

## SECTION 6.20 AMUSEMENT MACHINES

### 1. License Required

No person shall set up or offer for use an amusement device, as defined in Massachusetts General Laws Chapter 140 Section 177A, without having obtained a license therefor from the City Council.

The City Council may grant licenses to operate Amusement Machines upon such terms and conditions as they deem expedient and may, at any time, revoke the same for cause; provided that the Council shall revoke any license upon verified complaint of three violations of the provisions of this ordinance. Licenses shall expire annually on December 31.

### 2. License Fees

Every application for license to operate an amusement machine shall be accompanied by a non-refundable application fee of \$100.00.

The annual fee for an amusement machine license shall be based upon the number of machines offered for operation in accordance with the following schedule:

Amusement Machines 1-25 - \$50 per machine  
Amusement Machines 26 + - \$25 per machine

### 3. Minimum Standards for Operation of Licensed Amusement Machines

No holder of a license to operate amusement machines shall allow patrons to engage in any of the following behaviors:

- a. loitering in or around the licensed premises;
- b. profane or obscene utterances;
- c. disorderly conduct or excessive noise;
- d. gambling.

Every establishment shall post a sign on the premises, so as to be clearly visible to users, a notice containing the following statement:

*"This machine is licensed for recreational use only. Any gambling associated with the use of this machine will result in revocation of the license for its operation."*

### 4. Penalties for Violation of Ordinance

Penalties for violation of this ordinance, or the terms and conditions of any license issued hereunder, may be imposed by Compliance Officers and members of the Malden Police Department in accordance with the following schedule of fines:

1<sup>st</sup> offense \$ 50.00  
2<sup>nd</sup> offense \$ 100.00  
3<sup>rd</sup> offense \$ 200.00

The City Council may, at any time, revoke, suspend or modify a license upon three days written notice and an opportunity for the license holder to be heard. The City Council shall, without a hearing, revoke any license upon receipt of a written notification from a member of the Malden Police Department or a Compliance Officer that a third offense has occurred. For purposes of this ordinance, said written report shall be prima facie evidence that said violation has occurred.