

Chapter 185

AMUSEMENT DEVICES AND ARCADES

[HISTORY: Adopted by the Village Board of the Village of Plover 6-4-1985 as §§ 12.05, 12.06 and 12.25 of the 1985 Code. Amendments where noted where applicable.]

§ 185-1. Coin-operated machines.

- A. Definition. A coin-operated machine is any machine operated by the insertion of a coin, token or similar item designed for amusement of the person operating the device or the sale of certain products, including but not limited to jukeboxes; video and pinball machines; pool, shuffleboard and similar games; and cigarette, food and beverage vending machines.
- B. License required. No person shall install, lease or set up any coin-operated machine for use on any premises in the Village without first obtaining a license from the Village Clerk.
- C. Application.
 - (1) Application for a license hereunder shall be made to the Village Clerk on a form furnished by the Clerk.
 - (2) The applicant shall consent in such application to reasonable inspection of his devices to determine ownership and character of the device.
- D. Fee. The fee for a license hereunder shall be as provided in the Village Fee Schedule for each machine. Licenses may be transferred from machine to machine for a fee as provided in the Village Fee Schedule.¹
- E. Posting of licenses. All licenses for coin-operated machines shall be attached in plain view upon the respective licensed devices.
- F. Prizes and gambling prohibited. No person shall offer, make, give or award any prize, money or coin to any person through or by reason of the use or operation of a coin-operated machine. No licensee shall permit his coin-operated devices to be used for gambling purposes.

§ 185-2. Amusement arcades.

- A. Definitions. As used in this section, the following terms shall have the meanings indicated:
AMUSEMENT ARCADE — Any premises at which eight or more mechanical or electronic amusement devices are located.
MECHANICAL OR ELECTRONIC AMUSEMENT DEVICE — Any machine, device or game which, upon the insertion of a coin, slug, token or similar item, permits a person to use the device

1. Editor's Note: See Ch. A600, Fees. Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

as a game or contest of skill or amusement, whether or not the device registers a score, and which is not a gambling device. The term shall include, but not be limited to, electronic or mechanical game machines, pinball machines and pool or billiard tables but excludes jukeboxes.

PREMISES — A building or part of a building in which a mechanical or electronic amusement device or an amusement arcade is located and which is described in the license.

- B. License required. No person shall operate an amusement arcade, as defined in Subsection A above, within the Village without having first obtained a license from the Village Clerk. No amusement arcade license shall be issued until the applicant has obtained a conditional use permit pursuant to Chapter 550, Zoning, of this Code.
- C. Fee. The amusement arcade license fee shall be as provided in the Village Fee Schedule.²
- D. Restrictions and regulations.
 - (1) Premises to be safe and sanitary. No license shall be granted for any amusement arcade unless the premises complies with all Fire and Building Code requirements of the Village and the state, provides adequate room for operation of the devices without blocking access or restricting the movement of patrons and is an otherwise safe and sanitary environment. Generally, usable patron floor space should be three times greater than the floor space required by the amusement devices.
 - (2) Premises to be supervised. The premises shall be adequately supervised during all hours of operation.
 - (3) Orderly conduct required. The licensee shall maintain supervision of the premises in such a manner as to ensure that no disorderly conduct, gambling or other activity prohibited by this Code or state or federal law is permitted on such premises or adjacent areas.
 - (4) Offering of prizes or awards prohibited. No licensee under this section shall offer, advertise, make or give any reward, prize, money or thing of value to any person by reason of the operation of any mechanical or electronic amusement device.
 - (5) Consent to inspection. An applicant for a license under this section thereby consents to the entry of police or authorized representatives of the Village upon the licensed premises at all reasonable hours for the purpose of inspection.
- E. Transfer of licenses prohibited. Amusement arcade licenses are not transferable.
- F. Suspension, revocation or nonrenewal of licenses.
 - (1) Any license issued under this section may be suspended, revoked or not renewed for cause by the Village Board. No license shall be suspended, revoked or not be renewed except upon verified written complaint filed with the Village Board by a member of such body, a law enforcement officer or resident of the Village. The licensee shall be served with a copy of the complaint and shall be given an opportunity to be heard. The licensee shall be given written notice of such hearing not more than 20 nor less

2. Editor's Note: See Ch. A600, Fees.

than five days prior to the hearing.

- (2) At such hearing, the licensee shall be entitled to be represented by counsel, shall have the right to present and cross-examine witnesses and, upon request, may have subpoenas issued by the Village Clerk to compel the attendance of witnesses.

G. Penalty. Any person who shall violate any provision of this section shall be subject to a forfeiture of not less than \$50 nor more than \$100.

§ 185-3. Violations and penalties. ³

Except where another penalty is provided in this chapter, any person who shall violate any provision of this chapter shall be subject to a penalty as provided in § 1-4 of this Code. A separate offense shall be deemed committed on each day on which a violation of this chapter occurs or continues.

3. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).