

ORDINANCE No. 2005-06

AN ORDINANCE PROVIDING FOR LICENSING OF ELECTRONIC GAME ROOMS (OF CHANCE OR SKILL), PROHIBITING THE OPERATION OF THE SAME DURING CERTAIN HOURS; DECLARING SUCH ACTS TO BE A NUISANCE; PROHIBITING MINORS ON THE PREMISES; REQUIRED CITY LICENSE PERMIT STICKERS FOR EACH MACHINE FOR \$100.00 EACH; PROVIDING FOR A PENALTY FOR VIOLATION OF THIS ORDINANCE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; DECLARING AN EMERGENCY AND PROVIDING FOR PUBLICATIONS

WHEREAS, the City Council of Tatum, Texas finds that the operation of game rooms, and card rooms during certain hours constitutes a nuisance; and that it is in the best interest of the public that individuals, associations or corporations providing, electronic or mechanical game machines of chance or skill of any kind, or card tables for use by the public for playing cards should be licensed prior to such public use through the State and Federal Regulations of Texas. City license permit stickers are \$100.00 per year, per machine annually which is non-refundable and non-transferable and may be revoked and fined as defined in Section 4 if found to be in violation of this Ordinance. City license permit stickers may be obtained at Tatum City Hall; and;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TATUM:

SECTION 1: It shall be permissible for any individual, association or corporation to operate a game room, or card room during the hours of 10:00 a.m. and 1:00 a.m. seven days a week. Operating under any other hours that are not listed above shall be hereby declared to be unlawful and a public nuisance.

SECTION 2: For purposes of this Ordinance, Game rooms are hereby defined as any place or places where such mechanical or electronic games (Eight Liners) of chance or skill are a substantial or major part of the business of such place or places and are operated for profit, hire, revenue, fees or gain of any kind. Furthermore, gambling, as defined under the laws of the State of Texas, is strictly forbidden and illegal. The City of Tatum reserves the right to enforce this Ordinance and take any action as necessary.

SECTION 3: It shall be unlawful for any individual, association or corporation to allow or permit any person under the age of 18 years to be present or on the premises in a game room, or card room during hours of operation as listed in Section 1. This includes children or grandchildren of the owner or manager of the establishment.

SECTION 4: Any person or persons violating this Ordinance shall be guilty of a misdemeanor and upon conviction shall be fined in any sum not exceeding \$500.00, and each and every violation shall constitute a separate and distinct offense.

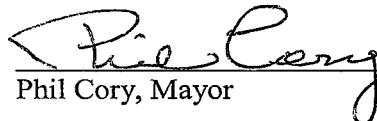
SECTION 5: The provisions of this Ordinance shall be cumulative of all other Ordinances or parts there of governing or regulating the same subject matter as contained herein.

SECTION 6: POWER TO ENFORCE. The Police Department shall have the power to enforce this Ordinance.


SECTION 7: The City Secretary is hereby authorized and directed to publish the descriptive caption of this Ordinance together with the penalty provision contained herein in the manner and for the length of time prescribed by law, and this Ordinance shall take effect and be in full force and effect from and after its passage and publication.

PASSED AND APPROVED THIS 25th DAY OF April, 2005.

APPROVED:


Phil Cory, Mayor

ATTEST:


Shelly Williams, City Secretary