

ORDINANCE NO. 199

A BILL FOR AN ORDINANCE TO LICENSE, TAX AND REGULATE PUBLIC BILLIARD ROOMS, AND POOL HALLS WITHIN THE TOWN OF STAYTON, OREGON, TO PRESCRIBE THE MANNER OF LICENSING SUCH ROOMS AND HALLS, TO PROVIDE FOR DECLARING SUCH BILLIARD ROOMS AND POOL HALLS TO BE A PUBLIC NUISANCE, AND TO PROVIDE FOR DECLARING ANY LICENSE THAT MAY HAVE BEEN GRANTED TO THE OWNER, MANAGER, OPERATOR OR AGENT OF ANY SUCH ROOM OR HALL TO BE REVOKED AND FORFEITED, PRESCRIBING THE MANNER OF DECLARING ANY SUCH LICENSE REVOKED, TO PROVIDE PENALTIES FOR VIOLATIONS OF THIS ORDINANCE, PROHIBITING MINORS FROM PLAYING GAMES OR REMAINING IN ANY SUCH ROOM OR HALL. AND TO DECLARE AN EMERGENCY TO EXIST, AND TO REPEAL CERTAIN ORDINANCES AND PARTS OF ORDINANCES.

The Town of Stayton do ordain as follows:

Section 1. It shall be unlawful for any person, firm, copartnership, or corporation whether as owner, operator, or manager, or agent to operate any billiard room, pool hall or public place where any billiard table, pool table or other table on which games are played with ball and cue, whether such tables are kept for hire or as an attraction or inducement to the sale of any commodity, without having first obtained a license therefor as required in section 2 of this ordinance.

Section 2. Any person, firm, corporation or copartnership, desiring to obtain a license to operate any billiard room, pool hall or any of the tables mentioned in section 1 of this ordinance, within the town of Stayton, Oregon, shall file with the town recorder of said town a written application therefor, which application shall state the name of the person, firm, corporation, or copartnership making the application; the room or place where such billiard room, pool hall, or tables are to be kept or operated; the number of such tables to be so kept; the period of time for which the license is desired; and shall deposit with the town recorder the fee therefor, which fee shall be for each billiard room, pool hall or other place \$20.00 per annum, provided however, that not more than 3 such tables shall be kept or operated under such license, and no license shall be granted for a less period than 6 months or more than one year, and no license shall be transferred except by consent of the town council.

Section 3. Upon the filing an application as required in section 2 of this ordinance, the recorder shall notify the mayor that such application has been filed, and the fee therefor deposited with him as is required in section 2 of this ordinance.

Immediately thereafter, if the mayor and recorder are fully satisfied that such application is made in good faith and that the applicant is a fit person to be licensed, they shall issue to such applicant a license as applied for. Such license shall state the name of the person, firm, corporation or copartnership so licensed, hall or public place as licensed; the period of time when such license shall become operative; the time of its expiration, and the sum paid therefor. Before any such license shall become effective the person, firm, corporation, or copartnership shall sign an acceptance thereof.

Section 4. No slot machine, punch board or like device will be allowed to be kept or operated in any billiard room, pool hall or any public place, or in any room connected to and in charge of the licensee, all games excepting billiards, pool, or social games with cards are prohibited from being operated or played within any place so licensed. No minor under the age of 21 years shall be permitted to play at any game in any room hall or public place so licensed. Minors under the age of 21 years shall not be permitted to be or remain in any such room, hall or public place, kept or operated by such owner or person in charge thereof; provided, however that minors may enter a place where any merchandise, candy, soft drinks, or novelties are kept for sale to the public, but separated from the room or place where games are being played, for the purpose of making purchases. Any persistent violation of this ordinance by the party so licensed or his operator or agent, will be deemed sufficient cause for revoking any license that may have been granted to the owner, operator or agent of such room, hall, or public place.

Section 5. Upon a complaint being made to the mayor by three or more citizens or tax payers of the town of Stayton, or the immediate vicinity thereof, that this ordinance or any part thereof is being violated by a certain party owning or operating a certain billiard room, or pool hall licensed by the town of Stayton the mayor shall immediately summon the council to meet in special session at a time specified for the purpose of hearing and disposing of the complaint. The mayor shall cause the party complained of to be notified that such complaint has been made against him, and that the town council will be convened at a specified time and place for the purpose of hearing and disposing of the complaint, and requesting such party complained of to be present at such time and show cause why his license shall not be declared forfeited, and such billiard room or pool hall declared to be a public nuisance and abated. He shall also cause the parties making the complaint to be notified to be present at such time and place to give such evidence as they may possess of the violation so charged or complained of.

After the council has heard the parties making the complaint and the party complained of they shall be fully satisfied that the complaint is well founded and true, and shall declare the license of the party so offending to be forfeited, the room or hall so licensed to be a public nuisance, order the same closed up, and instruct the town marshal to execute such order. When any such license has been declared by the council forfeited no license shall be granted to the party so offending for 2 years from the date of such order.

Section 6. It shall be unlawful for any minor under the age of 21 years to go into or remain in any public billiard room or pool hall in the town of Stayton, and he shall immediately depart therefrom upon being requested so to do by the owner, operator or agent or other person in charge of such room or hall, except as provided in section 4 of this ordinance.

Section 7. Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof in the recorder's court of the town of Stayton, be punished by a fine of not less than 25 nor more than \$50, or by both such fine and imprisonment, not exceeding 20 days.

Section 8. It shall be unlawful for the owner, keeper, or other person in charge of any billiard room or pool hall within the town of Stayton, Oregon to keep the same open for traffic after the hour of twelve o'clock in the evening or until six o'clock of the following morning.

Section 9. That all ordinances and parts of ordinances in conflict with this ordinance be and the same are hereby repealed and of no effect.

Section 10. Inasmuch as there is no sufficient ordinance now in force and effect in the town of Stayton, to regulate public billiard rooms and public pool halls, it is the judgment of this council that an emergency exists, and that for the immediate preservation of the peace, health and safety of the town of Stayton, it is necessary that this ordinance shall take effect and be in force immediately upon its passage and approval by the mayor.

Passed the council this 3d day of January, 1928.

Approved by the mayor this 4th day of January, 1928.

George Keech

Mayor

Attest:

J. B. Grier

Recorder