

July 2 →  
Can run ext  
week if necessary

ORDINANCE NO. 445

BY LICENSING COMMITTEE

AN ORDINANCE RELATING TO AND REGULATING AMUSEMENT DEVICES OPERATED IN THE CITY OF PAYETTE, IDAHO, AND REQUIRING A LICENSE THEREOF, PROVIDING PENALTIES FOR VIOLATION THEREOF, AND CREATING THE OFFICE OF A LICENSE INSPECTOR.

The Mayor and the City Council of the City of Payette, Idaho, do ordain as follows:

Section 1. It shall be unlawful for any person, firm or corporation to possess, sell, or lease, rent, license, or permit the use of, or control, place, maintain, or to permit operation of, upon premises or at any place under his or its control within the City of Payette, Idaho, any game or amusement device or machine, the playing of which requires the payment of money or other thing of value, or requires the deposit therein of any coin, or thing, and in the playing of which the element of skill predominates, unless and until said machine or device and the distributor thereof shall be licensed as hereinafter provided.

Section 2. No license shall be issued for and nothing herein contained shall be construed to legalize the possession or maintenance of any game, table, machine, slot machine, or any other article, device or apparatus which is prohibited by the statutes of the State of Idaho or by city ordinance.

Section 3. This Ordinance shall not apply to a bona fide merchandising machine wherein no game of skill or privilege is involved in any manner whatsoever, and the same shall be ~~excepted~~ from coming within the purview of this Ordinance.

Section 4. Any person, firm or corporation engaged in the business of selling, leasing, renting, licensing, or otherwise permitting the use of others of any machine or device mentioned in Section 1. of this ordinance shall be known as a distributor, and who shall

prior to engaging and while engaged <sup>I</sup> therein pay to the City Clerk of the City of Payette, Idaho, a license fee of \$250.00 per annum in lawful money of the United States of America for each calendar year, payable in advance, on or before January 10th of each year, and obtain a license therefor, and shall further pay to the City Clerk of the City of Payette, Idaho, for each such machine or device intended by him or it to be distributed and prior to distribution thereof, and while the same is in distribution, a license fee of \$10.00 per month in lawful money of the United States of America, payable quarterly in advance, commencing with the first of July, 1940. The license fee for distributor's license for the one-half year term of from July 1, 1940 to December 31, 1940, shall be the sum of \$125.00, payable on or before July 10, 1940. All future licenses for distributors shall be on a basis of a calendar year of January 1 to December 31 and no reduction shall be allowed for a portion of a year's license.

Section 5. Such licenses shall be in the form of stickers bearing the name of the licensee, the number or description of the machine or device licensed, and the genuine signature of the City Clerk of the City of Payette, Idaho or his deputy. Such license shall be placed upon each machine so operated in plain view of the player thereof and remain in view thereon at all times and it shall be unlawful for any person, firm, or corporation to permit the operation or playing of any such machine or device which shall not have a valid license so attached thereto.

Section 6. No person of a minor age shall be permitted to play or operate such amusement devices.

Section 7. No licenses shall issue except to and upon the application of a distributor accompanied by payment of the license fee. A machine or device once licensed shall be conclusively deemed to remain in distribution and subject to license monthly, and the distributor required to pay the monthly license therefor until the distributor actually removes the same from distribution and in

writing notifies the Clerk thereof. The monthly license number originally assigned to a machine or device shall remain the same for each monthly license thereafter, and when licenses therefor are no longer required, such number shall then be assigned to a machine or device, if any, for the first time licensed thereafter. The Clerk shall keep a record of monthly licenses issued. Such record shall show the information required on said license.

Section 8. Distributor's licenses shall be issued only to a citizen of the United States, over the age of twenty-one (21) or to firms or corporations organized under the laws of Idaho. Application for distributor's license shall be in writing, upon oath, and filed, with the City Clerk, accompanied by the payment of the annual license fee and shall show the names, addresses, citizenship and residence of every person ( unless applicant is a corporation) owning any interest in the business; or if a corporation its name and state of organization and place of business, if any, other than that of a distributor, the place where machines are to be kept for distribution.

Section 9. All licenses issued under the provisions of this ordinance shall be issued by the City Clerk upon the payment of the fees herein required to be paid, providing the City Clerk shall issue no license to any distributor except upon the specific instructions from the City Council so to do and upon the payment of the License fees so required.

Section 10. All licenses issued under or in pursuance of this Ordinance shall be subject to revocation by the City Council for violation of any of the terms or provisions of this Ordinance.

Section 11. Any person, firm or corporation violating any of the provisions of this Ordinance, upon conviction thereof, shall be punished by a fine in any sum not to exceed \$100000, or by imprisonment in the City Jail for a period not to exceed 30 days, or by both such fine and imprisonment.

Section 12. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

This ordinance shall be effective from and after its passage, approval and publication.

Passed and approved this 2nd day of July, A. D., 1940.

J. Woodward  
Mayor.

ATTEST:

Wm D Snook  
City Clerk.

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