

CHAPTER 709
Gaming Rooms

709.01 Definitions.	709.10 Hours of operation.
709.02 License required; exceptions.	709.11 View and lighting of interior.
709.03 License application.	709.12 Minors.
709.04 Citizenship required.	709.13 Gambling prohibited.
709.05 Application information.	709.14 Posting of license.
709.06 Investigation; rejection.	709.15 License revocation.
709.07 License fee.	709.16 Miscellaneous.
709.08 Expiration and term.	709.99 Penalty.
709.09 License transfer.	

CROSS REFERENCES

Power to regulate billiard and poolrooms - see Ohio R.C.
 715.51, 715.61
Gambling - see GEN. OFF. 517

709.01 DEFINITIONS.

The term "gaming room" as used in this Chapter, means a room which houses amusement devices such as pool tables, pin-ball machines, shuffleboards, gaming devices, and other similar devices. The term "gaming devices" shall include both mechanical and electronic amusement devices, and means any machine which, by the payment of moneys or other things of value, or by insertion of a coin, slug, token, plate or disc, operates or may be operated as a game, contest or amusement. (Ord. 49-81. Passed 10-12-81.)

709.02 LICENSE REQUIRED; EXCEPTIONS.

No person shall open, conduct, maintain or operate a gaming room within the City unless such person shall have first been duly licensed for such purpose, provided, however, that the provisions of this Chapter shall not apply to private residence or schools.
(Ord. 49-81. Passed 10-12-81.)

709.03 LICENSE APPLICATION.

Every person desiring to open or maintain a gaming room shall make application to the Director of Public Safety-Service for a license. (Ord. 49-81. Passed 10-12-81.)

709.04 CITIZENSHIP REQUIRED.

No license shall be granted to a person who is not a citizen of the United States. (Ord. 49-81. Passed 10-12-81.)

709.05 APPLICATION INFORMATION.

Every applicant for a license shall file with the Director of Public Safety-Service a written application stating the full name and address, including street and number of the applicant, or if more than one (1) person or an association or firm, the full name of all parties interested and the addresses, including street and number. If the applicant be a club, society or corporation, the application shall contain a complete list of the officers of such club, society or corporation, with their names and addresses, including street and number, and shall give the State in which the club, society or corporation is organized, and the names of one (1) or more persons whom the club, society or organization desires to designate as its manager or person in charge, with his address. The application shall also state the following:

- (a) The premises where the gaming room is to be conducted, including the street and number.
- (b) The age of the applicants in the case of individuals, and the managers and officers in the case of a club, society or corporation.
- (c) Whether the applicant has ever been engaged in operating a gaming room and, if so, when, where and how long in each place within the preceding five (5) years.
- (d) The name of the premises in which the gaming room is located and the complete address of the owner.

The application shall be signed by the applicants or in the case of a club, society or corporation, the application shall be signed by the manager or any of its officers.

(Ord 26-89. (Passed 3-13-89.)

709.06 INVESTIGATION; REJECTION.

The Director of Public Safety-Service shall investigate the character of the applicants, or the officers of the club, society or corporation and the person who is to have general management of the business. The application shall be rejected if the Director of Public Safety-Service shall find that any of such person named in the application are not of good moral character or that any of such persons have previously been connected with any gaming room where the license has been revoked, or where any of the provisions with reference to gaming rooms have been violated, or that any such person has been convicted of a felony, or if the gaming room sought to be licensed does not comply in every way with the regulations, ordinances and laws applicable thereto.

(Ord 49-81. Passed 10-12-81.)

709.07 LICENSE FEE.

Every person, society, club, firm or corporation to whom a license is granted shall pay an annual fee therefor as set forth in Section 1321.06 of the Codified Ordinances. All money received by way of license fees shall be paid into the General Fund of the City. (Ord. 49-81. Passed 10-12-81.)

709.08 EXPIRATION AND TERM.

All license granted under the provisions of this Chapter shall expire on December 31 following the date of issuance. No license shall be issued except for the full license period and for the full license fee as herein provided. (Ord. 49-81. Passed 10-12-81.)

709.09 LICENSE AND TRANSFER.

No transfer, either as to person or place, shall be permitted except with the consent of the Director of Public Safety-Service, which consent shall be endorsed on the license, provided, further, that the applicant for the transfer of any license shall comply with the provisions of this Chapter. (Ord. 49-81. Passed 10-12-81.)

709.10 HOURS OF OPERATION.

No person shall operate a gaming room between the hours of 1:00 a.m. and 1:00 p.m. on Sunday and between 1:00 a.m. and 5:00 a.m. on any other day of the week, or harbor or permit any person to be or remain in any such gaming room between such hours. This Section shall not be construed to prevent regular employees from performing necessary work within the premises. (Ord. 49-81. Passed 10-12-81.)

709.11 VIEW AND LIGHTING OF INTERIOR.

Each gaming room shall be so constructed and maintained that a clear and open view of the place may be had from the street on which the place of business fronts and shall be free from screens, partitions, fixtures, obstructions or painted or frosted windows which may in any manner interfere with the view from the abutting street, provided, however, that a place of business which is not located on the ground floor or which room does not directly front or abut on any street shall be constructed and maintained so that such view of the interior as previously described may be had from any entrance to such room. In addition, each gaming room shall be lit so as to have a minimum of seventy-five (75) candles of lighting throughout the room at all times of use. (Ord. 49-81. Passed 10-12-81.)

709.12 MINORS.

(a) No person shall permit amusement or gaming devices to be operated or played before 2:00 p.m. on school days by any minor under the age of eighteen (18) years unless said minor is accompanied by and in direct personal charge of a parent or legal guardian. It shall be the duty of the person in whose place of business any such device is placed, or who has title to or owns any such device, or who has control over any such device to determine if in fact school is in session for the individual operating, or wishing to operate, said device.

(b) No minor under the age of eighteen (18) years shall be permitted to operate an amusement or gaming device or to be within the premises of a gaming room or amusement arcade at any time that the serving or consumption of alcoholic beverages is permitted at the place of business where the device is displayed or at the gaming room or amusement arcade unless:

(1) Such device is located in a room in which the service and consumption of alcoholic beverages is prohibited and such room is separated, by floor-to-ceiling walls and doors which are kept closed except when used by an individual for ingress or egress, from all rooms in which the serving or consumption of alcoholic beverages is permitted; and

(2) Such minor under the age of eighteen (18) years is accompanied by and in direct personal charge of a parent or legal guardian.

(c) No person shall permit the operation of an amusement or gaming device by a minor under the age of sixteen (16) years at any time unless said minor is accompanied by and in direct personal charge of a parent or legal guardian notwithstanding any other provisions of this Section.

(d) No person shall permit the operation of an amusement or gaming device by a minor during the hours of curfew applicable to the minor. It shall be the duty of the person in whose place of business any such device is placed, or who has title to or owns any such device, or who has control over any such device, to prominently display the curfew laws of the City of Rocky River and it shall further be the duty of such person to ascertain if his patrons are violating said curfew laws and if so, to eject them from the place of business.

(e) No parent or guardian of a minor under the age of eighteen (18) years shall allow such minor to operate a mechanical or electrically operated amusement device in violation of this Section.

(f) No person under the age of eighteen (18) years shall knowingly show or give false information concerning his name, age or other identification for the purpose of playing or operating an amusement or gaming device or entering or remaining upon the premises of a gaming room or amusement arcade, in violation of any provision of this Chapter.

(g) No person shall knowingly furnish any false information as to the name, age or other identification of another person under the age of eighteen (18) years for the purpose of such other person operating or playing an amusement or gaming device or entering or remaining upon the premises of a gaming room or amusement arcade, in violation of any provision of this Chapter.
(Ord. 49-81. Passed 10-12-81.)

709.13 GAMBLING PROHIBITED.

No dice shall be thrown, nor shall a pea ball be used, nor shall cards or other games of chance or any form of gambling be permitted in any gaming room or in the room in which tables are located, or at any cigar stand or other business in the same room, whether or not such room is divided by a partition. No checks shall be given which can be redeemed for merchandise or cash.
(Ord. 49-81. Passed 10-12-81.)

709.14 POSTING OF LICENSE.

Every licensee shall keep his license conspicuously posted in the gaming room.
(Ord. 49-81. Passed 10-12-81.)

709.15 LICENSE REVOCATION.

The license of any gaming room may be revoked by the Director of Public Safety-Service for disorderly or immoral conduct on the premises or for the violation of any rules, regulations, ordinances and laws governing or applying to gaming rooms.
(Ord. 49-81. Passed 10-12-81.)

709.16 MISCELLANEOUS.

If in the judgment of the Director of Public Safety-Service it is necessary or desirable, the owner or operator of a gaming room shall be ordered to provide necessary security personnel to properly maintain peace and safety. The attendant in charge of a gaming room shall be a person of twenty-one (21) years of age or older. (Ord. 80-81. Passed 11-9-81.)

709.99 PENALTY.

Whoever violates any provision of this Chapter shall be guilty of a minor misdemeanor for the first offense. Whoever violates any provision of this Chapter shall be guilty of a fourth degree misdemeanor for the second offense or subsequent offenses.
(Ord. 7-82. Passed 2-8-82.)