

POSTED

2-16-83

Doris A. Ward  
Treas. Clerk  
Town Of Coupeville

ORDINANCE NO. 354

An ordinance providing for the regulation of mechanical or electronic amusement devices, licensing requirements for operators of mechanical or electronic amusement devices, license fees for each mechanical or electronic amusement device, and criminal enforcement provisions.

BE IT ORDAINED by the Council of the Town of Coupeville, Washington, as follows:

SECTION 1. Definitions. As used in this Ordinance, unless the context otherwise indicates:

- A) The term "mechanical and/or electronic device" means any machine which, upon the insertion of a coin, slug, or token or upon payment of a charge is operated to register a score or tally of any kind or permits a certain amount of "play" for entertainment or score. It shall include such devices as pin-ball or pin-game machines, shuffleboard devices, and TV-like devices, but shall not be strictly limited to same. Juke boxes or other machines which solely produce music upon the insertion of a coin are specifically excluded from the term "mechanical and/or electronic device."
- B) The term "operator" shall mean any person in whose place of business, or any premises under his/her control, any such device is placed for use by the public.
- C) The term "mechanical and/or electronic amusement center" shall mean any establishment operated for profit which houses more than three (3) mechanical/electronic amusement devices.

SECTION 2. Amusement Center Licenses Required. Every operator of an Amusement Center shall be required before commencing said operation, to obtain an amusement center license from the Town Clerk.

SECTION 3. Applications. Applications for the amusement center license required in the preceding section shall be made to the Town Clerk upon forms supplied for that purpose. Each application shall contain the following information under oath:

- A) Name of applicant; if a partnership, names of all partners; if a corporation, club, or association, names of all officers and all owners of common stock in the corporation.
- B) Residence of applicant.
- C) Age of applicant; if a corporation, club, or association organized under the laws of what State.
- D) Type of business or activity.
- E) Whether applicant (or if a corporation, club, or association, its officers or stockholders) has ever been convicted of a crime.
- F) Place where machines or devices are to be displayed or operated.
- G) Description of types of machines and number of machines to be covered by the license.

Each applicant for, or holder of a license shall notify the Town Clerk promptly, within seven (7) days, of any changes in the information set forth in the application.

#### SECTION 4. Investigation of Applicants for Licenses.

After the filing of an application for license, the Town Marshall shall cause such background investigation to be made as he deems advisable of any applicant for a license and shall within thirty (30) days of filing of an application recommend approval of the same to the Town Clerk; provided, however, the Town Marshall may advise the Town Clerk that the license should not be issued if he determines (a) that the operator has been convicted of a crime involving moral turpitude; (b) that the business proposed for such location is not bona fide; (c) that the operator is not at least eighteen (18) years of age; (d) that the location does not have a certificate of zoning compliance or approval by the local or State Fire Marshall and any other official having jurisdiction.

#### SECTION 5. Issuance of Licenses: Substitution Machines:

Licenses Not Transferable. An amusement center license shall be issued by the Town Clerk only in the name of the applicant. The license shall specify the number and types of mechanical and/or

electronic amusement devices. After the amusement center license has been issued, the operator may substitute one mechanical and/or electronic amusement device for another similar machine or device under his license; however, in the event of a sale or transfer of the operator's amusement business, a new operator's license shall be obtained by the transferee, and the present operator shall notify the Town Clerk and the Town Marshall of such sale or transfer; the transfer shall be investigated by the Town Marshall in the manner provided in Section 4 above and procedures for transfer shall comply with Sections 4 and 5 herein.

SECTION 6. License Fees for Amusement Center License and Individual Mechanical and/or Electronic Devices. At the time of filling the application for the issuance of a new license, or the transfer of an existing license, the applicant for the license or transfer of a license shall pay a fee of \$100.00. Upon the issuance of the amusement center license, the applicant shall also pay an additional fee of \$25.00 for each mechanical and/or electronic device described on the amusement center license. The amusement center license shall be valid for a 12-month period ending December 31 of each year. Upon the yearly renewal of the license, the operator of the amusement center shall pay the \$100.00 amusement center licensing fee and the additional \$25.00 per mechanical and/or electronic device fee. There shall be no proration of fees for partial time periods.

SECTION 7. Conduct of Operator's Place of Business.

A) Each operator shall maintain a good order in his place of business and shall not permit any mechanical/electronic amusement device to be used for gambling.

B) Each operator shall have at all times, during his hours of business, a responsible employee on duty for the purpose of supervising activities within, and said employee shall be at

least eighteen (18) years of age and shall not have been convicted of a crime involving moral turpitude.

C) Nothing in this section shall be construed to authorize, license or permit any gambling device whatsoever, or any mechanism judicially determined to be a gambling device, or declared contrary to law.

SECTION 8. License to be Displayed. The amusement center operator's license shall be posted permanently and conspicuously in public view on the premises where the machines or devices are to be operated or maintained.

SECTION 9. Criminal Violation and Penalty; Revocation. It shall be unlawful for any person or corporation to violate any of the provisions of this Ordinance, and every violation thereof shall be a misdemeanor punishable by fine of not more than \$500.00, or imprisonment of not more than 90 days, or both such fine and imprisonment. The Town Clerk, upon recommendation of the Town Marshall for violation of this Ordinance, may revoke the amusement center license of the operator.

SECTION 10. Effective Date. This Ordinance shall be in full force and effect after its passage and posting as required by law.

PASSED by the Town Council of the Town of Coupeville and signed by the Mayor and attested to by the Town Clerk in authorization of such passage on the 14<sup>th</sup> day of February, 1983.

THE TOWN OF COUPEVILLE

ATTEST:

By: Lew Naddy  
LEW NADDY, Mayor

Davis A. Ward  
Town Clerk