

ORDINANCE NO. 112-2021

**TITLE: AMEND BARBERTON CODIFIED ORDINANCES
“AMUSEMENT DEVICES, SKILL-BASED AMUSEMENT
MACHINES, AND ARCADES”**

AN ORDINANCE AMENDING SECTION 836.04(b) OF THE BARBERTON CODIFIED ORDINANCES, “LICENSE FEE; TRANSFER AND DISPLAY” OF AMUSEMENT DEVICES, SKILL-BASED AMUSEMENT MACHINES, AND ARCADES (ORD. NO. 53-2012).

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Barberton, State of Ohio:

SECTION 1. That Section 836.04 (b) of the Barberton Codified Ordinances, “License Fee; Transfer and Display,” of Amusement Devices, Skill-Based Amusement Machines, and Arcades (Ord. No. 153-2012) be amended by showing additions in **bold print** and the deleted wording shown in ~~strikethrough~~.

836.04 LICENSE FEE; TRANSFER AND DISPLAY.

(a) The non-refundable annual license fee, payable to the Director of Public Safety at the time of initial or annual application, shall be one thousand dollars (\$1,000) for each business location for the year or any part thereof ending on December 31 of each year. Additionally, a semi-annual non-refundable license fee of two hundred dollars (\$200.00) shall be paid to the Director of Public Safety for each entertainment device on the premises during the following semi-annual period. The semi-annual license fee for each entertainment device shall be paid upon preliminary approval of the initial or annual application and no later than June 1st of each calendar year, or, if the entertainment device is brought to the premises following the payment of the semi-annual license fee, prior to such time as the entertainment device is brought to or operating on the premises. For purposes of determining licensing fees, each device that is operable by one or more persons is a separate device.

(b) Licenses issued under this chapter shall not be transferable to any other person, partnership, corporation, or other entity and the business may be conducted only at the location for which the license is issued. The license must be so placed as to be made conspicuously visible and shall list each entertainment device with serial number. **No new licenses shall be issued effective upon October 11, 2021.**

(c) Failure to register any entertainment device before placement on the premises is an unclassified misdemeanor and the operators shall each be liable for a mandatory fine of one hundred dollars (\$100.00) for each day the machine is not registered, and said fine shall not be reduced or suspended.

SECTION 2. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in such formal action were meetings open to the public in compliance with the law.

SECTION 3. This ordinance shall be in full force and effect from and after the earliest period allowed by law.

Passed _____2021

Clerk of Council

President of Council

Approved _____2021

Mayor