

**ORDINANCE 1309**

**AN ORDINANCE OF THE CITY OF PAYETTE, IDAHO, AMENDING SECTION 5.20.040 IN CHAPTER 5.20 OF TITLE 5, POOL; BOWLING; BILLIARD HALLS; CARD ROOMS; SETTING AN EFFECTIVE DATE; ALLOWING PUBLICATION IN SUMMARY FORM; ESTABLISHING A PENALTY; ESTABLISHING SEVERABILITY; ESTABLISHING A REPEALER.**

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF PAYETTE, IDAHO:

**Section 1.** The Payette Municipal Code, Title 5, Chapter 5.20, Section 5.20.040, is hereby amended as follows:

**Chapter 5.20**

**POOL; BOWLING; BILLIARD HALLS; CARD ROOMS**

**5.20.040: LICENSE; FEES; DURATION; DUE DATE:**

A. License fee shall be as follows:

1. For each and every pool table, eight dollars (\$8.00) per year;
2. For each and every card table, ten dollars (\$10.00) per year;
3. For each and every billiard table, six dollars (\$6.00) per year;
4. For one bowling alley, ten dollars (\$10.00) per year; and for each additional alley, five dollars (\$5.00) per year;
5. For each shuffleboard, eight dollars (\$8.00) per year;
6. Eight dollars (\$8.00) per year for each amusement device located in an establishment where minors are prohibited and licensee is authorized and permitted in the city to sell liquor by the drink or beer at retail, which upon the insertion of a coin, slug, token, or disc, may be operated by the public generally for use as a game, entertainment, or amusement, whether or not registering a score, which include, but are not limited to, pinball machines, foosball tables, electronic game machines, video game machines, air hockey games, and all games, or operations similar thereto under whatever name they may be indicated.

**Section 4.** This Ordinance may be published in summary form allowed by Idaho Code.

**Section 5.** This Ordinance shall be in full force and effect immediately upon passage and publication as required by the laws of the State of Idaho.

**Section 6.** Any ordinances or resolutions which are in conflict with this Ordinance are hereby repealed, but only insofar as the conflict exists.

**Section 7.** If any portion of this Ordinance should be found to be unconstitutional or unenforceable for any reason, the remainder of the Ordinance shall be applied to effectuate the purposes of this Ordinance.

PASSED and APPROVED by the Mayor and City Council of the City of Payette, Idaho this 7<sup>th</sup> day of December, 2009.

CITY OF PAYETTE, IDAHO

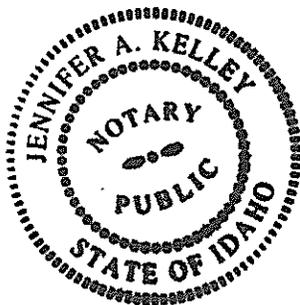
by *Douglas E. Henderson*  
DOUGLAS E. HENDERSON, Mayor

ATTEST:

*Mary Cordova*  
Mary Cordova, City Clerk

State of Idaho                    )  
  ) ss.  
County of Payette                )

On this 7<sup>th</sup> day of December, in the year of 2009, before me Jennifer A. Kelley, a notary public, personally appeared MARY CORDOVA and DOUGLAS E. HENDERSON, personally known to me to be the persons whose name is subscribed to the within instrument, and acknowledged to me that they executed the same on behalf of the City of Payette in their official capacities as Mayor and City Clerk.



*Jennifer A. Kelley*  
Notary Public for Idaho  
Residing at: *Payette, Idaho*  
Commission expires: *12-11-2014*

SUMMARY OF ORDINANCE 1309

Ordinance 1309 is an ordinance of the City Of Payette, Idaho, adopted December 7, 2009. The ordinance may be descriptively known as the Ordinance eliminating fees on entertainment machines in places open to children. Ordinance 1309 amends section 5.20.040 in chapter 5.20 of title 5, pool by limiting the fee applicable to amusement devices to establishments which dispense beer and liquor. The Ordinance sets an effective date, allows publication in summary form, establishes severability and establishes a repealer.

I, Bert L. Osborn, City Attorney for the City of Payette Idaho, certify that I am familiar with Ordinance 1309 of the City of Payette, Idaho and with the foregoing summary. The summary is true and complete and provides adequate notice to the public. The full text is on file with the Payette City Clerk and shall promptly be made available to any citizen upon request.

Dated this 9th day of December, 2009.



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Bert L. Osborn