

ORDINANCE NO. 2310

AN ORDINANCE ESTABLISHING A PERMIT PROCESS AND REQUIREMENTS FOR SKILL GAMES AND ADULT ARCADES

WHEREAS, the Council for the Village of Dennison, Tuscarawas County, Ohio has determined that it is in the interest of the community and for reasons of safety and welfare of its residents that an ordinance be passed establishing a permit process and requirements for skill games and adult arcades;

WHEREAS, the Council for the Village of Dennison, Tuscarawas County, Ohio believes that it is in the best interest of its citizens to assure that the games being operated are legal and not gaming devices;

THEREFORE, be it ordained by the Council of the Village of Dennison as follows:

SECTION 1. Any person wishing to open a skill game business or adult oriented arcade shall apply for a permit with the Village of Dennison.

SECTION 2. Permits shall be available in the Zoning Office during posted hours and filed through the Zoning Administrator.

SECTION 3. The application shall be completed in its entirety. Failure to include any requested information shall cause the Village to deny the permit.

SECTION 4. The submission of any application will be deemed to be consent to have a background search conducted on the applicant. Said search will be conducted by the Dennison Police Department, and the information obtained as a result of that search will be delivered to the Zoning Administrator and will be considered in the determination of whether or not to award a permit.

SECTION 5. Any person applying for a permit shall also include a list of all machines to be operated, including the serial number of each and every machine to be included in the building. Should the applicant wish to add machines or switch machines at a later date, a new application will be required for the new machines. Operation of any machine not identified in the application shall be a violation of this Ordinance.

SECTION 6. The permits shall be good for one (1) year and shall start on January 1 and run through December 31. If a permit is applied for after January 1, the permit shall be good for either the remainder of the year in which the application is submitted, or for the following year, at the discretion of the applicant.

SECTION 7. There shall also be an application and processing fee of Twenty-Five (\$25.00) Dollars for each machine to be installed.

SECTION 8. The decision to grant or deny shall be made by the Zoning Administrator with the consent of Council.

SECTION 9. Any person disagreeing with the decision of the Village shall be entitled to appeal that decision to an appellate board which will be appointed by the Mayor. Said appeal must be filed with the Zoning Administrator within Thirty (30) days of the delivery of the Village's decision to the applicant.

SECTION 10. The appellate board shall hold a hearing on the appeal within Thirty (30) days of the appeal being filed. The appellant shall be permitted to present evidence and argument. Appellate board shall then vote on the granting or denying of the permit. The initial decision may only be reversed by a vote of two-thirds (2/3) of the members of the appellate board.

SECTION 11. Violation of any Section of the Ordinance shall be a first degree misdemeanor. Each and every day which the business remains opened without a permit shall be a separate offense. Any business opened without a valid permit as required under this Ordinance shall be closed immediately by the Dennison Police Department.

Read this 17th day of August, 2006.

Read this 7th day of September, 2006.

Passed this 5th day of October, 2006.

APPROVED:

PAUL J. COLLINS, MAYOR

ATTEST:

APPROVED AS TO FORM:

ALICE TORCH, CLERK/TREASURER

JASON L. JACKSON, SOLICITOR