposit of one-quarter's license fee for each machine, device or game as set forth in the application. Such application filed with the recorder shall be referred by the recorder to the city council.

Section 3. The city council shall investigate the applicant and the machines, devices or games he desires to have licensed and the places the applicant desires to place or locate such machines, devices or games. If upon investigation the city council shall approve the granting of the licenses applied for, they shall return the application to the recorder with its endorsement of approval, and the recorder shall thereupon issue the necessary license as approved. However, the city council may, in its discretion, approve such

application for a lesser number of machines, devices or games than the number set forth in the application and shall in such case return the application to the recorder with its approving endorsement of number of machines, devices or games approved, and thereupon the recorder shall issue a license as provided herein. In case the proprietor does not desire a license for the reduced number of machines, devices or games, the deposit by him made at the time of filing his application shall be returned to him by the recorder. If the applicant accepts the license for the reduced number of machines, the recorder shall return to him the deposit covering the number of machines, devices or games rejected by the council. When any application is rejected or disapproved by the council, they shall return the application to the recorder, with its endorsement or disapproval, and the recorder shall thereupon return the applicant his deposit. The council may in its discretion reject any or all applications for any reason or cause deemed sufficient by the council.

Section 4. The proprietor's license shall be issued for a period of one calendar year, and the license fee shall be \$25.00 for each machine, device or game hereinbefore mentioned, placed or located as hereinbefore provided, which \$25.00 fee shall license the operation of each machine for the period from January 1 through December 31 of each year, and such license must be renewed every year if the proprietor desires to continue the same. In the event the proprietor applies after July 1 of the current license year, the license fee for the balance of the license year shall be one-half the annual license fee.

Section 5. At the time the recorder issues the proprietor's license as hereinbefore provided, he shall issue to the licensee a written permit for all of the machines, devices or games licensed and written permit shall be securely posted, in a conspicuous location, to the premises where the games, machines or devices are located.

Section 6. It shall be unlawful to maintain, keep or operate on the premises any such machine or device in condition or position that the same may be operated, played or used unless first a license and a permit issued pursuant hereto for such machine or device has been posted in a conspicuous place on the premises. It shall be a violation of this ordinance for the owner, licensee or person in charge of any place or premises in the city of Sherwood to permit the use or operation of any such machine or device or game in his place or upon his premises unless such machine or device has been licensed hereunder.

Section 7. The city council of the city of Sherwood hereby reserves the right to revoke any and all licenses issued hereunder at its discretion, either with or without notice to the licensee; provided that if such revocation is made without notice, the unexpired portion of the license therefor paid for shall be refunded or shall be deposited with the recorder to the credit of the licensee.

744

Section 8. Any person violating any provisions of this ordinance shall upon conviction thereof be punished by a fine of not to exceed \$250 for each machine, game, or device on the premises in violation of this ordinance.

Section 2. Inasmuch as machines, games, and devices are currently being used in the city of Sherwood and these amendments are necessary for the immediate preservation of the public good, health, peace and safety, an emergency is hereby declared to exist and this ordinance shall be effective immediately upon its passage by the council and approval by the mayor.

ENACTED:

By vote of the City Council this 10 day of June, 1981, after being read in caption three times.

Pally Blankenbaker  
City Recorder

APPROVED:

By the Mayor, this 10 day of June, 1981.

Clyde R. Sitt  
Mayor