

Juke Box

*Electronic Games
7-6-82*

25-33

ORDINANCE NO.

AN ORDINANCE

AN ORDINANCE PROVIDING FOR THE LICENSING AND REGULATING OF JUKE BOXES AND MECHANICAL OR ELECTRONIC AMUSEMENT DEVICES; PROVIDING FOR THE REVOCATION OF SUCH LICENSE; PROVIDING PENALTIES FOR THE VIOLATION THEREOF; AND REPEALING ALL ORDINANCES CONFLICTING HERewith.

BE IT ORDAINED BY THE SUPERVISORS OF BUFFALO TOWNSHIP, PENNSYLVANIA:

SECTION 1. DEFINITIONS OF TERMS. As used in this ordinance, unless the context otherwise indicates:

- A. The term "Juke Box" shall mean any music vending machine, contrivance or device which, upon the insertion of a coin, slug, token, plate, disc or key into any slot, crevice or other opening, or by the payment of any price, operates or may be operated, for the emission of songs, music or similar amusement;
- B. The term "Mechanical Amusement Device" or "Electronic Amusement Device" shall mean any machine, which, upon the insertion of a coin, slug, token, plate or disc, may be operated by the public generally for use as a game, entertainment or amusement, whether or not registering a score. It shall include such devices as marble machines, pinball machines, skill ball, electronic skill games and/or video computer games, and all games, operations or transactions similar thereto under whatever name they may be indicated.

Provided that it shall not include any gambling device or any mechanism that has been judicially determined to be a gambling device.

C. The term "Person" shall include natural person, firm, partnership, corporation or association which owns, leases or rents any such machine; the person in whose place of business any such machine is placed for use by the public; and the person having control over such machine; provided, however, that the payment of such fee by any person enumerated herein shall be deemed in compliance with this section of the Ordinance. This section shall include private clubs or organizations.

SECTION 2. LICENSES REQUIRED. Any person displaying for public patronage or keeping for operation any juke box, or mechanical or electronic amusement device as herein defined by Section 1 shall be required to obtain a license from the Township of Buffalo upon payment of a license fee. Application for such license shall be made to the Township Secretary upon a form to be supplied by the Township Secretary for that purpose.

SECTION 3. APPLICATION. The application for such license shall contain the following information:

- A. Name and address of the applicant, age, date and place of birth.
- B. Prior convictions of applicant, if any.
- C. Place where machine or device is to be displayed or operated and the business conducted at that place.

D. Description of machine to be covered by the license, mechanical features, name of manufacturer, serial number.

E. The hours of operation of said devices.

No license shall be issued to any applicant unless he shall be over sixteen (16) years of age and a citizen of the United States.

SECTION 4. INSPECTION. Application for license shall be made out in duplicate, one copy to be referred to the Zoning Officer and one copy to be retained by the Township Secretary.

A. The Zoning Officer shall investigate the location where the applicant proposes to operate such machines, ascertain if the applicant has a criminal record, as well as determine if the machines are being operated under the proper zoning regulations.

B. No license shall be issued to any applicant unless approved by the Zoning Officer.

SECTION 5. LICENSE FEES. Every applicant, before being granted a license, shall pay the following license fee per calendar year or any portion thereof, for the privilege of operating or maintaining for operation each juke box or mechanical or electronic amusement device as defined in Section 1 herein.

JUKE BOXES.....\$12.50/machine
MECHANICAL OR ELECTRONIC AMUSEMENT DEVICES.....\$50.00/machine

A. Each license shall expire on the 31st day of December of each year and must be renewed within thirty (30) days after expiration.

SECTION 6. DISPLAY OF LICENSE, AND TRANSFER OF LICENSE.

A. The license or licenses herein provided for shall be posted permanently and conspicuously at the location of the machine in the

premises wherein the device is to be operated or maintained to be operated.

B. Such license may be transferred from one machine or device to another similar machine upon application to the Township Secretary to such effect, the giving of a description, and the serial number of the new machine or device and payment of Transfer Fee of Five (\$5.00) Dollars. Not more than one machine shall be operated under one license and the applicant or licensee shall be required to secure a license for each and every machine displayed or operated by him.

C. When the business of a distributor or exhibitor is sold or transferred, the license of such distributor or exhibitor may be transferred to the transferee, upon the payment of Transfer Fee of Five (\$5.00) Dollars and with the consent of the Zoning Officer as provided in Section 4 herein.

SECTION 8. REVOCATION OF LICENSE. Every license issued under this Ordinance is subject to the right, which is hereby expressly reserved, to revoke the same should the licensee, directly or indirectly, permit the operation of any juke box or mechanical or electronic amusement device contrary to the provisions of this Ordinance, the Ordinances of the Township of Buffalo or the laws of the State of Pennsylvania. Said license may be revoked by the Township Supervisor after written notice to the licensee, which notice shall specify the ordinance or law violations with which the licensee is charged, if after a hearing the licensee is found to be guilty of such violations. Ten days' notice of the hearing shall be given the licensee. At such hearing the licensee and his attorney may present and submit evidence or witnesses in his defense.

SECTION 9. PENALTY. Any person, firm, corporation or association violating any of the provisions of this Ordinance, in addition to the revocation of his or its license, shall be liable to a fine or penalty of not less than Fifty (\$50.00) Dollars nor more than Two Hundred (\$200.00) Dollars for each offense, or imprisoned for not more than ninety (90) days, or both fine and imprisonment.

SECTION 10. REPEAL OF CONFLICTING ORDINANCES. ALL existing Ordinances of the Township of Buffalo are hereby repealed insofar as they may be inconsistent with the provisions of this Ordinance.

SECTION 11. EFFECTIVE DATE. This Ordinance shall be in full force and effect ten (10) days from and after its passage, approval and publication.

Introduced and read at length this 6th day of July, 1982.

Finally passed this 6th day of July, 1982.

ATTEST:

Farwest B. Blake

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