

## CHAPTER 9

### LICENSES

#### ARTICLE XV. PINBALL AND SIMILAR MACHINES

##### Sec. 9-1500. LICENSE REQUIRED.

No person, firm, corporation or association shall maintain or keep within the city in any part of a place of public resort or in any part or premises occupied or controlled by him, a place of amusement wherein is placed, maintained or kept for the use on such premises any machine, apparatus or device, whether one or more, into which may be inserted a piece of money or other object for which money is paid or for the operation of which payment is required to be made and which a person may operate by the application of physical or mechanical force as a game or contest by attempting to make a score or to reach a standard, when the score or standard attained is the result in a substantial measure or skill, unless such person, firm, corporation or association has been licensed by and paid a license fee to the city hereinafter provided.

##### Sec. 9-1501. APPLICATION FOR LICENSE; STATE LICENSE REQUIRED.

(a) All applicants must show their current valid state license for each machine for which license application is made. The applicant must also describe the machines, apparatus or devices to be used, state their number and where they will be kept, operated and maintained and such additional information as may be required. The state license(s) is a mandatory prerequisite.

(b) Applications for such licenses for the maintenance and operation of such places of amusement shall be made in writing to the City Council at the office of the City Clerk upon blanks prepared by him and furnished for that purpose and shall be signed by the applicant. Each application shall contain a statement of the name, place of residence and address of the applicant, whether he is a principal or agent and if an agent, the name of his principal, and if a principal, the names of all persons actively associated with him as principals, a brief description of the location where such place of amusement is to be maintained and operated, a description of the machines, apparatus or devices which the applicant proposes to place, maintain and keep for use in such location and the number of each kind for the keeping and operating of which in such place of amusement he requests a license and such additional information as the City Clerk may require.

##### Sec. 9-1502. LICENSE FEE.

An annual license fee for such place of amusement of one hundred dollars (\$100.00) for each such machine placed, maintained and kept in such place of amusement for the use and amusement of the public shall be paid to the City by each person, firm, corporation or association for the right to maintain and operate such place of amusement wherein such machines are placed, maintained and kept for public use.

Sec. 9-1503. ISSUANCE OF LICENSE.

When the City Council approves an application, the City Clerk shall issue the license for which such application is made. Such license shall specify the kinds of machine and the number of each kind that the applicant is licensed to keep in such place of amusement, specify the location and rooms where such machines may be maintained and operated and shall be in force and effect to and including the 31<sup>st</sup> day of December next following the date thereof. The City Council may reject an application in case they find upon investigation and hearing after due notice to the applicant that the issuing of such license will not conduce to the public good.

Sec. 9-1504. COMPLIANCE WITH STATE AND FEDERAL LAW.

No license shall be issued unless the applicant has complied with all applicable provisions of state law and federal law affecting or relating to the right to keep, operate, maintain and transport such devices.

Sec. 9-1505. PERMISSIBLE HOURS.

The permissible hours of pinball and/or video arcades shall be between nine o'clock in the morning and nine o'clock in the evening Monday through Thursday; nine o'clock in the morning and eleven o'clock in the evening on Friday and Saturday; and from noon to nine o'clock in the evening on Sunday.

Sec. 9-1506. GAMBLING.

The suffering or permitting of gambling in or upon premises licensed as a place of amusement shall effect a revocation of such license.

STATE LAW REFERENCES:                      Gambling machines, V.S.A., T. 13, Sec. 2135; pinball machines, state license required, V.S.A., T. 32, Sec. 7504.

Sec's. 9-1507 to 9-1599. Reserved.

Enacted October 25, 1972.

Amendment enacted August 26, 1981 [Sec. 9-1501, Prohibited Area; Minimum Age of Players, deleted]. Date of Publication: 9/2/81. Effective Date: 9/8/81.

Amendment enacted May 26, 1982 [Sec. 9-1502, fee increased]. Date of Publication: 6/9/82. Effective Date: 6/16/82.

Amendment enacted November 22, 1988 [Sec. 9-1505, Permissible Hours, and Sec. 9-1506, Gambling, added]. Date of Publication: 12/8/88. Effective Date: 12/14/88.

Amendment enacted November 9, 1988 [Sec. 9-1502, rate increased]. Date of Publication: 11/21/88. Effective Date: 1/1/89.