

Chapter 108

AMUSEMENT DEVICES

[HISTORY: Adopted by the Board of Trustees of the Village of Port Byron as indicated in article histories. Amendments noted where applicable.]

GENERAL REFERENCES

Ordinance citation procedure — See Ch. 1, Art. V.

Obscenity — See Ch. 217, Art. I.

ARTICLE I

Automatic Amusement Devices

[Derived from Title 2, Ch. 2, Art. 14, of the 1993 Code]

§ 108-1. Definition.

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

AUTOMATIC AMUSEMENT DEVICE — Any automatic musical instrument and automatic motion-picture machine, including phonograph, player piano, music box, jukebox or other instrument or device capable of producing or reproducing any vocal or instrumental sounds and motion-picture machines and motion-picture sound machines which are governed or controlled by the deposit of a coin or token.

§ 108-2. Issuance of license.

Licenses shall be issued on application to the Clerk for automatic amusement devices located in the Village.

§ 108-3. License required.

No person shall keep or permit to be kept any automatic amusement device in any public or private place for general operation by or for the amusement of the public without first having applied for and received a license for each such automatic amusement device.

§ 108-4. Application.

Application for licenses hereunder shall give the name of the applicant, the description of the automatic amusement device, including factory, model or other distinguishing number or identification, and the location of the premises where said automatic amusement device or devices are to be kept for use.

§ 108-5. License fee.¹

¹. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. VI).

The annual license fee for such license for each such automatic amusement device kept or installed on the premises shall be as set by the Board of Trustees from time to time and shall be payable in advance on or before April 1 of each license year. No license issued hereunder shall be transferable. The license issued hereunder shall be affixed in a conspicuous place in or upon the automatic amusement device for which it is issued.

§ 108-6. Special regulations. [Amended 9-7-1954 by Ord. No. 54-5]

No license issued hereunder shall permit the operation of any automatic amusement device at any place or in any manner which will disturb the peace and quiet of persons outside the premises where said automatic device or devices are located. No immoral or indecent selections shall be placed on any such automatic musical instrument or shown on any such automatic motion picture.

ARTICLE II
Game Machines
[Derived from Title 2, Ch. 2, Art. 15, of the 1993 Code]

§ 108-7. Definitions. [Amended 9-7-1954 by Ord. No. 54-7]

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

GAME MACHINE

- A. Any pinball or ball table machine or marble machine, shuffle board, or any other similar type of game or machine or table in which any ball, sphere, missile, arm, crane, rod or plunger is struck, released, controlled or manipulated for the purpose of amusement or skill, or any machine operated by electric beam or electrical impulse, or any other type of mechanical or electrical machine or game controlled or manipulated for the purpose of amusement or skill and in which a test of skill is involved, and for the playing of which a fee is charged.
- B. Also includes a pool table and a billiard table, whether said pool table or billiard table is coin-operated or not, so long as any fee is charged for playing any such game. [Amended 7-3-1967 by Ord. No. 67-3]

§ 108-8. Issuance of license.

Licenses shall be issued on application to the Clerk for certain game machines for the purpose of amusement or skill and for the playing of which a fee is charged.

§ 108-9. License required.

No person shall keep or permit to be kept for gain or profit within the corporate limits of the Village a game machine or machines as herein defined without first having applied for and received a license to keep such machine or machines.

§ 108-10. Application.

- A. Application for license shall be filed in writing with the Clerk and shall specify:

- (1) The name and address of the applicant and, if a firm, corporation, partnership or association, the principal officers thereof and their addresses.
 - (2) The place where the business of the applicant is carried on.
 - (3) The description and type of game machine and the number of machines intended to be kept for use on the premises.
- B. Said application shall be made to the Clerk, who shall issue said licenses. Said licenses shall be nonassignable and nontransferable.

§ 108-11. License fee.²

The annual fee for such license for each game machine shall be as set by the Board of Trustees from time to time and shall be payable in advance on or before April 1 of each license year. No license shall be issued for less than one year, and in no case shall any portion of said license fee be repaid to the licensee. The license issued hereunder shall be affixed in a conspicuous place in the place of business where said machines are kept and shall permit the operator of said business to maintain and keep as many of such machines as are listed in said license.

§ 108-12. Plain view; gambling devices prohibited. [Amended 9-7-1954 by Ord. No. 54-7]

All such game machines shall be at all times kept and placed in plain view of all persons who may be in or frequent any place of business or other place where such machines are kept or used. Nothing in this article shall be construed to authorize, permit or license any slot machine or any gambling device of any kind or nature whatsoever which is prohibited by the provisions of this Code or by the laws of the State of Illinois.

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