

ORDINANCE NO. 39-82

BY: 

An Ordinance to license amusement arcades operating within the City of Bexley, Ohio.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BEXLEY, OHIO:

Section 1. Definitions. For the purpose of this Ordinance, the following words are defined and shall have the meaning ascribed to them as hereafter set forth unless the context clearly requires a different meaning:

(a) "Amusement device" means any machine, device or instrument which, upon the insertion of a coin, token, slug or card, operates or may be operated for use as a game, a contest or test of skill or other amusement of any description. Amusement device does not include vending machines.

(b) "Game machine" means any amusement device which, upon the insertion of a coin, token, slug or card, operates or may be operated for use as a game or a contest or test of skill.

(c) "Amusement arcade" means any place of business at which five (5), or more game machines are located for the use of entertainment of persons patronizing the place of business.

(d) "Owner" means any individual, corporation or other entity owning title to any amusement device.

(e) "Exhibitor" means any individual, corporation or other entity conducting business at a place of business at which any amusement device is located for the use or entertainment of persons patronizing the place of business.

(f) "Operator" means any individual, corporation or other entity conducting a business at a place of business which is an amusement arcade.

(g) "Good moral character" means not having been convicted of a crime involving moral turpitude within five (5) years next preceding the date of the application.

Section 2. No individual, corporation or other entity shall be the operator of an amusement arcade at any place of business unless such operator holds a valid amusement arcade license for the place of business at which such amusement arcade is operated.

Section 3. The original and renewal application for an amusement arcade license shall be upon a form prescribed by the Safety Director and shall set forth information such as the name and address of the operator, the address of the place of business which is to be the licensed amusement arcade, the year for which the amusement arcade license is sought, the number of game machines or amusement devices located at the place of business, the date of the application or approval for the Special Permit Use issued by the Board of Zoning Appeals and such other information as the Safety Director reasonably requires. The application shall be signed by the operator in whose name the amusement arcade license is to be issued.

Section 4. If the operator filing the application for amusement arcade license is a corporation, the application shall list the names of all officers and directors and any individual, corporation, or other entity owning twenty-five percent (25%) or more of the issued and outstanding shares of any class of stock of the corporation.

If the operator filing the application for amusement arcade license is a partnership, the application shall list the names of all partners.

As to any corporation or partnership listed in accordance with the two immediately preceding sentences, the listing required shall be repeated and further repeated for any corporation, partnership, or other entity who appears as a shareholder or partner on the application.

Section 5. The application for amusement arcade license shall be accompanied by an affidavit attesting to the good moral character of the operator and to the truth of the matters set forth in the application. Any person who swears falsely in any affidavit required to be filed under this provision shall be guilty of a misdemeanor of the fourth degree.

Section 6. The Safety Director is authorized to issue amusement arcade licenses, in such form as he determines to be appropriate for period of time up to one (1) year and upon satisfaction of the following conditions:

(1) The operator of the amusement arcade has properly filed the application for license required by this Ordinance;

(2) A fee of \$500.00 has been paid;

(3) The operator has and in the case of a corporation the operator's officers, directors, and 25% of the shareholders have been determined to be of good moral character; and

(4) The Safety Director has determined that no other reasonable cause exists to deny the issue of the amusement arcade license.

Section 7. Each amusement arcade license shall be valid for only so long as the licensed amusement arcade is operated by the operator listed on such license and at the place of business listed on such license. Each amusement arcade license shall be prominently displayed at the place of business listed thereon in view of the patrons of the amusement arcade.

Section 8. It shall be cause for revocation or suspension of amusement arcade licenses by the issuing authority, or for non-renewal of such licenses, for an operator or an operator's officers, directors, 25% of the shareholders, agents or employees to:

(1) Operate an amusement arcade for which such operator does not hold a valid amusement arcade license;

(2) Fail to display the amusement arcade license as required by this Ordinance;

(3) Permit any violation of an ordinance of the City of Bexley or statute of the State of Ohio for which a criminal penalty may be invoked to take place at any amusement arcade operated by such operator.

(4) Be convicted of a crime involving moral turpitude.

Section 9. This Ordinance shall take effect and be in force from and after the earliest period allowed by law after passage by council and approval by the Mayor.

Passed: Sept 14, 1982

ATTEST:

John H. Huggins
CLERK OF COUNCIL

John H. Huggins
PRESIDENT OF COUNCIL - Pro Tem

APPROVED:

Sept 14, 1982
David H. Madison
DAVID H. MADISON, Mayor

July 13, 1982 - First reading
July 27, 1982 - Second reading
Sept 14, 1982 Third reading
Adopted