

CHAPTER 9

Arcades and Game Rooms

7-9-1	Definitions
7-9-2	Annual Business License Required
7-9-3	General Requirements for Arcades and Game Rooms
7-9-4	Revocation or Suspension of License; Appeal
7-9-5	Penalty

SEC. 7-9-1 DEFINITIONS.

The following definitions shall be applicable in this Chapter:

- (a) **Amusement Device.** Any machine, game, table or device which is designed, intended or used as a test of skill or entertainment, and may be operated by the manipulation of buttons, dials, trigger devices or electrical impulses upon the insertion of a coin, or token, or the use of which is made available for any valuable consideration; and such amusement device shall include, but not be limited to, devices commonly known as pinball machines, video games, electronic games, pool or billiard tables and all games or operations similar thereto under whatever name they may be indicated. Such definition does not include a bowling alley, a juke box or other coin operated music machine or a mechanical amusement riding device.
- (b) **Arcade or Game Rooms.** Any establishments open to the public having more than six (b) amusement devices, whether or not such devices are operated and maintained as a principal use.

SEC. 7-9-2 ANNUAL BUSINESS LICENSE REQUIRED.

- (a) **License Requirement.** No person, firm or corporation shall engage in the business of operating an arcade as defined in this Chapter without first obtaining an annual business license therefore as hereinafter provided. Such annual business license is for the privilege of operating and maintaining pinball, electronic games and other amusement devices.
- (b) **Application for License.** Application for a license to be issued hereunder shall be made to the Village Clerk-Treasurer on forms supplied for such purpose by the Village Clerk-Treasurer. The application shall set forth the following information:
 - (1) The name and address of the applicant, or if a partnership, the name and addresses of all the partners, or if a corporation, the names and addresses of the principal officers and registered agent thereof, and the name and address of the person who will supervise the arcade or game room.
 - (2) The name and addresses of the owners of the amusement devices to be located on the licensed premises, if such owners are different from that of the applicant. If the owners of the amusement devices is a partnership, the names and addresses of all the partners, or if a corporation, the names and addresses of the principal officers and registered agent thereof.
 - (3) A building plan of the premises to be licensed specifically describing and otherwise showing all dimensions, indicating the intended division of floor

- space, exits and entrances, the areas to be used for amusement devices, and the common aisles.
- (4) A site plan of the premises to be licensed, drawn at a maximum scale of one inch (1") equals fifty (50) feet, which plan shall include the proposed landscaping for the subject premises, and all the improvements, parking and driveway areas, and landscaping located on property adjacent to and within twenty (20) feet of the property lines of the premises to be licensed with relevant dimensions.
 - (5) If the applicant operates other game rooms in other areas, the names and addresses of such other licensed establishments.
 - (6) Information regarding whether or not the applicant or any partner, principal officer, registered agent or supervisor thereof has ever been denied a license to operate a game room, and if so, the reasons therefor; or has ever suffered the suspension or revocation of such license, and the reason therefor; or has ever been convicted of a felony or of a crime involving moral turpitude or has ever been convicted of a violation of laws regarding alcoholic consumption or gambling; or has ever been convicted of a violation of any Village law or ordinance, other than traffic violation.
 - (7) Such application shall also contain such additional information as the Village deems necessary to assist it in determining the qualifications of the applicant for such license.
- (c) **Application and License Fees.** The application required herein shall be accompanied by the annual license fee of Fifty Dollars (\$50.00) which shall cover the cost of processing the application and shall be non-refundable.
 - (d) **Investigation by Chief of Police.** Within five (5) days of an application, as provided for herein, the Chief of Police shall cause an investigation to be made of the applicant and of the premises proposed to be licensed herein. The Chief of Police shall determine whether or not the information set forth in the application is true and whether or not the applicant, his principal officers, agents, and adult supervisors are persons of good moral character and are not habitual drunkards, gamblers or persons convicted of any felony or of any crime involving moral turpitude. The Chief of Police is authorized to request further information from the applicant if he deems the same to be necessary in order for him to reach a determination with respect to the application. In the absence of unusual circumstances requiring additional time, the Chief of Police shall complete his investigation and submit his written findings and recommendation regarding the application to the Village Board within fourteen (14) days after the investigation has commenced. If the Chief of Police finds that the applicant has submitted false information in his application, or that the applicant, his principal officers, agents or adult supervisors are not persons of good moral character, or have been convicted of a felony or a crime involving moral turpitude, or have been determined to be habitual drunkards or gamblers, or of having violated any Village law or ordinance, then in such event the application for a license herein may be subject to being denied.
 - (e) **Issuance of License; Term.** The Village Board shall approve the application and issue a license provided for herein upon a written finding and determination by the Chief of Police that the applicant is a person qualified to receive such license and upon a further determination by the Village Building Inspector that the premises proposed for the operation of an arcade or game room complies with the standards hereinafter set forth in this Chapter and with the zoning requirements contained in Title 13 of this Code of Ordinances. All licenses issued herein shall be for a term of one (1) year ending on the 30th day of June and shall not be transferable.

SEC. 7-9-3 GENERAL REQUIREMENTS FOR ARCADES AND GAME ROOMS.

The following general requirements shall apply to all arcades and game rooms licensed in accordance with this Chapter:

- (a) All arcade or game rooms shall have an adult supervisor on the premises at all times in which the game room is open to the public.
- (b) Every game room shall provide an adequate area and number of bicycle racks for the orderly parking of bicycles, which area shall be separate from a required vehicle parking stall and shall be so located as to not occupy any portion of a public sidewalk or to otherwise obstruct pedestrian passage to and from the premises.
- (c) Arcade or game rooms licensed herein shall comply with all other building, fire code, and applicable Village laws and regulations.
- (d) The following general operating requirements shall apply to the operation and maintenance of pinball, electronic games and other amusement devices:
 - (1) No amusement device shall be permitted where the reward for skill in the operation thereof is not plainly posted upon each such machine or device or where the opportunity of a reward for skill in the operation thereof is not the same for each individual player.
 - (2) No gambling or individual wager on any amusement device shall be permitted, and if any such device provides replays no person, firm, corporation or licensee shall buy back replays.
 - (3) No amusement device shall be placed in any required exit path of travel in any establishment.
 - (4) No amusement device located within an establishment possessing a retail alcoholic liquor license shall be operated by anyone under the age of eighteen (18) years, unless such person is accompanied by a parent or adult guardian.
 - (5) The location, operation and maintenance of an amusement device for use by the public shall be subject to the provisions and regulations of this Village Code pertaining to zoning, and where such devices exceed six (6) in number the location, operation, and maintenance of the same shall be further subject to the annual license provisions of this Chapter.

SEC. 7-9-4 REVOCATION OR SUSPENSION OF LICENSE; APPEAL.

A license issued herein for the operation of an arcade or game room may be suspended for a period of up to one (1) year or may be revoked by the Village Board, or on application for the renewal of such license may be refused by the Village Clerk-Treasurer if he shall determine, at any time, that the licensee is no longer eligible by reason of the requirements set forth in this Chapter to receive such license, or that the licensee has been convicted of a violation of any of the other provisions of this Chapter.

SEC. 7-9-5 PENALTY.

Any person, firm, or corporation, or any licensee herein who violates any of the provisions of this Chapter shall, upon conviction, be subject to a forfeiture as prescribed in Section 1-1-7 for each such violation. Any licensee so convicted of violating a

provision of this Chapter may, in addition, be subject to having his licenses for game rooms or coin-in-slot devices suspended for a period not to exceed one (1) year or having the same revoked on order of the Village Board.