

Chapter 5.12

MECHANICAL AND ELECTRICAL AMUSEMENT DEVICE

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5.12.010 Definitions.

As used in this chapter:

A. “Arcade” means any place of business where ten or more mechanical or electrical amusement devices are in operation.

B. “Mechanical and electrical amusement device” means any machine, apparatus or device which may be operated or played upon the insertion of any coin or token, or by any payment in advance or after use, involving in its use either skill or chance.

C. “Operator” means the owner or lessee of any mechanical or electronic amusement device who installs or maintains the same in any place of business not his own, or under his direct control, for use by any person.

D. “Proprietor” means the person in whose place of business any mechanical or electronic amusement device is maintained for use by persons in or about the place.

E. “Person” means any corporation, association, stock company, partnership, club, society or individual. (Ord 545 § 1, 1995; Ord 320§ 1, 1982)

5.12.020 Permit—Required.

The installation or operation of ten or more amusement devices at any one place of business shall require a conditional use permit, and shall be considered an arcade. (Ord 545 § 2, 1995)

5.12.030 Permit—Application.

The proprietor of a proposed arcade shall apply to the planning commission of the city for a use permit on a form provided by the city clerk. The following information shall also be provided to the planning commission by the applicant:

A. Floor plan of the proposed place of business and the location of each amusement device;

B. The operator of each amusement device if the device is not the property of the applicant;

C. Proposed hours of operation;

D. Proposed rules of conduct within the premises;

E. Name, address, driver’s license number of the applicant and each attendant, to enable the city clerk to cause an investigation into the background of each person named. (Ord 320 § 3, 1982)

5.12.040 Arcade Regulations.

In the granting of any use permit for an arcade, as defined in Section 5.12.010 of this chapter, the following condition shall be enforced along with any other conditions as may be imposed by the planning commission of the city:

A. All amusement devices shall be visible from the entrance and the entrance shall remain unlocked during all hours of operation.

B. No minor under the age of eighteen years of age shall be allowed to operate any amusement devices between the hours of ten p.m. and seven a.m. on all days preceding school days, and between eleven p.m. and seven a.m. on all other days.

C. The arcade shall be attended at all times of operation, by at least one person over the age

of eighteen, The attendant shall not have been convicted of a crime involving moral turpitude. Information shall be provided to the city clerk on each employee, to enable the city clerk to cause such investigation as he deems necessary into the background of each employee.

D. Rules of conduct shall be conspicuously posted in the arcade, and are to be enforced at all times by the attendant.

E. The chief of police or his designated representative shall have the right to inspect the premises at any time during hours of operation. (Ord 320 § 4, 1982)

5.12.050 Permit—Revocation.

The planning commission may revoke any use permit for an arcade, for violation of the provisions of this chapter or any condition placed upon the granting of the use permit issued under this chapter. (Ord 320 § 5, 1982)

5.12.060 Violation—Penalty.

Any person violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished as provided in Chapter 1.08 of this code. (Ord 320 § 7, 1982)