

**TITLE XI: BUSINESS REGULATIONS**

**Chapter**

- 110. AMUSEMENT ARCADES**
- 111. TAXICABS**
- 112. TRANSIENT MERCHANTS**
- 113. FOOD AND BEVERAGE TAX REVENUE**



## CHAPTER 110: AMUSEMENT ARCADES

### Section

110.01	Definitions
110.02	License required
110.03	Issuance and revocation of license
110.04	License fee
110.05	Term of license
110.06	Hours of operation
110.07	Minors
110.08	Alcohol
110.09	Order
110.10	Crowds
110.11	Attendant
110.12	Gambling

### § 110.01 DEFINITIONS.

(A) For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**AMUSEMENT ARCADE.** Any public place in which a total of three or more coin operated amusement devices, mechanical amusement devices, or pool or billiard tables are maintained for hire by the public solely within one enclosure. This definition does not include an establishment which possesses an Alcoholic Beverage Permit issued by the State Alcoholic Beverage Commission.

**BILLIARD or POOL TABLE.** A table surrounded by an elastic ledge of cushions with balls which are impelled by a cue, including carom billiards, pocket billiards, pool, three cushion billiards and English billiards.

**COIN-OPERATED AMUSEMENT DEVICE.** Any coin automatic amusement or exhibition machine, not included in the definition of "mechanical amusement device."

**MECHANICAL AMUSEMENT DEVICE.** Any machine or device commercially used, which, upon the insertion of a coin, slug, token, plate or disc, or by the payment of any price, may be operated for use as entertainment or amusement, whether a score is established or not, when a prize is not offered, when the element of skill in such manipulation predominates over chance or luck and when no form of pay-off, credit, prize or reward is dispensed.

(B) For the purpose of this chapter, a "music box," "juke box," "cigarette or food dispensing machine or device" shall not be considered an amusement device or mechanical amusement device. ('76 Code, § 14.5-1) (Ord. 1078, passed 5-7-79)

**§ 110.02 LICENSE REQUIRED.**

Any individual, firm, association, joint stock company, syndicate, partnership, or corporation operating an amusement arcade shall obtain license to do so as herein provided.

('76 Code, § 14.5-2) (Ord. 1078, passed 5-7-79)

**§ 110.03 ISSUANCE AND REVOCATION OF LICENSE.**

Every applicant for a license shall file an application with the Clerk-Treasurer stating:

- (A) The names and addresses of the applicant and owners.
- (B) Whether it is a corporation, partnership, company or other business entity.
- (C) The names and addresses of the individuals or officers, if a business entity.
- (D) The address of the amusement arcade.

(E) The number of coin operated amusement devices, mechanical amusement devices and/or pool or billiard tables located in or to be located in the amusement arcade.

('76 Code, § 14.5-3) (Ord. 1078, passed 5-7-79)

**§ 110.04 LICENSE FEE.**

(A) The fee for an amusement arcade having a total of any combination of three and no more than ten coin-operated amusement devices, mechanical amusement devices or pool or billiard tables shall be \$25 per year. The fee for an amusement arcade having at least 11 of any combination of coin-operated amusement devices, mechanical amusement devices or pool or billiard tables shall be \$100. The entire sum of the fee shall be submitted with the application. No amusement arcade shall be required to possess more than one license at any time.

(B) All applications shall be submitted to the Common Council for approval. If the Council does not approve the application, the license fee which accompanied the application shall be returned to the applicant.

(C) Any amusement arcade permit may be revoked by the Council after a hearing for the failure of the licensee to comply with this code of ordinances. The Council shall give at least ten days written notice to the applicant prior to the date and time the Council will consider revocation of the license.

('76 Code, § 14.5-4) (Ord. 1078, passed 5-7-79)

**§ 110.05 TERM OF LICENSE.**

A license shall be valid for one calendar year or part of a year, according to its terms.

('76 Code, § 14.5-5) (Ord. 1078, passed 5-7-79)

**§ 110.06 HOURS OF OPERATION.**

No amusement arcade shall open for business prior to 9:00 a.m. and each amusement arcade shall close the same for the night at 11:00 p.m. on each night Sunday through Thursday, and shall close for the night at 12:00 a.m. each Friday and Saturday. If an amusement arcade is located in a common enclosure with a restaurant, snack bar, or other food establishment, that enclosure does not have to be closed, but no coin-operated amusement device, mechanical amusement device or pool or billiard table shall be allowed to be played, used or operated other than during the hours indicated in this section. ('76 Code, § 14.5-6) (Ord. 1078, passed 5-7-79) Penalty, see § 10.99

**§ 110.07 MINORS.**

No person shall allow a person under the age of 13 years to play or operate a coin-operated amusement device or a mechanical amusement device or play or shoot billiards or pool in an amusement arcade unless that person is accompanied by his or her parent or legal guardian. ('76 Code, § 14.5-7) (Ord. 1078, passed 5-7-79) Penalty, see § 10.99

**§ 110.08 ALCOHOL.**

No person, firm, partnership or corporation engaged in the business of operating an amusement arcade, shall sell, offer for sale, or knowingly to permit to be sold or offered for sale, or to be dispensed or consumed, or brought on the licensed premises, any alcoholic beverages. ('76 Code, § 14.5-8) (Ord. 1078, passed 5-7-79) Penalty, see § 10.99

**§ 110.09 ORDER.**

The licensee shall maintain order within the licensed premises at all times. ('76 Code, § 14.5-9) (Ord. 1078, passed 5-7-79) Penalty, see § 10.99

**§ 110.10 CROWDS.**

The licensee shall insure that the licensed premises do not become crowded so as to constitute a hazard to the health or safety of any person on the premises. ('76 Code, § 14.5-10) (Ord. 1078, passed 5-17-79) Penalty, see § 10.99

**§ 110.11 ATTENDANT.**

The licensee shall provide an attendant over the age of 18 years of age to be present on the licensed premises at all times during the business hours. ('76 Code, § 14.5-11) (Ord. 1078, passed 5-17-79) Penalty, see § 10.99

**§ 110.12 GAMBLING.**

The licensee shall not allow gambling in any form to occur on the licensed premises.  
('76 Code, § 14.5-12) (Ord. 1078, passed 5-7-79) Penalty, see § 10.99

## CHAPTER 111: TAXICABS

### Section

- 111.01 Definition
- 111.02 License required
- 111.03 Compliance prerequisite to issuance of license
- 111.04 License application; information required
- 111.05 License fee
- 111.06 Refund of license fee
- 111.07 Insurance
- 111.08 Transfer of license
- 111.09 Vehicles; exterior identification
- 111.10 Drivers
- 111.11 Revocation of license

### **§ 111.01 DEFINITION.**

For the purpose of this chapter, the following definition shall apply unless the context clearly indicates or requires a different meaning.

**TAXICAB.** Any vehicle used to carry passengers for hire to destinations designated by passengers, but not operating on fixed schedules or routes.  
(’76 Code, § 13-1)

### **§ 111.02 LICENSE REQUIRED.**

It shall be unlawful for any person to operate any taxicab without a license.  
(’76 Code, § 13-2) Penalty, see § 10.99

### **§ 111.03 COMPLIANCE PREREQUISITE TO ISSUANCE OF LICENSE.**

A taxicab license shall be issued only upon the compliance by the applicant with all requirements of this chapter.  
(’76 Code, § 13-3) Penalty, see § 10.99

### **§ 111.04 LICENSE APPLICATION; INFORMATION REQUIRED.**

Any person desiring a taxicab license shall apply for same to Clerk-Treasurer. On the application, the applicant shall furnish the following information:

- (A) The name of the applicant.
- (B) Whether it is corporation or company.
- (C) The names of the officers thereof.
- (D) The addresses of officers thereof.
- (E) The business address of the corporation.
- (F) Evidence of financial responsibility.  
(\*76 Code, § 13-4)

#### **§ 111.05 LICENSE FEE.**

No taxicab license shall be issued or renewed until the annual license fee of \$50 per taxicab is paid.  
(\*76 Code, § 13-5)

#### **§ 111.06 REFUND OF LICENSE FEE.**

No fee paid for a taxicab license shall be refunded.  
(\*76 Code, § 13-6)

#### **§ 111.07 INSURANCE.**

No taxicab license shall be issued unless the applicant for same has in force and effect a current automobile insurance policy issued by an insurance company licensed to do business in the state. The minimum amounts of insurance shall be \$250,000 per person, \$500,000 per occurrence and \$100,000 for property damage.  
(\*76 Code, § 13-7) Penalty, see § 10.99

#### **§ 111.08 TRANSFER OF LICENSE.**

No taxicab license shall be transferred from one taxicab to another, or from one person to another.  
(\*76 Code, § 13-8) Penalty, see § 10.99

#### **§ 111.09 VEHICLES; EXTERIOR IDENTIFICATION.**

Each taxicab shall have the name of its owner placed on the exterior of it in such a location and of such letter size as to be readily identified.  
(\*76 Code, § 13-9) Penalty, see § 10.99



**§ 111.10 DRIVERS.**

The driver of any taxicab must be thoroughly responsible and licensed as required by state law.  
(76 Code, § 13-10) Penalty, see § 10.99

**§ 111.11 REVOCATION OF LICENSE.**

In addition to any other penalty provided by law, a taxicab license may be revoked by the Mayor after a hearing for the failure of the licensee to comply with this chapter.  
(76 Code, § 13-11)



## CHAPTER 112: TRANSIENT MERCHANTS

### Section

- 112.01 Definition
- 112.02 License required
- 112.03 License applications
- 112.04 Information to be furnished to Police Department
- 112.05 License fee
- 112.06 Investigation and issuance of license
- 112.07 Form of license
- 112.08 Effect of license
- 112.09 Display of license; identification
- 112.10 Hours when solicitation prohibited
- 112.11 Premises which may not be solicited
- 112.12 License revocation

### § 112.01 DEFINITION.

For the purpose of this chapter, the following definition shall apply unless the context clearly indicates or requires a different meaning.

**TRANSIENT MERCHANT.** Any person who, either as a principal or as an agent, engages in, or transacts any temporary or transient retail business, or who travels from place to place selling or offering for sale any goods, wares or merchandise at retail, including those who, for the purpose of carrying on such business, hire, lease, or occupy any permanent or mobile building, structure or real estate for the exhibition by means of samples, catalogues, photographs and price lists or sale of such goods, wares or merchandise, but it shall not include any person who grows the goods, wares or merchandise which he offers for sale.

('76 Code, § 14-2)

### § 112.02 LICENSE REQUIRED.

It shall be unlawful for any person to operate as a transient merchant without a license issued to him by the Clerk-Treasurer.

('76 Code, § 14-2) Penalty, see § 10.99

### § 112.03 LICENSE APPLICATIONS.

Each person applying for a transient merchant's license shall apply in writing to the Clerk-Treasurer on a form to be furnished by the Clerk-Treasurer. The applicant shall state on the license application

his full name, residence and age, the type of work in which he expects to engage, for whom he is selling, and the name of at least one character reference.

('76 Code, § 14-3)

#### **§ 112.04 INFORMATION TO BE FURNISHED TO POLICE DEPARTMENT.**

An applicant for a transient merchant's license shall furnish the same information as was given to the Clerk-Treasurer on the license application, together with a photograph of said applicant, to the Police Department.

('76 Code, § 14-4)

#### **§ 112.05 LICENSE FEE.**

The fee to be paid for a transient merchant's license shall be \$5 per day or \$100 per year, payable when the license application is made.

('76 Code, § 14-5)

#### **§ 112.06 INVESTIGATION AND ISSUANCE OF LICENSE.**

No transient merchant's license shall be issued until the Police Department investigates the character, qualifications and record of the applicant therefor. If the same is found to be in good order, then the Clerk-Treasurer shall issue the license.

('76 Code, § 14-6)

#### **§ 112.07 FORM OF LICENSE.**

A transient merchant's license shall be in the form of a card bearing a photograph of the licensee which is similar to the one on file with the Police Department. Such license shall be signed by the Clerk-Treasurer and the Chief of Police.

('76 Code, § 14-7)

#### **§ 112.08 EFFECT OF LICENSE.**

A transient merchant's license shall in no way be interpreted as a recommendation for any article or thing which the merchant may offer for sale.

('76 Code, § 14-8)

#### **§ 112.09 DISPLAY OF LICENSE; IDENTIFICATION.**

Every holder of a transient merchant's license shall exhibit the same at the request of any police officer or any citizen and shall immediately upon making contact with a prospect exhibit it and identify himself.

('76 Code, § 14-9)

**§ 112.10 HOURS WHEN SOLICITATION PROHIBITED.**

It shall be unlawful for any transient merchant to solicit business as such at night or on Sundays or other legal holidays.

('76 Code, § 14-10) Penalty, see § 10.99

**§ 112.11 PREMISES WHICH MAY NOT BE SOLICITED.**

It shall be unlawful for any transient merchant to solicit any business as such on any premises where the owner or occupant thereof has displayed on such premises a sign or notice which is readily visible from street stating "no peddlers" or "no solicitors" or other words of similar import; provided, however, that the provisions of this section shall not apply where such owner or occupant invites the transient merchant onto his premises.

('76 Code, § 14-11) Penalty, see § 10.99

**§ 112.12 LICENSE REVOCATION.**

In addition to any other penalty imposed by law, a transient merchant's license may, after the proper notice and hearing, be revoked by the Mayor for:

- (A) Any fraud, misrepresentation or false statements in the license application.
- (B) Any fraud, misrepresentation or false statement made by the licensee in the course of carrying on said business.
- (C) Any violation of this chapter by the licensee.
- (D) Any conviction of the licensee of any crime involving moral turpitude.
- (E) The licensee conducting said business in an unlawful manner so as to constitute a breach of the peace or a menace to the health, safety or general welfare of the public.

('76 Code, § 14-12)

