

ORDINANCE NO. 358

CITY OF LACEY

AN ORDINANCE PROVIDING FOR PRO-RATION OF OPERATOR'S FEE FOR COIN OPERATED AMUSEMENT DEVICES AND FOR MECHANICAL MUSIC MACHINES AND AMENDING SECTIONS 5.08.010 and 5.16.020 OF THE LACEY MUNICIPAL CODE.

THE CITY COUNCIL OF THE CITY OF LACEY DOES ORDAIN AS FOLLOWS:

Section 1. Section 5.08.010 is hereby amended to read as follows:

"5.08.010 Operator's fee. Each and every person, firm and/or corporation having at any place or places within the city a device or devices, machine or machines, or contrivance for playing games of skill commonly known as pin or ball machines, or any other similar contrivances in which coins may be dropped for the purpose of operating the machine, device or contrivance which is a machine, device or contrivance which is lawful to operate under the laws of the state of Washington, and is a game of skill and not of chance, shall pay an operator's fee of two hundred dollars per year, strictly in advance, and in addition thereto the local licensee shall pay the sum of thirty dollars per year payable strictly in advance, for each and every machine, device or contrivance owned or operated by such licensee; provided, however, when application is made for a new operator's license after the beginning of the calendar year, the \$200.00 fee shall be pro-rated on a quarterly basis for the remaining quarters of said calendar year."

Section 2. Section 5.16.020 is hereby amended to read as follows:

"5.16.020 Operator's license required--Fee--

Financial interests prohibited--Number of licenses issued.

(a) It is unlawful to own and exhibit, lease, rent or place with others, for use, play or operation in any public place or establishment, any coin operated mechanical music machine without a valid and subsisting 'Mechanical Music Machine Operator's License', the fee for which is fixed at two hundred dollars per year; provided, however, that when application is made for a new mechanical music machine operator's license after the beginning of a calendar year, the \$200.00 fee shall be pro-rated on a quarterly basis for the remaining quarters of the calendar year.

"(b) No manufacturer of mechanical music machines, or representative of such manufacturer, and no holder of a mechanical music machine operator's or wholesale vendor's license who leases or rents to or places with others any mechanical music machine or use, play or operation in any public place, or any person financially interested in such licensed business, whether resident or nonresident shall have any financial interest, direct or indirect in the business of any licensed location; nor shall any such manufacturer, or manufacturer's representative, or holder of an operator's or wholesale vendor's license own any of the property upon which such licensed location conducts its business; nor shall any licensed location, under any arrangement whatsoever, conduct its business upon property in which any such manufacturer

or manufacturer's representative, or holder of an operator's or wholesale vendor's license has any interest; nor shall any such manufacturer, or manufacturer's representative, or holder of an operator's or wholesale vendor's license advance money or moneys worth, or make any gift to any licensed location under any arrangement whatsoever; or in such connection shall any licensed location receive, under any arrangement whatsoever, any advance of money, moneys worth or gift.

"(c) Financial interest, direct or indirect, as used in this section, includes any interest whether by stock ownership, mortgage, lien, or through interlocking directors or otherwise.

"(d) Not more than one mechanical music machine operator's license shall be issued for each fifteen hundred of the total population of the city, as shown by the last preceding state or federal census."

PASSED BY THE CITY COUNCIL THIS 17<sup>th</sup> DAY OF October, 1974. [Signature]

MAYOR

ATTEST [Signature]  
CITY CLERK

APPROVED AS TO FORM:  
[Signature]  
CITY ATTORNEY

PASSED: 10/17/74

PUBLISHED: 10/23/74