

## Chapter 79

### AMUSEMENT DEVICES

[HISTORY: Adopted 11-30-1981 by the Board of Selectmen of the Town of Somers, effective 11-30-1981. Amendments noted where applicable.]

#### ~ 79-1. Purpose.

The regulation by licensing of mechanical amusement devices, including pin game machines and other machine games of skill, and the constant supervision of the operation of such machines are hereby declared necessary for the protection of the health, safety and morals of the Town of Somers.

#### ~ 79-2. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

##### MECHANICAL AMUSEMENT DEVICE:

- A. Any mechanical pinball amusement device which is so constructed that the result of its operation depends upon chance or upon the skill of the operator, or upon both.
- B. Any mechanical device which in its operation shoots or propels an electric light, ray or impulse to a target.
- C. Any table bowling, shuffleboard or other mechanical table game or amusement device involving the propulsion of spheres or other projectiles, mechanically or by hand.
- D. Any coin-operated or coin-in-the-slot amusement device or game, be it table or otherwise and be it mechanical or electronic or both.

PERSON -- An individual, partnership, corporation, club or association.

#### ~ 79-3. License required; maximum number of devices.

- A. No person shall have in any place within a permanent structure open to the general public or occupied by any club or association any mechanical amusement device without first having obtained a license therefor.
- B. Notwithstanding the provisions of Subsection A, no person shall have in any place within a permanent structure open to the general public more than four (4) mechanical amusement devices.

~ 79-4. Application for license.

Application for a license shall be made to the Town Clerk upon a form furnished by him and shall contain the following information under oath:

- A. Name of applicant; if a partnership, names of all partners; if a corporation, club or association, names of officers.
- B. Residence of applicant.
- C. Place and state of birth; if a corporation, club or association, date organized and under laws of what state, and place and date of birth of officers.
- D. Location of place where licensed business is to be conducted.
- E. Type of business.
- F. Citizenship status of applicant or of officers, if applicant is a corporation, club or association.
- G. Whether applicant or if a corporation, club or association, officers have ever been convicted of a crime.
- H. Number of mechanical amusement devices for which license is sought.

~ 79-5. Approval by Board of Selectmen; qualifications of applicant.

The application shall then be referred to the Board of Selectmen for approval of the character and record of the applicant or, in the case of a corporation, club or association, of its officers. Each applicant or each officer, if the applicant is a corporation, club or association, shall be not less than eighteen (18) years of age and a citizen of the United States. The applicant shall be the actual owner of the business for which the license is sought. The Board of Selectmen shall issue each license in the name of the applicant, and it shall not approve said application or issue a license unless it finds that the requirements for such license have been fully met and satisfied.

~ 79-6. Fee; expiration of license.

The annual license fee for each mechanical amusement device shall be five dollars (\$5.). All licenses hereunder shall expire on June 30 in each year.

~ 79-7. Posting of license.

The license shall be conspicuously posted in the place of business of the licensee.

~ 79-8. Maintenance; use by minors or for gambling prohibited. [Amended 4-29-1996 by the Board of Selectmen, effective 5-23-1996]

Each licensee shall maintain good order in his place of business and shall not permit his mechanical amusement devices to be used by persons under the age of eighteen (18) years or to be used for gambling. A violation of this section by an agent or employee of a licensee shall be deemed a violation hereof by the licensee.

~ 79-9. Penalties for offenses.

A. Any person violating any of the provisions of this chapter shall be fined not more than one hundred dollars (\$100.) for each offense.

B. The police shall have the power to revoke any license issued hereunder for cause after due notice in writing to the licensee. Cause shall be deemed to include, but not be limited to:

(1) Conviction of a crime involving moral turpitude subsequent to the granting of the license.

(2) False information knowingly given in the application for a license.

(3) Any violation of this chapter.

~ 79-10. Appeals.

Any person aggrieved by any order of the police issued in the administration of this chapter may appeal from said adverse decision within ten (10) days thereafter to the Board of Selectmen and, if this decision is adverse, within ten (10) days thereafter to the Superior Court for the Judicial District of Tolland on the next return day to which such appeal can be made returnable.