

ORDINANCE NO. 1386

AN ORDINANCE to license and regulate amusement devices and to provide a penalty for violation thereof.

THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:

Section 1. DEFINITION. Within the scope and meaning of this ordinance, an amusement device is any machine or devise designed to be operated or used for amusement or for playing a game, upon the insertion of a coin or anything representing a coin, and which does not vend or deliver any article or prize; provided that the following devices are prohibited by and do not come within the definition of an amusement device within the terms and meaning of this ordinance:

1. Any device used for the playing of a game of chance, or any game in which the element of chance predominates over the element of skill;
2. Any device intended for gambling, or reasonably intended to be used for gambling;
3. Any device which vends free play privileges, money, tokens, merchandise or anything representing value.

Section 2. The owner or proprietor of every store, shop, restaurant, hotel, or other place of business in the city of Albany, Oregon, shall pay to said city a license fee on the basis of Four (\$4.00) Dollars per quarter year, payable in advance, for every such machine maintained in such store, shop, restaurant, hotel, or other place of business, for operation or play by the public or persons in or about such store, shop, restaurant, hotel, or other place of business.

Section 3. Such license fee shall be paid to the City Recorder of the City of Albany, who shall issue such license for the maintenance of such machine or machines, showing thereon the number of such machines said owner or proprietor shall be entitled to maintain thereunder. Said license shall be conspicuously displayed in the place of business where such machines are maintained. The change of machines shall be permissible under said license, that is, the licensee shall be permitted to maintain the number of machines designated in said license and may change such machines about, at no time maintaining a greater number of machines than covered by such license.

Section 4. No person as owner, proprietor, manager, or operator of any store, shop, restaurant, hotel, or other place of business in Albany, Oregon, shall maintain or permit the maintenance of any such machine therein unless the license fee has been paid therefor as hereinbefore provided and the license therefor is conspicuously displayed as hereinbefore provided; that such machines shall be operated only in the front or main business room of the place where licensed, and no minor under the age of 18 years shall be permitted to play or operate such machines.

Section 5. Any person violating any of the provisions or requirements of this ordinance shall, upon conviction thereof before the Recorder's Court be fined in a sum not to exceed One Hundred (\$100.00) Dollars.

Passed by the Council, May 8th, 1935.

Approved by the Mayor, May 10, 1935.

Attest: F.E. Van Tassel,

Recorder of the City of Albany.

W.L. Jackson, Mayor.

STATE OF OREGON,
County of Linn. ss. I, F.E. Van Tassel, Recorder of the City of Albany, Linn County, Oregon, hereby certify that the annexed and foregoing copy of Ordinance No. 1386 has been by me carefully compared with the original Ordinance Bill No. 1495, on file in my office, and that it is a true and correct copy of all of said bill, passed by the Council May 8th., 1935, and approved by the Mayor May 10th., 1935.

Witness my hand and official signature and the seal of the city of Albany this 11th. day of May, 1935.

F. E. Van Tassel
Recorder of the City of Albany.