

Section 460 - Vending Machines, Juke Boxes,
and Mechanical Amusement Devices

Section 460:00. Definitions.

Subd. 1. Unless the context clearly indicates otherwise, the words, combinations of words, terms, and phrases, as used in Section 460:00 et seq. shall have the meanings set forth in the subdivisions of this section which follow.

Subd. 2. The term "vending machine" shall mean any automatic vending machine used for the sale of merchandise, and controlled by the insertion of a coin or coins.

Subd. 3. The term "juke box" shall mean any music vending machine, contrivance or device which, upon the insertion of a coin, slug, token, plate, disc, or key into any slot, crevice, or other opening, or by the payment of any price, operates or may be operated, for the emission of songs, music or similar amusement.

Subd. 4. The term "game of skill" as used in this ordinance shall include any amusement device which may be operated by the public upon the insertion of a coin or metal disc and which does or does not contain a device for the automatic return to successful players of money or tokens; provided that the term shall not include the coin-operated devices used solely for the reproduction of music.

Subd. 5. The terms "person," "firm," "corporation," or "association" as used herein shall include the following: any person, firm, corporation or association which owns any such machine; the person, firm, corporation or association in whose place of business any such machine is placed for use by the public; and the person, firm, corporation or association having control over such machine; provided, however, that the payment of such fee by any person, firm, corporation or association enumerated herein shall be deemed a compliance with this section of the ordinance.

Section 460:05. Gambling Devices Not Permitted. Nothing in this ordinance shall in any way be construed to authorize, license or permit any gambling devices whatsoever, or any mechanism that has been judicially determined to be a gambling device, or in any way contrary to law, or, that may be contrary to any future laws of the State of Minnesota.

Section 460:10. License Required. Any person, firm, corporation or association displaying for public patronage or keeping for operation any vending machine or juke box, or game of skill, as herein defined shall be required to obtain a license from this municipality, upon payment of a license fee, unless otherwise licensed. Application for such license shall be made to the Clerk upon a form to be supplied by the Clerk for that purpose.

Section 460:15. Application. The application for such license shall contain the following information:

- (1) Name and address of the applicant, owner or lessee and manager, age, date and place of birth of each.

- (2) Prior convictions of applicant, if any.
- (3) Place where machine or device is to be displayed or operated and the business conducted at that place.
- (4) Description of machine to be covered by the license, mechanical features, name of manufacturer, serial number.

Section 460:20. Licenses Not Issued to Minors. No license shall be issued to any applicant unless he shall be over eighteen (18) years of age and a citizen of the United States.

Section 460:25. Inspection. Application for license shall be made out in duplicate, one copy being referred to the Chief of Police and the other copy to the Clerk.

- (1) The Chief of Police shall investigate the location wherein it is proposed to operate such machine, ascertain if the applicant is a person of good moral character, and either approve or disapprove the application.
- (2) No license shall be issued to any applicant unless approved by the Chief of Police.

Section 460:30. License Fees. Every applicant, before being granted a license shall pay the annual license fee for the privilege of operating or maintaining for operation each vending machine, juke box or game of skill as defined herein, in the amount duly established by the Council from time to time.

Section 460:35. Term. Each license shall expire on the June 30th next following its issuance.

Section 460:40. Display of License. The license or licenses herein provided for shall be posted permanently and conspicuously at the location of the machine in the premises wherein the device is to be operated or maintained to be operated.

Section 460:45. Transfer of License on Machine. Such license may be transferred from one machine or device to another similar machine upon application to the Clerk to such effect and the giving of a description and the serial number of the new machine or device. Not more than one machine shall be operated under one license and the applicant or licensee shall be required to secure a license for each and every machine displayed or operated by him.

Section 460:50. Moving Place of Business. If the licensee shall move his place of business to another location within the corporate limits of this municipality, the license may be transferred to such new location upon application to the Clerk, giving the street and number of the new location. The new location shall be approved by the Chief of Police in the same manner as provided for original approval.

Section 460:55. Transfers Prohibited. A license shall not be transferable from person to person nor place to place, and shall be usable only at the place and by the person designated in the license.

Section 460:60. Prohibitions and Restrictions.

Subd. 1. No person, firm, corporation or association holding a license under this ordinance shall permit the playing of juke boxes or games of skill between the hours of 1:00 o'clock a.m. and 6:00 o'clock a.m. of any day.

Subd. 2. Every firm, person, corporation or association licensed to have vending machines on their premises that dispense merchandise packaged in disposable containers shall provide refuse containers within 25 ft. of the machines.

Section 460:65. Seizure and Destruction of Machine. If the Chief of Police shall have reason to believe any mechanical amusement device is used as a gambling device, such machine may be seized by the police and impounded, and if upon trial of the exhibitor for allowing it to be used as a gambling device said exhibitor be found guilty, such machine shall be destroyed by the police.