

Chapter 55
AMUSEMENT AREAS

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[HISTORY: Adopted by the Board of Trustees of the Village of Caledonia 10-6-1981 by L.L. No. 2-1981 as Ch. 33 of the 1981 Code. Amendments noted where applicable.]

GENERAL REFERENCES

Amusement devices — See Ch. 57.

Racing — See Ch. 162.

§ 55-1. Title.

This chapter shall be known and may be cited as the “Amusement Area Ordinance of the Village of Caledonia.”

§ 55-2. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

AMUSEMENT AREA — Any place or area to be used for money or hire, either for or as:

- A. An amusement park or recreation center.
- B. A place where sports or athletic contests or exhibitions occur.
- C. Skating rinks.
- D. Shooting galleries.
- E. Racetracks for horses, motor vehicles or any vehicle with wheels, slides or skids propelled or moved by any engine or other mechanical device.
- F. Any similar exhibitions, performances or entertainment.

PERSON — Any individual person or persons and partnership or corporation or groups or mixtures thereof.

§ 55-3. License required.

It shall be unlawful and a violation of this chapter for any person to conduct, establish or run an amusement area or to begin clearing, excavation, construction or the erection of buildings or other structures therefor without being licensed therefor.

§ 55-4. Application procedure and information.

To obtain such license, a person shall make application to the Village Clerk of the Village of Caledonia, upon his own letterhead or stationery, requesting such license.

- A. Such request shall be accompanied by a payment in an amount as shall be set forth from time to time by resolution of the Board of Trustees and as indicated on a fee schedule on file in the office of the Village Clerk to help defray the costs of the examination and investigation of the application as hereinafter envisioned.¹
- B. Separately attached to such request, the person will itemize the following matters:
- (1) What steps he will take to provide adequate highway and parking facilities for the contemplated amusement area.
 - (2) What steps he will take to provide adequate water supply and drainage for the contemplated amusement area.
 - (3) What steps he will take to provide sanitary and sewage facilities for the contemplated amusement area.
 - (4) A general statement as to what the amusement area will contain.
 - (5) What provisions will be made for supervision of areas within the amusement area contemplated to be used by minors.
 - (6) What provision will be made for fire protection and prevention.
- C. Separately attached to such request, a person will provide a preliminary plan or map, to scale, which map will accurately reflect the matters contained under § 55-4B.
- D. Any payment made upon application shall not be prorated or refunded, whether the application is approved or disapproved.

§ 55-5. Action by Board.

- A. Based upon a person's application and attachments and not later than forty-five (45) days from the date such application is received and if the Board is satisfied that the matters required to be set forth are adequately and reasonably provided for, the Board shall notify the person, either personally or by mail addressed to the address given on the application, that his application is approved or disapproved, giving its reasons therefor.

¹ Editor's Note: Amended at time of adoption of Code; see Ch. 1, General Provisions, Art. I.

- B. The person shall be given fifteen (15) days to correct defects and to comply with the Board's recommendations.²
- C. The Board shall be given fifteen (15) days to determine whether a person has so corrected his application.³
- D. Upon final approval, the Board shall cause the application and plans to be marked "approved," and these plans shall be then known as the "final plans," and it shall thereupon direct the Clerk to issue the person his license.
- E. If required at any time by the Board, either prior to or after the license has been issued, a person may be required to give bond for the faithful performance of the work contemplated by the final plans, such bond to be approved by the Attorney.
- F. A license may be revoked for failure to conform to the final plans, upon reasonable notice to the person licensed.

§ 55-6. Smoke, gases and dust prohibited.⁴

The unnecessary or unreasonable emissions of smoke, noxious gases, deposits or dusts, as specified in the amusement area permits, from the grounds, buildings, engines or other sources within an amusement area is hereby prohibited and declared to be a violation of this chapter.

§ 55-7. Noise.⁵

Within an amusement area, the creation, maintenance or permitting of unreasonably loud or disturbing noises, as specified in the amusement area permits, is hereby prohibited and declared to be a violation of this chapter.

§ 55-8. Penalties for offenses.⁶

Any person who by himself or by his clerks, agents or employees shall commit a violation of this chapter shall be subject to a penalty for each violation thereof not exceeding two hundred fifty dollars (\$250.) or fifteen (15) days' imprisonment, or both, for any offense.

² Editor's Note: Amended at time of adoption of Code; see Ch. 1, General Provisions, Art. I.

³ Editor's Note: Amended at time of adoption of Code; see Ch. 1, General Provisions, Art. I.

⁴ Editor's Note: Amended at time of adoption of Code; see Ch. 1, General Provisions, Art. I.

⁵ Editor's Note: Amended at time of adoption of Code; see Ch. 1, General Provisions, Art. I.

⁶ Editor's Note: Amended at time of adoption of Code; see Ch. 1, General Provisions, Art. I.