

AN ORDINANCE PROVIDING FOR THE REGULATION OF AMUSEMENT DEVICES, MUSIC MACHINES, PINBALL GAMES AND OTHER GAMES OF LIKE CHARACTER, IMPOSING A PRIVILEGE TAX THEREON, PROVIDING A PENALTY FOR THE VIOLATION THEREOF, AND REPEALING ORDINANCES NUMBERED 60, 75, 179, 226, and 228.

The City of Sweet Home does ordain as follows:

Section 1. Definitions. The term "Amusement device" as used in this ordinance shall mean any device designed to be operated for music or amusement only or for playing a game, providing that nothing in this ordinance shall be deemed to provide for the taxing of amusement devices prohibited from operation by the laws of the State of Oregon or ordinances of the City of Sweet Home. Punchboards shall not be included in the term "Amusement device" as defined herein.

Section 2. It shall be unlawful for any person to display or place in operation any amusement device in the City of Sweet Home where the same may be played by the public without having the privilege tax paid thereon as herein required.

Section 3. Any person desiring to maintain, keep or display any amusement device shall make written application for a tax receipt and shall file the same with the City Recorder. Such application shall state the name of operator, address and place of business in which the device will be located. The application for a tax receipt shall be accompanied by a deposit equal to the annual or quarterly privilege tax of the total number of amusement devices to be placed in operation.

Section 4. Amusement devices as herein defined shall be classified by the Chief of Police to fall into one of the following classes and the privilege tax required on each of the several classes shall be as follows:

- (1) Devices and games commonly known as pinball or marble games and games of like character are subject to a quarterly tax of \$50.00.
- (2) Devices and games commonly known as shuffle boards, shuffle bowlers and other games or devices of like character are subject to a quarterly tax of \$15.00.
- (3) Music machines, juke boxes, and other devices of like character are subject to a quarterly tax of \$15.00.
- (4) Pool tables, billiard tables and other devices of like character are subject to a quarterly tax of \$10.00.
- (5) Card tables and devices of like character are subject to an annual tax of \$10.00.



Section 5. The privilege tax required for amusement devices by this ordinance shall be paid quarterly or annually in advance before any machine or device shall be displayed or placed in operation. Any portion of the quarterly or annual period for which the privilege tax is required shall constitute the entire period for tax purposes.

Section 6. Tax receipts regularly issued for the display or operation of amusement devices within the City of Sweet Home shall be affixed on or near the device so taxed so that it may be in plain view of the public, and it shall be unlawful to operate or maintain for operation any such machine unless this receipt shall be so displayed. Tax receipts shall not be transferable from one operator to another, from one device to another, nor from one location to another, provided however, a regularly licensed machine or device which becomes inoperative by reason of mechanical failure may be removed and replaced by an operating machine or device of like character after approval of the Chief of Police of the City of Sweet Home.

Section 7. Any amusement device operated in the City of Sweet Home without such display of a valid tax receipt shall be held as evidence against the operator thereof, and disposed of in such manner as shall be directed by the municipal court, either by destruction or sale thereof. The foregoing remedy is not exculsive, but may be in addition to any other penalties herein provided for violation of this ordinance.

Section 8. It shall be unlawful for the operator of any such amusement device so taxed, except music devices and pool tables, to permit minors under the age of 21 years to play the same.

Section 9. Ordinances No. 60, enacted September 19, 1939, Ordinance No. 75, enacted May 27, 1941, Ordinance No. 179, enacted March 14, 1950, Ordinance No. 226, enacted November 5, 1952, Ordinance No. 228, enacted November 5, 1952 and all other ordinances and parts of ordinances in conflict herewith are hereby repealed.

Section 10. Any person violating any of the provisions of this ordinance shall upon conviction thereof in the municipal court, be punished by a fine not exceeding \$500.00 and, or a jail sentence of not exceeding 100 days, or both at the discretion of the municipal court.

Section 11. It is hereby adjudged and declared that existing conditions are such that this ordinance is necessary for the preservation of the public peace, health and safety. Now, therefore, an emergency is hereby declared to exist and this ordinance shall take effect and be in full force and effect from and after its passage and approval by the mayor.

Passed by the Council and approved by the Mayor this 27th day of December, 1960.

ATTEST:

William J. Remy  
Mayor

First Reading: November 22, 1960  
Second Reading: December 13, 1960  
Third Reading: December 27, 1960

Ray Eames  
City Recorder