

Ida Code
50-307
50-308

ORDINANCE NO. 59

By Councilman Ralph Marlock

city AN ORDINANCE RELATING TO LICENSING, APPLICATION FOR LICENSING, REFUSAL OF LICENSE AND LICENSE FEE TO BE CHARGED FOR MUSIC BOXES, BOWLING ALLEYS, POOL TABLES AND BILLARD TABLES, AND OTHER COIN OPERATED GAMES AND AMUSTMENT DEVISES IN THE VILLAGE OF PECK, NEZ PERCE COUNTY, IDAHO, PROVIDING AN EFFECTIVE DATE THEREFOR, AND REPEALING ORDINANCES NO. 9 AND 16.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF PECK, IDAHO, AS FOLLOWS:

Section 1. It shall be unlawful for any person to run, operate or maintain any room or place within the corporate limits for the games of pool, cards, billards or bowling played by the public or where there are music boxes, juke boxes, or any other type of coin operated amusement or enjoyment devises which would include, but not be limited to pin-ball machines and shooting devises, etc. or for any person to permit or allow any of the games of pool, cards, billards, bowling, juke boxes, music boxes or any of the other type of coin operated amusements and enjoyment devises which shall include but not be limited to pin-ball machines, shooting devises, etc to be played in such rooms or other places, without first having secured a license from the Clerk.

Section 2. Any person that shall desire to procure a license for running or operating a pool room, card room, billard hall, ^{bowling} bolwing alley or for the operation of music boxes, juke boxes or any other type of coin operated amusement or enjoyment devises, to include but not be limited to pin-ball machines, shooting devises, etc. shall file an application therefot in writing with the Clerk, at least five days before the meeting at which said application is acted upon; at the time of the filing of said application, the quarterly license fee hereinafter provided for shall be deposited with the Clerk; if the application is favorably

acted upon by the Mayor and Council, the Clerk shall be instructed to issue the license to the applicant, but if refused, the license fee deposit above required shall be returned to the applicant.

Section 3. The Mayor and Council shall have the right and it shall be their duty to refuse to grant the application for license when the applicant is an irresponsible person, a questionable character, a violator of any provision of this code, or in their judgment is for the best interests of the public and the public welfare of the City demands that it be refused.

Section 4. It shall be unlawful for any person conducting a billard or pool room to permit thereon any games of faro, monte, roulette, or any game played with cards, for money, credit, or any other representative of value.

Section 5. The license fee shall be as follows:

- a. Each and every pool table the sum of \$5.00 per quarter.
- b. For each and every card table the sum of \$5.00 per quarter.
- c. For each and every billard table the sum of \$5.00 per quarter.
- d. For each and every bowling alley the sum of \$5.00 per quarter.
- e. For each and every juke box or other coin operated devise for amusement the sum of \$5.00 per quarter per devise, or juke box.
- f. For each and every card table the sum of \$5.00 per quarter.

No license shall be issued for longer than four quarters nor shorter than for a period of one quarter, except the unexpired terms of the quarter in which the same are applied for. Provided, further, that the license herein provided for shall not be construed to license or in any manner allowing gambling but is only a license fee to be paid when the games herein mentioned are run or operated as a means of recreation or pleasure.

Section 6. Any person violating either of the provisions of this Ordinance

shall be deemed guilty of a misdemeanor and on conviction therefor before a judge of the appropriate Court, pay a fine of not less than \$50 nor more than \$300 and may be jailed up to six months, together with Court costs.

Section 7. The effective date of this Ordinance shall be April 1, 1974.

Section 8. That Ordinances No. 9 and No. 16 of the City of Peck be by this Ordinance hereby repealed.

CITY OF PECK: April 15, 1974.

ATTEST: Margaret A. Smith City Clerk By Raymond R. Klautz Mayor