

750.01 PURPOSE AND OBJECTIVES.

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OH

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750.01 PURPOSE AND OBJECTIVES.

CHAPTER 750 Computerized Internet Sweepstakes Cafes

CHAPTER 750

Computerized Internet Sweepstakes Cafes

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Gambling - see GEN. OFF. Ch. 517

750.01 PURPOSE AND OBJECTIVES.

It is the purpose of this chapter and the policy of the City to establish standards for licensing, regulation and control of computerized sweepstakes devices and sweepstakes terminal cafés and premises upon which they are located and operated for purpose of entertainment of the public. The objectives of this chapter are to prevent safety and fire hazards, disturbances, disruption of pedestrian traffic, disorderly assemblies, theft of personal property, gambling and truancy within the City.

(Ord. 38-10. Passed 10-26-10.)

750.02 CONSTRUCTION, SEPARABILITY AND APPLICABILITY OF CHAPTER.

(a) Construction. This chapter shall be liberally construed and applied to promote its purpose and objectives.

(b) Separability. If any provision of this chapter, or the application thereof to any person or circumstance, is held invalid or unconstitutional by any court of competent jurisdiction, such provision shall be deemed a separate, distinct and independent provision, and neither the remainder of this chapter nor the application of such provision to other persons or circumstances shall be affected thereby.

(Ord. 38-10. Passed 10-26-10.)

750.03 DEFINITIONS.

As used in this chapter:

(a) "Computerized sweepstakes device" means any computer, machine, game or apparatus which, upon the insertion of a coin, token or similar object, or upon payment of anything of value, wherein a product or service is provided, and may be operated by the public generally for use as a contest of skill, entertainment or amusement, whether or not public generally for use as a contest of skill, entertainment or amusement, whether or not registering a score, and which does not in any way, manner or form encourage gambling.

(b) "Service Director" means the Director of Public Service for the City of Sheffield Lake.

(c) "Board" means the Sheffield Lake Zoning Board of Appeals.

(d) "Operator" means the person or persons having authority to control the premises of a Sweepstakes Terminal Café.

(e) "Licensee" means the person or persons who sign an application for a license hereunder and to whom such license is issued.

(f) "Owner" means any person who possesses any interest, either directly or indirectly, in a Sweepstakes Terminal Café.

(g) "Person" means any natural person, firm, partnership, association, corporation or any other form of business organization.

(h) "Premises" means the building or any portion thereof used for conducting the operation of a Sweepstakes Terminal Café.

(i) "Sweepstakes Terminal Café" means any premises upon which any computerized sweepstakes device is located for the use or entertainment of the public, whether or not such premises has any other business purpose.

(j) "City" means the City of Sheffield Lake, Ohio.

(Ord. 38-10. Passed 10-26-10.)

750.04 COMPUTERIZED SWEEPSTAKES DEVICE LICENSE REQUIRED.

No person shall display for purposes of use any computerized sweepstakes device in the City without first having obtained a computerized sweepstakes license as provided in this chapter. A separate license is required for each computerized sweepstakes device.

(Ord. 38-10. Passed 10-26-10.)

750.05 SWEEPSTAKES TERMINAL CAFÉ LICENSE REQUIRED.

No person shall conduct or operate a Sweepstakes Terminal Café in the City without having first obtained a Sweepstakes Terminal Café license as provided in this chapter.

(Ord. 38-10. Passed 10-26-10.)

750.06 AUTHORITY OF SERVICE DIRECTOR.

Authority is hereby established and vested in the Service Director to consider any application for a license under this chapter, conduct investigations therefore and thereon and issue or deny issuance of any such license based upon the criteria set forth in this chapter.

(Ord. 38-10. Passed 10-26-10.)

750.07 NATURE OF LICENSES.

(a) Licenses. Any license issued under this chapter shall have the following characteristics:

(1) Each license shall be valid for a period of one year from and after the date of issuance unless suspended or revoked as provided in this chapter.

(2) Each license shall vest a personal privilege but not any property rights in the license.

(3) Each license shall be required to be displayed permanently in a conspicuous place upon the premises for which it is issued.

(4) Each license shall be in the name of the applicant.

(5) No license shall be assignable or transferable, either as to person or location.

(6) Each license, if lost, destroyed or mutilated, upon application within thirty days may be replaced by a duplicate license issued by the Service Director bearing the word "Duplicate" across its face and bearing the same license number as the license which it replaces.

(b) Computerized Sweepstakes Device Licenses. All computerized sweepstakes device licenses issued under this chapter shall have the following characteristics:

(1) Each license shall be issued for only (1) computerized sweepstakes device.

(2) Each license shall specify the name and address of each licensee, and the manufacturer, model number and serial number of the computerized sweepstakes device for which it was issued.

(3) Each license, if changed, mutilated, erased or in any manner defaced, shall be void, and any amusement device for which such license has been issued shall be deemed an unlicensed amusement device.

(c) Sweepstakes Terminal Café Licenses. All sweepstakes terminal café licenses issued under

this chapter shall have the following characteristics:

(1) Each license shall be issued for only one (1) business at only one (1) premise.

(2) Each license shall specify the name and address of each licensee, and the manufacturer, model number and serial number of each computerized sweepstakes device located upon the premises for which it was issued.

(Ord. 38-10. Passed 10-26-10.)

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