

CHAPTER 5

Regulation and Licensing of Amusement Arcades

§ 7-5-1	Definitions
§ 7-5-2	Amusement Arcade or Game Room License
§ 7-5-3	Hours of Operation for Amusement Arcades
§ 7-5-4	General Requirements for Amusement Arcades
§ 7-5-5	License Revocation or Suspension

SEC. 7-5-1 DEFINITIONS.

- (a) "AMUSEMENT ARCADE OR GAME ROOM" means any premises or arcade operated by any person, corporation, or legal entity, which is the owner, lessee, or occupant of a building whose primary purpose or object of its existence or operation is that of providing "amusement devices" to the public at retail, and/or any premises operated by any person, corporation, or other legal entity, which is the owner, lessee, or occupant of a building the majority of whose gross receipts are derived from the providing of "amusement devices" to the public at retail.
- (b) "AMUSEMENT DEVICE" means any machine, game or device, intended or used as a test of skill or entertainment, and may be operated by the manipulation of buttons, dials, trigger devices or electrical impulses upon the insertion of a coin, token or the use of which is made available for any valuable consideration; and such amusement device shall include, but not be limited to, devices commonly know as pinball machines, video games, electronic games, pool or billiard tables and all games or operations similar thereto under what ever name they may be indicated. Such definition does not include a bowling alley, a juke box or other coin operated music machine or a mechanical amusement riding device.

SEC. 7-5-2 AMUSEMENT ARCADE OR GAME ROOM LICENSE.

- (a) **LICENSE REQUIRED.** No person, firm, or corporation shall operate or keep an amusement arcade or game room as defined herein, without having obtained and posted on the premises, in plain view, a license to operate such arcade. Application shall be made to the Village Administrator on the form provided by such office, accompanied by an application fee as stated in the Schedule of Fees.
The application shall set forth the following information:
 - (1) The name and address of the applicant, or, if a partnership, the name and addresses of all the partners, or, if a corporation, the names and addresses of the principal officers and registered agent thereof, and the name and address of the person who will supervise the game room.
 - (2) The name and addresses of the owners of the amusement devices to be located on the licensed premises, if such owners are different from that of the applicant. If the owners of the amusement devices is a partnership, the names and addresses of all the partners, or if a corporation, the names and addresses of the principal officers and registered agent thereof.

- (3) A building plan of the premises to be licensed specifically describing and otherwise showing all dimensions, indicating the intended division of floor space, exits and entrances, the areas to be used for amusement devices, and the common aisles.
 - (4) A site plan of the premises to be licensed which shall include the proposed landscaping for the subject premises, and all the improvements, parking and driveway areas, and landscaping located on property adjacent to and within twenty (20) feet of the property lines of the premises to be licensed.
 - (5) If the applicant operates other arcade or game rooms in other areas (of the State) (of the Village) (of the County), the names and addresses of such other licensed establishments.
 - (6) Such application shall also contain such additional information as the Village deems necessary to assist it in determining the qualifications of the applicant for such license.
- (b) INSPECTION. The Village Administrator shall notify the Building Inspector and Chief of Police of each new application for license and these officials shall inspect or cause to be inspected each application and the premises, together with such other investigation as shall be necessary to determine whether the applicant and the premises sought to be licensed comply with the regulations, ordinances and laws applicable thereto, including those governing sanitation in restaurants, and whether the applicant is a proper recipient of a license. The Building Inspector and Chief of Police shall furnish to the Village Board in writing the information derived from such investigation, accompanied by a recommendation as to whether a license should be granted or refused. No license shall be renewed without a re-inspection of the premises and report as originally required.
- (c) PUBLIC HEARING. The application shall be forwarded to the Village Board which shall hold a public hearing prior to the granting or denial of any amusement arcade license. In reviewing each application, the Village Board shall find:
- (1) That the establishment, maintenance, or operation of an amusement arcade or game room at the location requested will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare.
 - (2) That the proposed amusement arcade will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose already permitted, nor substantially diminish and impair property values within the neighborhood.
 - (3) That the establishment of the amusement arcade will not impede the normal orderly development and improvement of the surrounding property for uses permitted in the district.
 - (4) That adequate measures have been or will be taken to maintain good order surrounding the location thereof.
- (d) ISSUANCE OF LICENSE; TERM. The Village Administrator shall issue a license upon approval of the application by the Village Board, upon the payment by the applicant of an annual license fee as stated in the Schedule of Fees. Such registration shall remain effective until the 30th day of June following issuance.

SEC. 7-5-3

HOURS OF OPERATION FOR AMUSEMENT ARCADES.

- (a) No premises for which an amusement arcade license has been issued shall be permitted to remain open for the offering of electronic amusement devices to the public at retail between the hours of 10:00 p.m. and 10:00 a.m.

- (b) No premises for which an amusement arcade license has been issued shall be permitted to remain open for the offering of amusement devices to the public at retail before 3:00 p.m. on any day in which school is in regular session.
- (c) For the purpose of this section the term school is defined as any public or private institution providing learning facilities for Grades K through 12.

SEC. 7-5-4 GENERAL REQUIREMENTS FOR AMUSEMENT ARCADES.

The following general requirements shall apply to all amusement arcades licensed in accordance with this Chapter:

- (a) All amusement arcades shall have an adult supervisor on the premises at all times in which the arcade or game room is open to the public.
- (b) Every amusement arcade shall provide an adequate area and number of bicycle racks for the orderly parking of bicycles, which area shall be separate from a required vehicle parking stall and shall be so located as to not occupy any portion of a public sidewalk or to otherwise obstruct pedestrian passage to and from the premises.
- (c) Game rooms licensed herein shall comply with all other building, fire code, and applicable Village laws and regulations.
- (d) All arcades shall post rules of non-acceptable patron conduct in a conspicuous location and shall order anyone violating the rules to leave the premises. Should the violator refuse to leave, the supervisor of the amusement arcade shall advise the Police Department immediately.

SEC. 7-5-5 LICENSE REVOCATION.

Licenses may be revoked or suspended for a period of 1 (one) year by the Village Board after notice and public hearing, upon its determination that an amusement arcade's location or operation fails to conform to standards provided in this Chapter, or violates any other provision of this Code of Ordinances.

History: Code of Ordinances, 1986. Chapter 5 of Title 7, Recreated. Ordinance No. 15, Series of 1995.