

Owner of mechanical devises:

1. _____
Name Address

Name of Officer if corporation City State Zip

2. _____
Name Address

Name of Officer if corporation City State Zip

3. _____
Name Address

Name of Officer if corporation City State Zip

4. _____
Name Address

Name of Officer if corporation City State Zip

Attach additional sheet if necessary.

Have you had any prior convictions: Yes No If yes, please explain in full: _____

Date Signature of Applicant

Building Inspector: Approved Disapproved _____
Signature

Electrical Inspector: Approved Disapproved _____
Signature

Police Chief: Approved Disapproved _____
Signature

RETURN TO:

**BRIGHTON CITY CLERK
200 N. FIRST STREET
BRIGHTON, MI 48116**

ARTICLE II. MECHANICAL OR ELECTRONIC AMUSEMENT DEVICES
DIVISION 1. GENERALLY

Sec. 10-26. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Ancillary use means the use of the property for the placement and utilization of devices, if the number of such devices does not exceed four.

Device means mechanical amusement device and/or electronic amusement device as is appropriate to the context.

Mechanical amusement device and/or electronic amusement device means any machine or apparatus which, upon the insertion of a coin, slug, token, plate, disc, or through activation by any other means, may be operated by the public generally for use as a game, entertainment or amusement whether or not registering a score. It shall include, by way of illustration but not limitation, such devices as marble machines, pinball machines, video machines, skill ball, air hockey, mechanical grab machines, pool tables and all other games, operations or transactions similar thereto under whatever name they may be indicated.

Owner means any person who owns, operates, or conducts any place or establishment in which any device may be operated.

Primary use means the use of the property for the placement and utilization of devices, if the number of such devices exceeds four.

Private security police means uniformed persons 21 years of age or older.
(Code 1981, § 79.31)

Cross reference(s)--Definitions generally, § 1-2.

Sec. 10-27. Exemptions.

It is not the intent of this article to regulate the following devices:

- (1) Jukeboxes and other similar devices whose only function is to emit prerecorded music for listening purposes.
- (2) Vending machines dispensing food, tobacco, soft drinks and other related items.
(Code 1981, § 79.31(1))

Sec. 10-28. Gambling devices not permitted.

Nothing in this article shall in any way be construed to authorize, license or permit any gambling devices whatsoever.

(Code 1981, § 79.32)

Sec. 10-29. Prohibitions and restrictions.

- (a) When a primary use, such devices shall only be licensed for placement in a business establishment located in a zoning district designated by the zoning classification C-1.
- (b) When an ancillary use, such devices shall only be licensed for placement in a business establishment located in a zoning district designated by the zoning classification C-1, C-2 or C-4.
- (c) No owner shall permit the operating of any device unless a person 21 years of age or older is in control of the premises.
(Code 1981, § 79.33)

Sec. 10-30. Inspection of premises.

Any premises licensed under this article shall be subject to inspections at any time by city officials, employees and agents. Upon application for a license, the city police shall inspect the premises.
(Code 1981, § 79.38)

Sec. 10-31. Private security police.

The owner of any establishment who uses his property for the placement and utilization of more than four devices shall provide security guards, licensed by the state, to be on the premises during all hours of operation.
(Code 1981, § 79.40)

Sec. 10-32. Penalty.

Any person violating any of the provisions of this article, in addition to the revocation of the license, shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished as provided by section 1-16.
(Code 1981, § 79.43)

Secs. 10-33--10-45. Reserved.

DIVISION 2. LICENSE

Sec. 10-46. Required.

Any owner displaying for public patronage or keeping for operation more than four devices shall be required to obtain a license from the city. It shall be unlawful for any owner to maintain or operate more than four devices without having first procured a license from the city.
(Code 1981, § 79.34)

Sec. 10-47. Application, fee, term.

- (a) An application for license shall be made to the city clerk on a form provided by the clerk and shall be in accordance with the provisions of this section.
- (b) The application for such license shall state, among other things, the following:
 - (1) The full name of the business and the full name, present address and date of birth of each and every owner of such business or in the case of a corporation, the name, present address and date of birth of each of its officers, as well as fingerprints and/or other background information as may be required by the chief of police.
 - (2) The number and type of devices to be operated.
 - (3) The owner of such devices and other items as may be required.
- (c) The application for license shall be signed by the business owner and accompanied by an application fee as established by the city council by resolution.
- (d) The application for license shall be accompanied by a drawing showing the floor plan of the proposed business, all exits, the proposed location of each device, and the proposed off-street parking for employees of the owner and business invitees.
- (e) Off-street parking shall be provided for as identified in section 98-81 et seq.
- (f) No license shall be issued until such time as the city manager through his subordinate has determined that the proposed location of each device will not violate any local or state laws or regulations.
- (g) The term of any license granted shall begin on January 1 of the license year and shall terminate at midnight on December 31 of the same year. Original licenses shall be issued for the balance of the license year at the full license fee.
- (h) The license fee as established by the city council by resolution shall be payable to the city at the same time the license is issued.
- (i) The annual renewal license fee shall be paid prior to the annual expiration date and upon receipt of such payment the license shall be renewed for the following year.

(Code 1981, § 79.35)

Sec. 10-48. Right of issuance.

The city manager shall either approve or disapprove the application for license within 15 work days of receipt of the application completed in form and content. If the application is disapproved, the reason therefor shall be endorsed upon the application and the applicant shall be notified of such fact. Upon disapproval of an application, the applicant shall be entitled, upon request, to a hearing before the city council.

(Code 1981, § 79.36)

Sec. 10-49. Form.

All licenses issued under this division shall be in such form as the city manager may prescribe and shall contain the name, address, place of business, number of devices on the premises, date of expiration of such license and shall be authenticated by the signature of the city clerk.

(Code 1981, § 79.42)

Sec. 10-50. Display.

The license granted under this division shall be posted permanently and conspicuously at the location where the devices are to be operated.

(Code 1981, § 79.37)

Sec. 10-51. Revocation.

- (a) Every license issued under this division is subject to the right, which is hereby expressly reserved, of revocation of the same, should the licensee directly or indirectly permit the operation of any device contrary to the provisions of this article, the other ordinances of the city or any law or regulation of the county, state, or United States of America.
- (b) Any license lawfully obtained shall be subject to revocation only after receipt from the city of a written notice specifying violations with which the licensee is charged and after a hearing is held by the city council upon such charges. The licensee shall be entitled to be present at such hearing and to present evidence on his behalf.

(Code 1981, § 79.39)

Sec. 10-52. Transferability.

It shall be unlawful to transfer any license from the licensee to any other person. If the licensee shall move his place of business to another location within the city, the license may be transferred to the new location upon application to the city clerk. The new location shall be subject to the approval of the city manager in the same manner as if it were an original application.

(Code 1981, § 79.41)