

Chapter 57

AMUSEMENT DEVICES

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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. 34 of the 1981 Code. Amendments noted where applicable.]

GENERAL REFERENCES

Amusement areas — See Ch. 55.
Games of chance — See Ch. 127.

Racing — See Ch. 162.

§ 57-1. Definitions.

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

AMUSEMENT DEVICE — Any mechanical device or contrivance which, by means of the insertion of a coin, token, slug, disk or other article into a slot, crevice, opening or attachment connected with or forming a part of any such devices or contrivances effects the operation thereof for use as a game, contest or amusement, or which may be so used. The term "amusement device" includes but is not necessarily limited to pinball machines, bagatelle, pool tables, foosball tables and similar devices. The term "amusement device" does not include jukeboxes.

PERSON — Includes individuals, natural persons, partnerships, joint ventures, societies, associations, clubs, corporations or unincorporated groups or any members, officers, directors or stockholders or any kind of personal representative thereof, in any capacity, acting for himself or for any other person, under either personal appointment or pursuant to law.

PREMISES — Any public or quasi-public place, building or store where the public may enter.

§ 57-2. Permit required.

No person shall install or maintain an amusement device, as defined herein, on any premises in the village without having obtained or having in force and effect a permit therefor.

§ 57-3. Application for permit.

- A. Any person desiring to locate or maintain an amusement device shall file an application with the Village Clerk.
- B. The application shall contain, at a minimum, the following information:
 - (1) The name and address of the applicant.
 - (2) If the applicant is not the owner of the device, the name and address of the owner of the device.
 - (3) The type of the device and the proposed location.
 - (4) The serial number of the seal attached to the device or other identifying information.

§ 57-4. Fees.¹

Applications shall be accompanied by the fees which shall be as 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.

§ 57-5. Restrictions on issuance of permit.

- A. No permit shall be granted for any premises on which an amusement device is to be located if such premises is located within five hundred (500) feet of the lot lines of a public or private school.
- B. No permit shall be issued to any person who has been convicted of a crime or of any gambling offense against the Laws of New York State or ordinances of the Village of Caledonia, and in the event of any such conviction subsequent to the issuance of said permit, said permit shall be immediately revoked.

§ 57-6. Issuance of permit; expiration and renewal.

- A. Upon proper application and submission of the appropriate fees, the Clerk shall issue a permit.
- B. Permits issued under the provisions of this chapter shall expire on June 1 of each year and will be renewed by the Village Clerk upon receipt of a renewal fee in the same amount as the original application.

§ 57-7. Seal.

Upon issuance of the permit, the Clerk shall also issue a seal for each device so permitted. Said seal shall contain the name of the applicant and the permit number and expiration date. The seal shall be affixed to the device in a prominent place by the applicant.

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

§ 57-8. Use and operation restrictions.

[Amended 5-4-1982 by L.L. No. 1-1982; 11-6-1991 by L.L. No. 2-1991; 9-21-2004 by L.L. No. 4-2004]

- A. No cash awards shall be made in any contest, tournament, league or individual play on any game maintained or operated in any amusement center, and no device shall be permitted to operate if said device delivers to the player coins or slugs or metal tokens on certain scores, if such delivery of coins, slugs or metal tokens is or is held to be contrary to the laws of the State of New York or if said device may be readily converted to deliver to the player such coins, slugs or metal tokens if such delivery of coins, slugs or metal tokens is or is held to be contrary to the laws of the State of New York.
- B. No permit shall be transferred from one location to another, and no seal, as provided by § 57-7, shall be transferred from one device or game to another.

§ 57-9. Suspension or revocation of permit.

Any permit issued under the provisions of this chapter may be suspended or revoked by the Board of Trustees if the applicant has violated the provisions of this chapter or made a false statement on the application for permit or if the use and operation of the device constitutes a breach of the peace or a menace to the health, safety or general welfare of the public.

§ 57-10. Penalties for offenses.

Any person committing an offense against any provision of this chapter shall be guilty of a violation punishable by a fine of at least ten dollars (\$10.) but not exceeding two hundred fifty dollars (\$250.) or by imprisonment for a term not exceeding fifteen (15) days, or by both such fine and and imprisonment. The continuation of an offense against the provisions of this chapter shall constitute, for each day the offense is continued, a separate and distinct offense hereunder.