

ORDINANCE 66

AN ORDINANCE TO LICENSE AND REGULATE GAMES OF SKILL AND PROVIDING A PENALTY FOR THE VIOLATION THEREOF.

The Village Council of the Village of Bird Island does ordain:

Section 1. Definitions. The terms “a game of skill” as used herein shall include any device played by manipulating special equipment and propelling balls across a board or field into respective positions whereby a score is established, the object of which is to secure a special number or numbers or high total score, which may be played by the public generally at a price paid either directly or indirectly for such privilege, whether a prize is offered for the game or not. Nothing in this ordinance shall be interpreted as permitting the operation of any game of device constituting a lottery or gambling device and prohibited under state law.

Section 2A. License Required. No person, firm, or corporation shall operate or keep for operation any game of skill without having applied for and received a license therefore from the Village Council as herein provided. Application for such license shall be made to the Village Recorder upon a form to be furnished by the municipality, and shall give the name and address of the owner and applicant, the place wherein such game is to be operated, what business is conducted at that place, the name, number and description of the same and particular piece of equipment to be licensed, the fee for playing the game and prize, if any, and such other information as the council may require.

Section 2B. A Semi-annual license fee of Forty-five Dollars (\$45.00) for every particular piece of equipment or device shall accompany each application, which amount shall be put into the general fund of the municipality. The license period shall be from January the 1st to June the 30th and from July the 1st to December 31st of each year.

Section 2C. Such application shall be considered by the council in its next regular meeting and granted or rejected. Such license may be transferred to another location in the municipality upon filing notice with the recorder, of such transfer, and upon payment of the sum of \$1.00; provided, however, that no license shall be transferred from one person to another person.

Section 2D. In the event of the installation of a new piece of equipment or device within ninety (90) days prior to the expiration of any licensing period, the license fee shall be Seven and 50/100- -Dollars (\$7.50) per month or any fractional part thereof.

Section 2E. In the event any particular piece of equipment or device is licensed hereunder breaks down or becomes in need of repair so as to necessitate removal of the same from the premises, another piece of equipment or device of the same and exact nature and description may be substituted and used for the unexpired term of the license on the equipment or device so removed.

Section 3. License to be Displayed. Every license granted hereunder shall be posted in a conspicuous place on or near the game so licensed and shall identify the same, by number or description.

Section 4. Prohibited Practices and Restrictions. No license hereunder shall be issued for any game of skill within 250 feet of any school building. No person shall use any device licensed under this ordinance as a gambling device, and no license shall permit any person or persons to use any machine licensed hereunder for gambling purposes, and the operation of any lottery or gambling device is hereby declared to be contrary to this ordinance. No minor under the age of eighteen years, or any minor enrolled in a public school, shall be permitted to play any such device.

Section 5. Revocation. Any license granted hereunder may be revoked by the village council without cause upon giving the license five days notice and refunding to him the unearned portion of the license fee; provided, however, that the license may be revoked for cause without notice, in which event the unearned portion of the license shall be refunded.

Section 6. Penalty. Any person violating the provisions of this ordinance shall be guilty of misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding One Hundred Dollars (\$100.00), or by imprisonment not exceeding thirty (30) days. Upon violation of any law of the state relating to gambling involving any such game of device the license to operate the same shall be forthwith revoked.

Section 7. Effect. This ordinance shall take effect and be in force from and after its passage and publication.

The foregoing ordinance was duly passed and adopted by the Village Council of the Village of Bird Island at its regular meeting held the 3rd day of June, 1943.

Acting President of Village Council

Gustave Steffen, Village Recorder

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