

ORDINANCE NO. 913

AN ORDINANCE PROVIDING FOR THE LICENSING AND REGULATING OF JUKE BOXES AND AMUSEMENT DEVICES, DEFINING SAME, PROHIBITING THE OPERATION OF GAMBLING MACHINES AND GAMES OF CHANCE, PROVIDING FOR THE REVOCATION OF SUCH LICENSE, PROVIDING PENALTIES FOR THE VIOLATION THEREOF, REPEALING ORDINANCE NO. 734, AND DECLARING AN EMERGENCY.

THE PEOPLE OF THE CITY OF PRINEVILLE ORDAIN AS FOLLOWS:

Section 1. Definition of Terms. As used in this ordinance, unless the context otherwise indicates:

(a) The term "juke box" shall mean any music vending machine, contrivance or device which, upon insertion of a coin or token or by the payment of any price operates or may be operated for the emission of songs, music or similar amusement.

(b) The term "amusement device" shall mean a coin or token operated mechanical, electronic, mechanical-electronic or nonmechanical device which is designed for the amusement of the player or operator and is complete in itself, having as its purpose the production or creation of a game of skill, amusement entertainment or test of strength. The games of "pool" and "foos ball" are specifically exempted from this ordinance.

(c) The term "machine" as used in this ordinance shall be construed to mean either a juke box or amusement device or both.

Section 2. Gambling Devices not Permitted. Nothing in this ordinance 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 any future laws of the state of Oregon.

Section 3. License Required. Any person, firm, corporation or association displaying for public patronage or keeping for operation any juke box or amusement device, as defined herein by Section 1, shall be required to obtain a license from the City of Prineville. There shall be one (1) license per juke box or amusement device located on premises of businesses.

Section 4. License Fees. Every applicant, before being granted a license, shall pay the following annual license fee:

Juke Boxes - \$24.00 per year per machine

Amusement Device - \$60.00 per year per machine.

Licenses as provided herein shall be granted for a calendar year (January 1 to December 31, inclusive). A fee of \$2.00 or 5.00 per month for the balance of the year shall be paid for any license purchased after January 1. There shall be no refunds.

Section 5. Issuance of License. It shall be the responsibility of the applicant for license to submit a list of all juke boxes and amusement devices to be licensed to the City no later than February 15 of each year. This period from January 1 is a grace period and should said listing not be submitted prior to the end of this grace period, the applicant shall immediately take out of operation all machines not properly licensed. Any further operation without a proper license shall be considered a violation of this Ordinance and shall be punished as stated herein.

Notwithstanding anything stated in Section 5, herein, a grace period of forty-five (45) days shall also exist when a license is purchased at a time other than the first of the year.

Section 6. Posting of License. At all times after the issuance of a license as stated herein, the license shall be posted in a conspicuous place upon the premises where the juke box or amusement is displayed or operated, available for inspection by officers and employees of the City. Failure to post a current license, except during and for the reasons of the grace period in Section 5, above, shall be considered a violation of this ordinance and the City shall immediately cause said machine to cease operation.

Section 7. Penalty. Any person, firm or corporation violating any of the provisions of this ordinance, in addition to the revocation of any license issued under this Ordinance, shall be liable to a fine or penalty of not more than \$1000.00.


Section 8. Ordinance No. 734 us hereby repealed in its entirety.

Section 9. Constitutionality, Savings Clause. If any clause, sentence, paragraph, section or portion of this ordinance for any reason shall be adjudged invalid by a court of competent jurisdiction, such judgement shall not affect, impair or invalidate the remainder of this ordinance but shall be confined in operation to the clause, sentence, paragraph, section or portion of this ordinance directly involved in the controversy in which the judgement is rendered.

Section 10. Whereas, it is in the best interests of the public peace, safety, health and welfare of the citizens of the City of Prineville that this ordinance go into effect immediately upon its readings at any one meeting of the Council, an emergency is hereby declared to exist and this ordinance shall be in full force and effect from and after its passage by the Council and approval by the Mayor.

Passed by the City Council this 24th day of February, 1987.

Approved by the Mayor this 24th day of February, 1987.



Wallace L. Boe, Mayor



Henry Hartley, City Administrator/
Recorder