

TITLE XI: BUSINESS REGULATIONS

Chapter

110. AMUSEMENTS

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CHAPTER 110: AMUSEMENTS

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cigarettes, and controlled by the insertion of a coin or coins. It shall not include machines or devices used solely for the vending of service, food or confections.

JUKE BOX. 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.

PERSON, FIRM, CORPORATION OR ASSOCIATION. Any person, firm, corporation, or association which owns any such machine; the person, firm, corporation, or association in whose place of business any such machine is placed for the use of the public; and the person, firm, corporation, or association having control over such machines; provided, however, that the payment of such fee by any person, firm, corporation, or association enumerated herein shall be deemed a compliance with this section.

POOLROOM. Any establishment, business, or place where pool, snooker, or billiard tables of any and all types are kept and maintained for the use by the public in playing any of said games for consideration.

VENDING MACHINE. A machine which dispenses only merchandise other than gums, soft drinks, or food to individuals who deposit therein a coin or coins.
(Ord. 181, passed 12-19-83)

§ 110.01 DEFINITIONS.

For the purpose of this chapter the following definitions shall apply unless the context clearly indicates or requires a different meaning.

AMUSEMENT DEVICE. Any machine which upon the insertion of a coin, slug, token, plate, or disc, may be operated by the public generally for the use of the game, entertainment, or amusement, whether or not registering a score. It shall include but not be limited to, such devices as marble games, pinball machines, electronic and/or video games, and all other games, operations, or transactions on a play-for-pay basis.

CARDROOM. Any establishment, business, or place where card tables, cards or any other facilities for the playing of card games are maintained for the uses of the public in playing card games upon the payment of a consideration.

CIGARETTE VENDING MACHINE. Any automatic vending machine used for the sale of

§ 110.02 GAMBLING DEVICES NOT PERMITTED.

Nothing in this chapter shall, in any way, be construed to authorize, license, or permit any gambling devices whatsoever, or any mechanism that has been judicially determined to be a gambling device or in any way contrary to law, or that may be contrary to future laws of the state.

(Ord. 181, passed 12-19-83)

§ 110.03 LICENSE REQUIRED.

Any person, firm, corporation, or association displaying for public patronage, or keeping for operation, any of the devices defined in § 110.01 of this chapter shall be required to obtain a license from the city, upon payment of a license fee. Application for such license shall be made to the Recorder upon a form to be supplied by the City Recorder for that purpose. It shall be unlawful for any person, firm, corporation, or association supplying machines to place any devices requiring a city license on any premises without first obtaining a license from the city for the device.

(Ord. 181, passed 12-19-83) Penalty, see § 110.99

§ 110.04 APPLICATION; FEE.

(A) The application for such license shall contain the following information:

- (1) Name and address of the applicant, age, date, and place of birth;
- (2) Prior convictions of any penal statute or ordinance, if any;
- (3) Place where machine or device is to be displayed or operated, and the business conducted at that place.

(4) Description of the machine to be covered by the license.

(5) No license shall be issued to any applicant unless he shall be over 21 years of age.

(6) All wiring and connections to the machine or machines must comply with the electrical code of the state.

(7) Application for the license shall be made out in duplicate and referred to the City Recorder.

(8) All applications shall be submitted to the City Council by the Recorder for final disposition, the City Recorder to issue license if there is no disapproval in accordance with this section.

(B) (1) Every applicant, before being granted a license, shall pay the following annual or quarterly license fee for the privilege of operating or maintaining for operation any of the devices defined in § 110.01 herein:

<i>Device</i>	<i>Quarterly Fee</i>	<i>Annual Fee</i>
All Devices	\$ 7.50	\$ 27.50

(2) License as provided herein shall be granted for a calendar quarter or calendar year without proration beginning January 1, 1984.

(Ord. 181, passed 12-19-83)

§ 110.05 DISPLAY 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) 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, device, or table location displayed and operated by him.

(C) If the licensee shall move his place of business to another location within the city, the license may be transferred to such new location upon application to the City Recorder. The new location shall be approved by the City Council in the same manner as provided for in § 110.04 of this chapter.
(Ord. 181, passed 12-19-83)

§ 110.06 OPERATING REGULATIONS.

(A) It shall be unlawful for any person operating any cardroom licensed under the provisions of this chapter, to permit or allow any minor under the age of 21 years to engage in any card game, or to be upon that portion of the premises wherein such card tables are operated.

(B) No person, firm, corporation, or association holding the license of this chapter shall permit the playing of juke boxes, defined in § 110.01, between the hours of 2:30 a.m. and 6:00 a.m. of any day; furthermore, juke boxes, as herein defined, shall be played in such manner as to not be offensive to others. As such offensiveness is deemed by the Council to be a nuisance, the Council may revoke the license or direct the City Recorder to refuse to issue a renewal of the license for the next year.
(Ord. 181, passed 12-19-83)

§ 110.07 REVOCATION OF LICENSE.

Each license issued under this chapter 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 device herein defined contrary to the provisions of this chapter. Under the ordinances of the city, or the law of the State of Oregon, the license may be revoked by the City Council 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 violation, ten days' notice of the hearing findings shall be given to the licensee.

(Ord. 181, passed 12-19-83)

§ 110.99 PENALTY.

Any person, firm, corporation, or association violating any of the provisions of this chapter, in addition to the revocation of his license, shall be liable to a fine or penalty of not more than \$500, or 100 days in the county jail, or by both such fine and imprisonment.

(Ord. 181, passed 12-19-83)

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chapter within the corporate limits of the city without first obtaining a license as herein provided. (Ord. 215, passed 4-1-91) Penalty, see § 111.99

§ 111.03 APPLICATION.

A licensee, under this chapter, must file with the City Recorder a sworn application, in writing, on a form to be furnished by the City Recorder, which shall give the following information:

(A) The name and description of the applicant, or if made on behalf of a non-profit organization, the name and address of an officer whose residence is in the city;

(B) The applicant's permanent address, and the applicant's local address, if any;

(C) A brief description of the nature of business and the goods or services to be sold. In the case of products of farms or orchards, a statement whether the produce to be sold is grown by the applicant;

(D) If the applicant is employed, the name and address of the employer, together with appropriate credentials establishing an exact relationship;

(E) Except in the case of a non-profit organization, a photograph showing the head and shoulders of the applicant in a clear and distinguishable manner, which shall be shall be two inches by two inches in size. (Ord. 215, passed 4-1-91)

§ 111.01 DEFINITIONS.

For the purpose of this chapter the following definitions shall apply unless the context clearly indicates or requires a different meaning.

PEDDLER or **SOLICITOR.** Any door-to-door sales person who sells or offers for sale any merchandise or services by traveling about the city in residential districts.

PERSON. An individual, organization, partnership, corporation or other legal entity. (Ord. 215, passed 4-1-91)

§ 111.02 LICENSE REQUIRED.

It is unlawful for any person to engage in business as a peddler or solicitor as defined in this

§ 111.04 INVESTIGATION AND ISSUANCE OF LICENSE.

(A) Upon receipt of an application, the same shall be referred to the chief law enforcement officer of the city who shall cause an investigation of the applicant's business and moral character to be made as shall be deemed necessary for the protection of the public's interests.

(B) The chief law enforcement officer, within 15 days of the application, shall endorse the application as "satisfactory" or "unsatisfactory" and if the same shall be endorsed "unsatisfactory," the reason for such endorsement shall be set forth thereon.

(C) Where the application is endorsed "satisfactory," the City Recorder shall then issue a license card addressed to the applicant for the carrying on for the business applied for. The license shall contain the signature and seal of the issuing officer and shall show the name, address and photograph of the licensee, if the licensee is not a non-profit organization, and the kind of goods to be sold thereunder, the date of issuance and the expiration date of the license. The City Recorder shall keep a permanent record of all licensees for a period of two years from the date of issuance.

(D) If the application is returned from the chief law enforcement officer and endorsed as "unsatisfactory," the City Recorder shall notify the applicant that his application has been disapproved, the reasons therefor, and the right of the applicant to appeal that decision.

(Ord. 215, passed 4-1-91) Penalty, see § 111.99

§ 111.05 LICENSE FEE; TERM OF LICENSE.

(A) Except as herein specifically exempted from payment of fees, all persons applying for a license shall pay a fee in the sum of \$30 as an application and license fee. Licenses may be renewed on an annual

basis upon the payment of a license fee in the amount of \$30.

(B) All licenses issued hereunder shall be for a term of one year.
(Ord. 215, passed 4-1-91)

§ 111.06 TRANSFER OF LICENSE.

No license shall be used at any time by any person other than the one to whom it is issued. No license may be assigned or otherwise transferred.
(Ord. 215, passed 4-1-91) Penalty, see § 111.99

§ 111.07 HOURS OF SOLICITATION; EXHIBITION OF LICENSE; NO SOLICITATION SIGNS.

(A) *Hours.* No licensee or person shall engage in soliciting at any place in the city during the period from 9:00 p.m. until 9:00 a.m., unless otherwise specified on the solicitor's license.

(B) *Display of license.* Peddlers and solicitors are required to display their license card at all times they are engaged in their selling activity.

(C) *Signs.* No licensee shall solicit or attempt to solicit any sale from any residence or other location where a "no solicitation" sign or other appropriate sign is displayed indicating the occupant's desire that they not be solicited by door-to-door salesmen or peddlers.
(Ord. 215, passed 4-1-91) Penalty, see § 111.99

§ 111.08 REVOCATION OF LICENSE.

(A) Licenses may be revoked by the City Recorder for any of the following causes:

(1) Fraud and/or misrepresentation or false statements contained in an application for a license;

(2) Fraud and/or misrepresentation or false statements made in the course of carrying on the business as a peddler or solicitor;

(3) Any violation of this chapter;

(4) Conviction of any crime, misdemeanor or ordinance involving moral turpitude;

(5) Conducting the business of peddling or soliciting in an unlawful manner or in such a manner which constitutes a menace to the health, safety or general welfare of the public.

(B) Notice of a hearing for revocation of a license shall be given, in writing, setting forth the grounds of the complaint and the time and place for the hearing. The notice shall be mailed, postage prepaid, to the licensee at his last known address as shown on city records, at least five days prior to the date set for the hearing.

(Ord. 215, passed 4-1-91)

§ 111.09 APPEAL.

Any person aggrieved by the action of the chief law enforcement officer or the City Recorder in denial or revocation of his license or application, shall have the right to appeal to the City Council.

(Ord. 215, passed 4-1-91)

§ 111.10 EXEMPTIONS.

(A) The provisions of this chapter requiring a license application and application fee shall not apply to:

(1) A person selling products of a farm or orchard actually produced by the seller;

(2) A newspaper carrier soliciting subscriptions;

(3) A person calling upon business firms soliciting orders for goods and services which are regularly used by the business firm in their regular course of business;

(4) Milk, groceries, or other merchandise, deliveries or services ordered by a resident or sold by an area merchant and delivered to the purchaser as a service.

(B) The provisions of this chapter requiring a license application fee shall not apply to a non-profit organization making an application on behalf of its members.

(Ord. 215, passed 4-1-91)

§ 111.99 PENALTY.

Violation of any provision of this chapter is punishable, upon conviction, by a fine of not more than \$500 or by imprisonment for not more than six months, or both.

(Ord. 215, passed 4-1-91)

