

A BILL FOR:

AN ORDINANCE defining, regulating and taxing certain amusement machines in Albany, Oregon, prohibiting certain practices, including the operation of such machines by minors; Providing for the seizure and disposition of untaxed machines; providing penalty for the violation hereof;

THE PEOPLE OF THE CITY OF ALBANY, OREGON, DO ORDAIN AS FOLLOWS:

Section 1. The words "amusement machines" as used in this ordinance shall mean and include every machine, device, contrivance and apparatus of whatever kind, nature or description operated or played by the use of coins, merchandise token, slugs or chips, excepting therefrom automatic merchandise vending machines, telephones, meters and machines producing only music, provided that nothing in this ordinance shall be deemed to provide for the taxing of devices prohibited by law.

Wherever the word "person" appears in this ordinance shall be known to mean and include a natural person, persons, firm, corporation or co-partnership and the singular number shall include the plural.

Section 2. It shall be unlawful for any person to place in operation any amusement machine in Albany, Oregon, where the same may be played by the public without having paid the tax therefor as herein required.

Section 3. The tax stamp required for amusement machines by this ordinance shall be issued by the recorder only upon the written application of the operator of the game, device or equipment to be taxed, which application shall contain the following:

- (a) A description of the game, device or equipment to identify it, including any manufacturer's serial number;
- (b) The name of the applicant, with a statement that he operates the game, device or equipment to be taxed;
- (c) The location of the place where and the name of the person in whose possession such game, device or equipment may be found;
- (d) The date of the application;
- (e) The period for which the tax is to run;
- (f) The amount of money tendered for the tax; and
- (g) The signature of the applicant.

Such applicant shall pay a monthly tax to the City of Albany, Oregon, for each machine in the sum of Twenty-five Dollars per month or major portion thereof; said tax to be paid in advance.

Section 4. It shall be unlawful for any person to make any false statement in any application for any license issued under this ordinance, regardless of the materiality thereof.

Section 5. The recorder shall issue a signed sticker or stamp which shall have plainly stated thereon the name of the owner or operator, amount of tax paid, a brief description of the game, device or equipment taxed, the street address of the premises where space is leased to the operator for the operation of such amusement machine, and the date of the expiration of such tax period. The owner or operator shall forthwith affix such sticker to the equipment so taxed so that it may be in plain view of the public, and it shall be unlawful for any person to operate or maintain for operation, within the City of Albany, any game, device or equipment required to be taxed by this ordinance unless the same shall have such sticker affixed.

Section 6. Any amusement machine operated in the City of Albany without being tagged as hereinbefore provided shall be held as evidence against the operator thereof, and thereafter disposed of in such manner as shall be directed by the Recorder's Court, either by destruction or sale thereof, and the proceeds, if any, from the sale thereof shall be the sole and exclusive property of the City of Albany. The foregoing remedy is not exclusive, but may be in addition to any other penalties herein provided for violation of this ordinance.

Section 7. This ordinance shall not be construed to apply to the regulation of slot machines or any amusement machine intended for gambling or reasonably intended to be used for gambling, or which may be prohibited from operation by the laws of the State of Oregon or any ordinance of the City of Albany relative to gambling and or slot machines.

Section 8. It shall be unlawful for the operator of any such amusement machine so taxed to permit minors under the age of 21 years to play the same, or for such minor so to do.

ORDINANCE NO. 1721 Continued

Section 9. Any person violating any of the provisions of this ordinance shall upon conviction thereof in the Recorder's Court, be punished by a fine of not more than Twenty-five (\$25.00) Dollars for the first violation and not more than Fifty (\$50.00) Dollars for any subsequent violation hereof.

Passed by the Council, June 12, 1946.

Approved by the Mayor, June 13, 1946.

Attest: C. R. ASHTON

I, C. R. ASHTON, Recorder of the City of Albany, Linn County, Oregon do hereby certify that the above copy of the Ordinance No. 1721 has been by me carefully compared with the Ordinance Bill No. 1840, as passed by the Council, June 12, 1946, and approved by the Mayor on the 13th day of June, 1946.

C. R. Ashton
Recorder of the City of Albany, Oregon.