

ORDINANCE NO. 106

An ordinance providing for the licensing of amusement devices, fees for same and providing penalty for violation thereof.

BE IT ORDAINED AND ENACTED by the Council of the Borough of Clymer, and it is hereby ordained and enacted as follows:

1. No person shall at any time display for public patronage or keep for operation within the borough any billiard or pool table, shuffle board, bowling alley, mechanical device, machine, or apparatus whatsoever for the playing of music, games and amusement, said mechanical devices, etc., being commonly known as " combination film and music machines", " juke boxes" , " music boxes", or phonograph", and as pin ball machines, upon which baseball, football or other games are played, through the insertion therein or a coin or any other metal disc, slug or token whatsoever, without first having procured a license therefor as provided in this section.

2. Any person desiring to procure a license, as required by this ordinance, shall apply therefor in writing to the burgess upon a form to be supplied by the burgess or secretary for that purpose. The application for such license shall contain the following information

- (a) Name of applicant.
- (b) Address of applicant.
- (c) Age, date and place of birth.
- (d) Name and address of owner of machine or device.
- (e) Place where machine or device is to be displayed or operated and the business conducted at that place.
- (f) Description of machine to be covered by the license, name of manufacturer and serial number, if any.

The information required in this section shall be furnished over the signature of the applicant and shall be made under oath or affirmation.

3. Every applicant for a license shall not be less than twenty-one years of age and a citizen of the United States.

4. The applicant for the license required by section 1. shall be construed as being the owner of the devices, machines or apparatus, unless otherwise indicated on the application, but payment of fee herein provided for any person who is in fact the owner, or in whose place of business any such machine is located shall be deemed in compliance with this section.

5. No license for any billiard or pool table , shuffle board, bowling alley or mechanical amusement device shall be granted until a period of seven days shall have elapsed from the date of application, during which time the burgess may, at his discretion, investigate or cause to be investigated by the chief of police, the facts set forth in the application.

6 No license for any billiard or pool table, shuffle board, bowling alley or mechanical amusement device shall be issued until an annual license fee thereof shall have been paid by the applicant to the borough treasurer in the sum of ot Twenty Five (\$25.00) Dollars for each and every devace so uninstalled or used, under the terms of this ordinance in the borough, which amount paid as aforesaid shall be a license fee until December 31 of each year. However should any device be installed after July 1, of any year, and application therefor be made after said date, then in such event the license for that particular year shall be the sum of Twelve And 50/100(\$12.50) Dollars to December 31.

7/ A license for any device specified in section 1 may be transferred forom one billiard or pool table, shuffle board, bowling alley, machine or device to another similar machine.

ADAG07

If the licensee shall move his place of business to another location within the borough, the license may be transferred to such new location upon application to the burghess, giving street and number of new location. The burghess may, in his discretion, investigate the new location or cause the same to be investigated by the chief of police before approving the transfer of license.

A license shall be transferable from person to person, except that if there is a bona fide sale of the licensee's business and stock in trade, including machines or devices which are licensed under this ordinance, and the purchaser continues the business at the same location, then the license for each such machine or device may be transferred to the purchaser upon application to the burghess, giving the name and address of the transferor and transferee, and the description name of manufacturer, and serial number of the machine or device transferred.

8. The applicant for a license to operate any billiard or pool table, shuffle board, bowling alley or mechanical amusement device, having complied with all the requirements of , and having paid the license fee provided for in this ordinance, the burghess then may issue an official sticker setting forth the number of the license for each machine so licensed, which official sticker shall be attached and affixed to the respective machine or device so that the same be clearly observable and readable. The burghess shall also issue a permit, which permit shall at all times be displayed in a prominent place in the room where the machine or device is kept or operated.

9. Nothing in this ordinance shall in any way be construed to authorize, license, or permit gambling devices whatsoever, or any mechanism that has been judicially determined to be a gambling device, or in way contrary to the law, or that may be contrary to any future law of the Commonwealth of Pennsylvania.

10. Any person violating any of the provisions of this ordinance shall be fined a sum not in excess of fifty dollars for each and every offense. Each and every day that any machine or device, under the terms of this article, shall be operated and used in violation thereof, shall constitute a separate and distinct offense under this ordinance and shall be subject to separate and distinct penalties thereunder.

11 Any ordinance or parts of ordinances conflicting with this ordinance is hereby repealed insofar as the same affects this ordinance.

Ordained and enacted this 7 day of February, 1950.

Gordon Gibson
President

Attest John E. Steele
Secretary

Approved this 7 day of February 1950 Ben F. Wilkins
Burghess

RESOLUTION

BE IT RESOLVED that the Borough of Clymer is in favor of the improvement of Traffic Route #80 (Legislative Route #54), Section R-7), but that the Borough, by reason of its present financial position, is unable to assume any of the costs of construction of said road within the Borough and is unable to assume any liability for any property damage involved by reason of said improvement.

RESOLVED this 30th day of October, 1950.

Gordon Gibson
President

Attest John E. Steele

Approved this 30th day of October 1950.

Gordon Gibson
Acting Burgess

ADAG07