

**ORIGINAL APPLICATION FOR PERMIT TO OPERATE A  
MECHANICAL AMUSEMENT DEVICE  
In compliance with Ordinance Chapter 739**

\_\_\_\_\_  
No. Issued

\_\_\_\_\_  
Telephone Number

Name of Establishment: \_\_\_\_\_

Address of Establishment: \_\_\_\_\_

Nature of Business: \_\_\_\_\_

Name of Owner of Business: \_\_\_\_\_

Owner's Residence Address: \_\_\_\_\_

Name of Distributor: \_\_\_\_\_

Address of Distributor: \_\_\_\_\_

Do you have an Liquor License? \*\*Yes \_\_\_\_\_ No \_\_\_\_\_

\*\*Ordinance 715.01. A business with a liquor license can have a single coin-operated Pool Table without a Pool Room License.

List the Mechanical Amusement Device Machines for which you are applying, list the Manufacturer, and the Serial Numbers: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Are any of these machines a NEW TYPE Machine or Modification of a Mechanical Amusement Device? \_\_\_\_\_ If so, please explain: \_\_\_\_\_

\_\_\_\_\_

739.08 New or Modified Machines. Any new type or modification of a mechanical amusement device not presently licensed or operating in the City of Lorain shall first be presented by the person for inspection to the Chief of Police and Solicitor, who thereafter shall submit their recommendations to the members of Council for their consideration and approval for licensing of such new or modified mechanical amusement device pursuant to this chapter.

Date: \_\_\_\_\_

\_\_\_\_\_  
Signature of Applicant, Owner or Proprietor

Date: \_\_\_\_\_

Approved by \_\_\_\_\_  
Chief of Police

Date: \_\_\_\_\_

Approved by \_\_\_\_\_  
Mayor of Lorain

RENEWAL

No. Issued \_\_\_\_\_

Application for permit to operate a JUKE BOX in compliance with Ordinance Chapter 731.

Application for permit to operate a MECHANICAL AMUSEMENT DEVICE in compliance with Ordinance Chapter 739.

Phone Number \_\_\_\_\_

Name of Business \_\_\_\_\_

Address of Business \_\_\_\_\_

Zip Code

Name of Owner of Business \_\_\_\_\_

Residence Address of Owner \_\_\_\_\_

Zip Code

Owner of Such Device \_\_\_\_\_

Name of Distributor \_\_\_\_\_

(Company which you are leasing the machines from.)

Do you have a liquor license? Yes \_\_\_\_\_ No \_\_\_\_\_

How many coin operated machines do you have? \_\_\_\_\_

How many of these coin operated amusement devices are Juke Boxes? \_\_\_\_\_

List all of the coin operated amusement devices which are being renewed, and any additional machines you may have. Include all Juke Boxes.

**ATTENTION:** All machines must be listed including manufacturer, and serial number for a permit to be issued in accordance with Ordinance no. 731 & 739.

MECHANICAL DEVICE

MANUFACTURER

SERIAL NUMBER

<u>MECHANICAL DEVICE</u>	<u>MANUFACTURER</u>	<u>SERIAL NUMBER</u>

\*Ordinance 715.01 A business with a liquor license can have a single coin-operated Pool Table without a Pool Room License.

DATE \_\_\_\_\_

X  
Signature of Applicant

DATE \_\_\_\_\_

Approved \_\_\_\_\_  
Mayor of Lorain

ORDINANCE NO. 223-96

AN ORDINANCE AMENDING CHAPTER 739 MECHANICAL AMUSEMENT DEVICES, OF THE CITY OF LORAIN CODIFIED ORDINANCES, AMENDING SECTIONS 739.02 LICENSE REQUIRED; 739.04 ISSUANCE OF LICENSE-FEE; 739.06 TRANSFER-LOCATION; AND 739.99 PENALTY.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LORAIN, STATE OF OHIO:

SECTION I. That Section 739.02 License Required, which reads as follows:

739.02 License Required.

No person shall display or exhibit a mechanical amusement device in the City without first having obtained a license therefor from the Mayor. A separate license shall be required for each mechanical amusement device displayed at any one time.

shall be amended to read as follows:

739.02 License Required.

No person shall display or exhibit a mechanical amusement device in the City without first having obtained a license for such device(s) from the Office of the Mayor. One such license shall contain each mechanical amusement device by name and serial number.

SECTION II. That Section 739.04 Issuance of License; Fee, which reads as follows:

739.04 Issuance of License; Fee.

Upon the approval of such application and upon the payment of the annual license fee of ten dollars (\$10.00), a license to display one mechanical amusement device shall be issued to the applicant. Such license fee shall be for the fiscal year beginning January 1, of the calendar year or for any unexpired portion of any such fiscal year. Such license fee shall entitle the licensee therein named to display at or upon the premises therein described one mechanical amusement device.

shall be amended to read as follows:

739.04 Issuance of License; Fee.

Upon the approval of such application and upon the payment of the annual license fee of twenty dollars (\$20.00) per mechanical device, a license to display said mechanical amusement device(s) shall be issued to the applicant. Said annual license fee of twenty dollars (\$20.00) shall be required for each and every mechanical amusement device. All mechanical amusement devices shall be listed by name and serial number on one license application issued by the Office of the Mayor. Such license fee shall be for the fiscal year beginning January 1, of the calendar year or for any unexpired portion of any such fiscal year.

SECTION III.

That Section 739.06 Transfer; Location, which reads as follows:

739.06 Transfer; Location.

A separate license shall be required for each and every mechanical amusement device which is displayed by any person at any one time, but any licensee may change from the display of one approved mechanical amusement device to the display of another approved mechanical amusement device at any one time. A license issued under the provisions of this chapter shall not be transferred from one person to another person, but such license may be transferred by the licensee therein named from the place specified in such license to another place owned by such licensee, should the licensee move his business from the address specified in the license to another location.

No license shall be issued for the display of a mechanical amusement device at a place which is within 1,000 feet from any premises occupied by any school building. It shall be the duty of the licensee to conspicuously display the license issued hereunder.

shall be amended to read as follows:

739.06 Transfer; Location.

A license shall be required to be posted at or upon the premises for which said license is issued. A license issued under the provisions of this Chapter shall not be transferred from one person to another person, but such license may be transferred by the licensee therein named from the place specified in such license to another place owned by such licensee, in the event the licensee has moved his/her business, including all mechanical amusement devices listed on such license, from the address specified in the license to a new place of business.

The licensee shall be required to notify the Office of the Mayor when a mechanical amusement device listed on such license is being replaced with another mechanical amusement device during the calendar year with no additional fee for such transfer. The annual fee will be required with any additional mechanical amusement devices being displayed on the premises during the calendar year.

No license shall be issued for the display of a mechanical amusement device at a place which is within 1,000 feet from any premises occupied by any school building. It shall be the duty of the licensee to conspicuously display the license issued hereunder.

SECTION IV.

That Section 739.99 Penalty, which reads as follows:

Section 739.99 Penalty

Whoever violates any of the provisions of this Chapter shall be fined not more than fifty dollars (\$50.00). Each day during which such violation shall continue shall constitute a separate and distinct offense. In addition to the aforesaid penalty, the Mayor is authorized to revoke the license held by any person who shall have been convicted for a violation of this Chapter.

shall be amended to read as follows:

Section 739.99 Penalty

Whoever violates any of the provisions of this Chapter shall be fined not more than one hundred dollars (\$100.00). Each day during which such violation shall continue shall constitute a separate and distinct offense. In addition to the aforesaid penalty, the Mayor is authorized to revoke the license held by any person who shall have been convicted for a violation of this Chapter.

SECTION V. That it is found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public and in compliance with all legal requirements including Section 121.22, Ohio Revised Code.

SECTION VI. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: Dec. 16, 1996

  
PRESIDENT OF COUNCIL PRO-TEM

ATTESTED: Nancy A. Green CLERK

  
MAYOR

APPROVED: December 16, 1996

**CHAPTER 739**  
Mechanical Amusement Devices

- 739.01 Definitions.
- 739.02 License required.
- 739.03 Application for license.
- 739.04 Issuance of license; fee.
- 739.05 Distributor's license; fee.
- 739.06 Transfer; location.
- 739.07 Prizes or awards prohibited.
- 739.08 New or modified machines.
- 739.99 Penalty.

**CROSS REFERENCES**

Gambling - see GEN. OFF. Ch. 517  
Juke boxes - see BUS. REG. Ch. 731

**739.01 DEFINITIONS.**

As used in this chapter, unless the context otherwise indicates:

(a) "Mechanical amusement device" shall mean a machine which, upon the insertion of a coin or slug, operates or may be operated for use as a game, contest or amusement of any description, or which may be used for any such game, contest or amusement, and which contains no automatic payoff device for the return of money, coins, merchandise or tokens or checks redeemable in money or anything of value. Expressly excluded are juke boxes and other mechanical amusement devices specifically designated in other regulatory ordinances.

(b) "Person," "firm," "corporation" or "association," as used herein, shall mean any person, firm, corporation or association which owns any such machine; the person, firm, corporation or association in whose place of business any such machine is placed for use by the public, and the person, firm, corporation or association having control over such machine. The payment of such fee by any person, firm, corporation or association enumerated herein shall be deemed a compliance with this chapter. (Ord. 8040. Passed 12-12-60.)

**739.02 LICENSE REQUIRED.**

No person shall display or exhibit a mechanical amusement device in the City without first having obtained a license for such device(s) from the Office of the Mayor. One such license shall contain each mechanical amusement device by name and serial number. (Ord. 223-96. Passed 12-16-96.)

**739.03 APPLICATION FOR LICENSE.**

Application for a license to display a mechanical amusement device must be made to the Mayor upon such forms as shall be prepared by the Mayor. Such application must be made by the owner or proprietor of the business or place at which such mechanical amusement device is to be displayed.

The application shall state the name of the owner of such place of business, the address of the place for which the license is applied, the residence address of owner, the serial number and name of the manufacturer of the mechanical amusement device, the owner of such device, the name and address of distributor or vendor of such mechanical device, the nature of the business in conjunction with which such mechanical amusement device is to be displayed and such other and further information as may be required by the Mayor. (Ord. 8040. Passed 12-12-60.)

#### **739.04 ISSUANCE OF LICENSE; FEE.**

Upon the approval of such application and upon the payment of the annual license fee of twenty dollars (\$20.00) per mechanical device, a license to display said mechanical amusement device(s) shall be issued to the applicant. Said annual license fee of twenty dollars (\$20.00) shall be required for each and every mechanical amusement device. All mechanical amusement devices shall be listed by name and serial number on one license application issued by the Office of the Mayor. Such license fee shall be for the fiscal year beginning January 1, of the calendar year or for any unexpired portion of any such fiscal year. (Ord. 223-96. Passed 12-16-96.)

#### **739.05 DISTRIBUTOR'S LICENSE; FEE.**

No person shall distribute mechanical amusement devices in the City by lease, conditional sale or any financial conditional method, a distributor also being known as an operator, without first having obtained a distributor's license therefore from the Mayor upon the payment of the annual license fee of one hundred dollars (\$100.00). The license fee shall be for the fiscal year beginning January 1 of the calendar year or for any unexpired portion of any such fiscal year.

Nothing in this section shall be intended to prohibit any person or the owner of a place of business to purchase such mechanical amusement device outright from any source, provided compliance is made for the annual license as hereinbefore set forth and upon presentation of a bill of sale therefore. (Ord. 8040. Passed 12-12-60.)

#### **739.06 TRANSFER; LOCATION.**

(a) A license shall be required to be posted at or upon the premises for which said license is issued. A license issued under the provisions of this chapter shall not be transferred from one person to another person, but such license may be transferred by the licensee therein named from the place specified in such license to another place owned by such licensee, in the event the licensee has moved his/her business, including all mechanical amusement devices listed on such license, from the address specified in the license to a new place of business.

(b) The licensee shall be required to notify the Office of the Mayor when a mechanical amusement device listed on such license is being replaced with another mechanical amusement device during the calendar year with no additional fee for such transfer. The annual fee will be required with any additional mechanical amusement devices being displayed on the premises during the calendar year.

(c) No license shall be issued for the display of a mechanical amusement device at a place which is within 1,000 feet from any premises occupied by any school building. It shall be the duty of the licensee to conspicuously display the license issued hereunder. (Ord. 223-96. Passed 12-16-96.)

**739.07 PRIZES OR AWARDS PROHIBITED.**

No person by himself, by another person or otherwise, directly or indirectly, shall give any prize, award, merchandise, gift or anything in value to any player or any operator of any mechanical amusement device, or to any contestant for a high score on any such device. (Ord. 8040. Passed 12-12-60.)

**739.08 NEW OR MODIFIED MACHINES.**

Any new type or modification of a mechanical amusement device not presently licensed or operating in the City shall first be presented by the person for inspection to the Chief of Police and Solicitor, who thereafter shall submit their recommendations to the members of Council for their consideration and approval for licensing of such new or modified mechanical amusement device pursuant to this chapter. (Ord. 8040. Passed 12-12-60.)

**739.99 PENALTY.**

Whoever violates any of the provisions of this chapter shall be fined not more than one hundred dollars (\$100.00). Each day during which such violation shall continue shall constitute a separate and distinct offense. In addition to the aforesaid penalty, the Mayor is authorized to revoke the license held by any person who shall have been convicted for a violation of this chapter. (Ord. 223-96. Passed 12-16-96.)