



Generated at 3/10/2019 19:29

CH18 18 .7 - Amendment to Licensing of Recreational Establishments

BE IT ORDAINED, that the Town Board of Lapel, amends the current Ordinance, Chapter 2, Administration, Section 2-1 General Provisions, Section 2-2 Home Rule, Section 2-3 Licensing of Recreational Establishments.

BE IT ORDAINED, by the Town Board of Lapel that the above Section 2-3 shall read as follows:

Licensing of Recreational Establishments

- a. No person shall operate a billiard table, card table, pool table, pinball, or electronic game device within the Town of Lapel prior to applying to the Clerk-Treasurer for a license for the same. The applicant for a license shall state the name of the person to be licensed; his or her residence; whether he or she has been convicted of any felony or misdemeanor; his or her previous occupations for the past five (5) years; and the number of tables for billiards, pool, cards, pinball, or electronic game devices he or she anticipates installing in the Town and the location of the same. The Clerk-Treasurer shall submit the application to the Board and, upon approval by the Board, the Clerk-Treasurer shall issue a license for the operation of billiard, pool, or card tables; pinball; or electronic game devices.
- b. No licensee operating billiard, pool, or card tables; pinball; or electronic game devices shall operate said billiard, pool, or card tables; pinball; or electronic game devices in a secret or concealed room(s). The room shall be open at all times to the public, and all above listed devices must be visible at all times from the street.
- c. No licensee operating billiard tables, card tables, pool tables, pinball or electronic game devices shall operate said billiard tables, card tables, pool tables, pinball, or electronic game devices between the hours of 12:00am and 9:00am, or at any time on Sunday. The room where the billiard tables, card tables, pool tables, pinball, or electronic game devices are located must be emptied of all personnel, including the owner or operators, thirty (30) minutes after closing time.
- d. Every licensee who obtains a license to operate or maintain billiard tables, card tables, pool tables, pinball, or electronic game devices for the purpose of providing or permitting entertainment to persons under eighteen (18) years of age must set and abide by a closing time of at least thirty (30) minutes before

curfew as defined by State Law and this Code or as directed by the Town Marshal or other Madison County or State Police Agencies.

- e. No person shall keep and exhibit to be played upon for hire or gain any billiard table, card table, pool table, pinball, or electronic game device within the Town without first having obtained a license to do so from the Town as herein provided. Any person violating any provision of this section shall be fined the sum of Ten Dollars (\$10.00), Each and every day any billiard table, card table, pool table, pinball, or electronic game device is kept exhibited to be played upon for hire or gain constitutes a separate offense.
- f. All licenses issued in accordance with this section shall be valid for the period from January 1st to December 31st of each year. Persons receiving permits issued after January 1st and prior to July 1st shall pay the full license fee. Persons receiving permits issued on or after July 1st shall pay one half 1/2 of the license fee.
- g. License permit fees shall be assessed as follows:
 - o First machine, \$10.00
 - o All other machines \$2.00
- h. Each licensee under this section agrees to allow inspection of his or her premises at any time by the Town Police Department. The failure of said licensee to provide a valid permit for each license category, as set out in (g) of this section, shall subject said licensee to immediate revocation of all permits held by said licensee.
- i. A licensee issued under this section may be revoked upon the conviction of the license holder or maintaining a disorderly, indecent, or improper place, permitting gambling of any form, or the unlawful possession or sale of alcoholic beverages or controlled substances on the premises. The license holder shall receive a written notice stating that a hearing shall be held no sooner than ten (10) days following the mailing of the notice to determine if the license should be revoked for a violation of this section or as a public nuisance.
- j. The Board may instruct the Town Attorney to bring injunction proceedings to compel the enforcement of this section.
- k. This section does not apply to any benevolent or fraternal organization which owns, keeps, and maintains billiard, pool, or card tables for use by its own members and not for hire.

The Town Board of Lapel now implements the amendment to Ordinance, Chapter 2, Administration, Section 2-1 General Provisions, Section 2-2 Home Rule, Section 2-3 Licensing of Recreational Establishments.

Read and Adopted this 5th Day of November, 2009.

Further Information

7-2009

Date Passed: 11/5/2009

