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CH2 2 .3 - Licensing of Recreational Establishments

Amendments and Repeals

Sections of this ordinance have since been Amended By - [7-2009](#)

- a. No person shall operate a billiard table, card table, pool table, pinball or electronic game device within the Town 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; 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 pool table, billiard table, card table, pinball or electronic game device for which a license to operate is procured, shall be operated in violation of any town law or within 100 yards of an establishment that serves alcoholic beverages, provides adult entertainment or a combination of both. (Ord. 5-1995, passed 5/16/95)
- c. No licensee operating pool or billiard tables, card tables, pinball or electronic game devices shall operate said pool tables, billiard tables, card tables, pinball or electronic game devices in a secret or concealed room or rooms. 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.
- d. No licensee operating pool tables, billiard tables, card tables, pinball or electronic game devices shall operate said pool tables, billiard tables, card tables, pinball or electronic game devices between the hours of 12:00 a.m. and 9:00 a.m., or at any time on Sunday. The room where the pool tables, billiard tables, card tables, pinball or electronic game devices are located must be emptied of all personnel, including owner or operators, thirty (30) minutes after closing time.
- e. Every licensee who obtains a license to operate or maintain pool tables, billiard tables, card tables, pinball or electronic gaming 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.
- f. No person shall keep and exhibit to be played upon for hire or gain, any pool table, billiard table, card table, pinball or electronic game device within the Town, without first having obtained a license so to do 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 pool table, billiard table, card table, pinball or electronic game device is kept and exhibited to be played upon for hire or gain constitutes a separate offense.
- g. All licenses issued in accordance with this section shall be valid for the period from January 1 to December 31 of the following year. Renewal fees shall be due and payable to the Town on or before December 31 of each year. Persons receiving permits issued after January 1, and prior to July 1, shall pay the full license fee. Persons receiving permits issued on or after July 1 shall pay on-half of the license fee.
- h. License permit fees shall be assessed as follows:
- Each pool or billiard table \$20.00
 - Each pinball or other mechanical or electronic device for entertainment \$20.00
 - Each card table \$20.00
- i. 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 (h) of this section shall subject said licensee to immediate revocation of all permits held by said licensee.
- j. A license 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.
- k. The Board may instruct the Town Attorney to bring injunction proceedings to compel the enforcement of this section.
- l. 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.

Further Information

'82 Code, Ord. No. 9-1982

Indiana Code [36-1-3-1](#) [36-5-1](#)

Date Passed: 12/22/1982