

City of Mount Vernon, New York
AMUSEMENT DEVICE/JUKEBOX LICENSE INSTRUCTIONS

Corporation – Form B

Fees: \$100.00 per Amusement Devices (up to 4 devices allowed)

\$ 30.00 per Jukebox

The license year for amusement devices and jukeboxes is June 1 to May 31. Any new licenses issued after November 30 of any license year will be prorated at \$50.00 per Amusement Device and \$15.00 per Jukebox. No devices may be placed in an establishment without a license. Original applications must be filed with the license fees above as well as fees for a temporary license. Temporary license fees: \$10.00 per Amusement Device and Jukebox.

Application Instructions:

1. **Fill out two copies of application completely. No photocopies.** Applications must be legible. Please type or if filling out by hand, please print.
2. When filling out the number of Amusement Devices, **do not include any jukeboxes.**
3. If applying for a Jukebox License, check "yes" where indicated.
4. If there is more than one officer, please list them on the form on the back of the application.
5. Please fill out the device form on the back of each application with each manufacturer's device number, if any, description of devices, manufacturer's features, method of operation (manual or mechanical) and exact location of device in the establishment.
6. Both copies of the application must be signed before a Notary Public or Commissioner of Deeds. They may be notarized for free at the Office of the City Clerk. The person must sign the application in front of the notary and show current picture identification.
7. Fees must be filed with application. Business checks or money orders should be made payable to "City of Mount Vernon". Completed, notarized applications can be filed at the Office of the City Clerk, Room 104, City Hall, 1 Roosevelt Square, Mount Vernon, NY 10550.

Licenses must be renewed in May of each year. If renewal applications are not received before May 31, (the expiration date of the licenses) then the application will be considered an original and not a renewal.

Please note that pursuant to §84-8.A of the Code of the City of Mount Vernon, that persons under 16 may not use amusement devices unless they are accompanied by a parent or guardian. Pursuant to §84-8.B., only persons over 17 years of age may use the devices between the hours of 8:30 a.m. and 3:30 p.m. on days when schools are officially open.

DOUBLE-SIDED



Original
 Renewal
 Year _____
 Fee \$ _____

Application must be LEGIBLE
and filed in duplicate.

OFFICE OF THE CITY CLERK
Mount Vernon, New York

Lic#: _____

APPLICATION FOR AMUSEMENT DEVICES AND/OR JUKEBOX LICENSE CORPORATION - FORM B

In accordance to Chapter 84 of the Code of the City of Mount Vernon, New York

CORPORATION NAME: _____ TELEPHONE NO. (____) _____
 CORPORATION ADDRESS: _____

Street Address/City/Zip
 BUSINESS NAME (at which device is located): _____ TELEPHONE NO. (____) _____
 BUSINESS ADDRESS: _____

Street Address/City/Zip
 TYPE OF BUSINESS CONDUCTED AT THIS LOCATION: _____

HAS APPLICANT EVER APPLIED FOR AN AMUSEMENT/JUKEBOX LICENSE BEFORE? Y N
 WAS LICENSE EVER DENIED, SUSPENDED OR REVOKED? Y N.
 IF YES, WHY? _____

NAME OF PARTY FILING THIS APPLICATION: _____
 ADDRESS _____ TELEPHONE NO(____) _____

Street Address/City/Zip
 DATE OF BIRTH: ____/____/____ PLACE OF BIRTH: _____ SOC. SEC. NO. _____
 WHAT YEAR WAS BUSINESS INCORPORATED?: _____ WHAT STATE _____

IS THERE ONLY ONE OFFICER OF THIS CORPORATION? Y N
 IF NO, LIST OFFICERS ON THE ATTACHED OFFICER/PARTNER INFORMATION.

NUMBER OF AMUSEMENT DEVICES: _____ TYPE: _____
 LIST DEVICE DETAILS ON BACK OF SHEET (Maximum of 4 amusement devices allowed. Do not include jukeboxes.)
 Please attach for each device Manufacturer's device number, if any, description of devices, manufacturer's features, method of operation (manual or mechanical) and exact location of device in the establishment.
 ARE YOU APPLYING FOR A JUKEBOX LICENSE? Y N

VENDOR'S NAME: _____
 VENDOR'S ADDRESS: _____

Street Address/City/Zip
 HOW MANY AMUSEMENT DEVICES/JUKEBOXES ARE ALREADY IN USE AT THIS ESTABLISHMENT? _____

I, _____, HEREBY APPLY FOR AN AMUSEMENT DEVICE AND/OR A JUKEBOX LICENSE, AND BIND MYSELF AND MY PRINCIPALS TO THE DUE OBSERVANCE OF ALL LAWS AND REGULATIONS GOVERNING THE SAME IN THE CITY OF MOUNT VERNON.

Applicant signature _____ Date _____ Title _____ CORPORATE SEAL

STATE OF NEW YORK)
 COUNTY OF WESTCHESTER)
 CITY OF MOUNT VERNON) SS.:

On this ____ day of _____, 20____, before me personally appeared _____ to me known, who being duly sworn did depose to say: that (s)he is the _____ of _____ the Corporation described in and which executed the foregoing instrument; that (s)he knows the seal of said Corporation; that the seal affixed to said instrument is such Corporate seal; that it is affixed by order of the Board of Directors of said Corporation, and that (s)he signed his/her name thereto as _____ by like order.

 Notary Public or Commissioner of Deeds

POLICE DEPARTMENT:
 I HAVE INVESTIGATED THE LOCATION WHEREIN IT IS PROPOSED TO OPERATE SUCH MECHANICAL AMUSEMENT DEVICE(S) DETERMINED THE NUMBER OF MACHINES AND ASCERTAINED THAT THE APPLICANT IS A PERSON OF GOOD MORAL CHARACTER, AND HEREBY APPROVE THE ISSUANCE OF AMUSEMENT DEVICE LICENSE TO THE ABOVE APPLICANT(S).

 Police Commissioner Date

 MAYOR Date

 City Clerk Date

Original
 Renewal
 Year _____
 Fee \$ _____



Application must be LEGIBLE and filed in duplicate.

OFFICE OF THE CITY CLERK
Mount Vernon, New York

Lic#: _____

APPLICATION FOR AMUSEMENT DEVICES AND/OR JUKEBOX LICENSE CORPORATION - FORM B

In accordance to Chapter 84 of the Code of the City of Mount Vernon, New York

CORPORATION NAME: _____ TELEPHONE NO. () _____

CORPORATION ADDRESS: _____
Street Address/City/Zip

BUSINESS NAME (at which device is located): _____ TELEPHONE NO. () _____

BUSINESS ADDRESS: _____
Street Address/City/Zip

TYPE OF BUSINESS CONDUCTED AT THIS LOCATION: _____

HAS APPLICANT EVER APPLIED FOR AN AMUSEMENT/JUKEBOX LICENSE BEFORE? Y N

WAS LICENSE EVER DENIED, SUSPENDED OR REVOKED? Y N,

IF YES, WHY? _____

NAME OF PARTY FILING THIS APPLICATION: _____

ADDRESS _____ TELEPHONE NO() _____
Street Address/City/Zip

DATE OF BIRTH: ____/____/____ PLACE OF BIRTH: _____ SOC. SEC. NO. ____-____-____

WHAT YEAR WAS BUSINESS INCORPORATED?: _____ WHAT STATE _____

IS THERE ONLY ONE OFFICER OF THIS CORPORATION? Y N

IF NO, LIST OFFICERS ON THE ATTACHED OFFICER/PARTNER INFORMATION.

NUMBER OF AMUSEMENT DEVICES: _____ TYPE: _____

LIST DEVICE DETAILS ON BACK OF SHEET (Maximum of 4 amusement devises allowed. Do not include jukeboxes.)
Please attach for each device Manufacturer's device number, if any, description of devices, manufacturer's features, method of operation (manual or mechanical) and exact location of device in the establishment.

ARE YOU APPLYING FOR A JUKEBOX LICENSE? Y N

VENDOR'S NAME: _____

VENDOR'S ADDRESS: _____
Street Address/City/Zip

HOW MANY AMUSEMENT DEVICES/JUKEBOXES ARE ALREADY IN USE AT THIS ESTABLISHMENT? _____

I, _____, HEREBY APPLY FOR AN AMUSEMENT DEVICE AND/OR A JUKEBOX LICENSE, AND BIND MYSELF AND MY PRINCIPALS TO THE DUE OBSERVANCE OF ALL LAWS AND REGULATIONS GOVERNING THE SAME IN THE CITY OF MOUNT VERNON.

Applicant signature _____ Date _____ Title _____ CORPORATE SEAL

STATE OF NEW YORK)
COUNTY OF WESTCHESTER)
CITY OF MOUNT VERNON) SS.:

On this ____ day of _____, 20__, before me personally appeared _____ to me known, who being duly sworn did depose to say: that (s)he is the _____ of _____ the Corporation described in and which executed the foregoing instrument; that (s)he knows the seal of said Corporation; that the seal affixed to said instrument is such Corporate seal; that it is affixed by order of the Board of Directors of said Corporation, and that (s)he signed his/her name thereto as _____ by like order.

Notary Public or Commissioner of Deeds

POLICE DEPARTMENT:

I HAVE INVESTIGATED THE LOCATION WHEREIN IT IS PROPOSED TO OPERATE SUCH MECHANICAL AMUSEMENT DEVICE(S) DETERMINED THE NUMBER OF MACHINES AND ASCERTAINED THAT THE APPLICANT IS A PERSON OF GOOD MORAL CHARACTER, AND HEREBY APPROVE THE ISSUANCE OF AMUSEMENT DEVICE LICENSE TO THE ABOVE APPLICANT(S).

Police Commissioner Date

MAYOR Date

City Clerk Date

**Supplement to Application:
Officer/Partner Information:**

1. Officer Name: _____
 Home Address: _____
 Telephone No: () _____
 Social Security: _____
 Date of Birth: / / _____
 Place of Birth: _____

2. Officer Name: _____
 Home Address: _____
 Telephone No: () _____
 Social Security: _____
 Date of Birth: / / _____
 Place of Birth: _____

3. Officer Name: _____
 Home Address: _____
 Telephone No: () _____
 Social Security: _____
 Date of Birth: / / _____
 Place of Birth: _____

Device Name	Name and Address of Manufacturer	Manufacturer Number	Method of Operation	Location (within establishment)

ARTICLE I Amusement Devices (§ 84-1 — § 84-12)

[Adopted 11-13-1957 as Ch. 5 of the General Ordinances of the City of Mount Vernon, approved 11-15-1957]

§ 84-1 Definitions.

As used in this article, the following terms shall have the meanings indicated:

AMUSEMENT DEVICE

Any machine which, upon the payment of a charge or upon the insertion of a coin, slug, token, plate or disc, may be operated by the public generally for use as a game, entertainment or amusement, whether or not registering a score. It shall include but is not limited to such devices as electronic video games, marble machines, pinball machines, skill ball, mechanical grab machines, electronic bowling machines, electronic driving machines, electronic baseball, football, hockey or basketball machines, any and all air-propelled machines or games, shooting games, billiard tables and pool tables and all games, operations or transactions similar thereto under whatever name they may be indicated, whether or not electronically operated. This article, however, shall exclude any device, the possession or use of which is otherwise prohibited by law.

[Amended 6-27-2001, approved 6-28-2001]

JUKEBOX

Any manually, mechanically or electrically operated music vending machine, contrivance or device which is caused to operate or may be operated upon the insertion of a coin into any slot or other opening or by the payment of any fee, charge or other consideration for the emission of songs, music or similar entertainment.

[Added 5-14-1969, approved 5-15-1969]

PERSON

Includes one or more individuals, a partnership, company, corporation, association or society, and any officer, agent, servant or employee of the foregoing in responsible charge of premises hereinafter mentioned.

PREMISES

Includes any parcel of land, building, structure, vehicle, boat, airplane or any other property or part thereof.

§ 84-1.1 Findings of fact and legislative purpose.

[Added 6-27-2001, approved 6-28-2001]

A. The City Council of the City of Mount Vernon, New York, hereby finds that studies prepared by the County of Westchester establish that arcades cause deleterious effects on the communities in which they operate. Frequently, areas in which amusement devices operate suffer from overcrowding in the buildings housing video games, excessive noise and traffic congestion comprised of large numbers of youths and bicycles blocking the sidewalks and entrances of other buildings and businesses.

B. The City of Mount Vernon is currently undergoing a major revitalization effort to reverse the trend of urban deterioration and decay, particularly in the downtown and commercial areas. The City Council is advancing major urban renewal projects throughout the City, expending significant efforts and resources toward improving the quality of life and character of the City. The City is redeveloping major portions of blighted and degraded commercial areas to strengthen its commercial tax base and revive its downtown retail areas. The unrestrained proliferation of amusement devices is inconsistent with the City's redevelopment and revitalization efforts. It is therefore necessary to regulate the installation of amusement devices to control the adverse secondary effects associated with such uses and to mitigate any adverse consequences to the urban renewal and revitalization effort of the City of Mount Vernon.

§ 84-2 License required.

[Amended 5-14-1969, approved 5-15-1969]

No person shall keep, maintain, use or exhibit, or permit to be kept, maintained, exhibited, used or operated, in or upon any premises in his possession or under his control within the city, a manually or mechanically or electrically operated amusement device or jukebox used or designed in whole or in part for the amusement, entertainment or recreation of the public, without first obtaining a license therefor from the Mayor and countersigned by the City Clerk as hereinafter provided.

§ 84-3 License application.

The Mayor is hereby authorized, in his discretion, to issue such license upon the following terms and conditions:

A. A verified application in duplicate for said license shall be made by such person to the City Clerk, upon blanks to be furnished by him, giving the name and address of the applicant; the name and address of the manufacturer of the device; the manufacturer's number, if any; a complete detailed description of the device, including all the mechanical features thereof; the method of its operation; the exact location, nature and use of the premises in which the device is proposed to be kept, maintained, exhibited or operated; the number of such devices already licensed and sought to be licensed in the

same premises, and such further information as the City Clerk or the Commissioner of

B. The application shall also contain a complete statement indicating whether or not any previous application has been made hereunder and whether any license has been issued, refused, suspended or revoked, with the circumstances thereof.

C. Upon receipt of the application by the City Clerk, the applicant may be issued a temporary permit pending the approval of the license application. This permit may be issued for a period not to exceed 60 days. If the license application is denied prior to the end of the sixty-day period, then the permit is immediately revoked. This temporary permit may be obtained upon payment of a nonrefundable fee of \$10 for each machine, which fee does not apply to any part of the license application fee. The permit shall have clearly printed on its face the date of issue and the date of expiration. The issuance of a temporary permit is in no way to be construed as approval of the application for an amusement device license. The temporary permit is nonrenewable and may not be transferred or assigned. Maintenance, use or exhibit of an amusement device after the expiration date stated on the permit or after notice of the denial of the license application shall be considered a violation of § 84-2 of this chapter.

§ 84-4 Regulation by Department of Public Safety.
[Amended 5-27-1981, approved 5-28-1981]
[Added 12-22-1982, approved 12-23-1982; amended 11-29-2001, approved 11-29-2001]

A. Said application shall be referred by the City Clerk to the Commissioner of Public Safety for his investigation and recommendation in writing to the City Clerk. No such license shall be issued without the approval of the Commissioner of Public Safety, who shall cause such inquiries, inspections and investigations to be made as he deems necessary to carry out the intent and purpose of this article, including but not limited to the device sought to be licensed or which shall be licensed, the premises upon which said device is proposed to be or shall be located and the moral character of the applicant or any person in responsible charge of said premises. In order that the intent and purpose of this article shall be carried out, the control and regulation of such devices shall be under the supervision of the Department of Public Safety, and members of said Department may at any and all times, when such premises are open, visit the same and make an inspection thereof.

B. The Commissioner of Public Safety may disapprove an application for an amusement device license if he determines that:

- (1) The applicant has made a material false statement or concealed a material fact relating to his application;
- (2) The applicant has been convicted of a felony or of any crime involving violence, dishonesty, deceit, indecency, degeneracy or moral turpitude; or
- (3) The location of the amusement device in the applicant's premises would be contrary to the public health, safety or welfare and detrimental to the surrounding neighborhood.

C. An applicant whose application for a license is denied shall be advised in writing by the City Clerk stating the reason therefor.

D. An aggrieved applicant may request a hearing by submitting a request for same in writing within seven days after receipt of notification of such denial.

E. Upon the receipt of the written request for a hearing, the City Clerk shall notify the Commissioner of Public Safety, who shall hold or cause his designee to hold a hearing at such time and place as he shall prescribe. The applicant shall be given due notice thereof in writing and may be represented by counsel. In each case, a decision shall be reached without unnecessary delay, and such decision may affirm, modify or reverse the determination appealed from.

§ 84-5 License or permit required; posting.
[Amended 5-14-1969, approved 5-15-1969; 4-10-1981, approved 4-13-1981; 5-27-1981, approved 5-28-1981; 12-22-1982, approved 12-23-1982]

A license or permit shall be procured for each said device. No amusement device or jukebox shall be kept, exhibited, used or operated until and unless said license or permit is conspicuously posted upon the premises.

§ 84-6 Fees; expiration of license; transfer of license; number of devices permitted.
[Amended 5-14-1969, approved 5-15-1969; 4-10-1981, approved 4-13-1981; 5-27-1981, approved 5-28-1981; 4-27-1983, approved 4-28-1983; 7-10-1985, approved 7-11-1985; 7-12-2000, approved 7-13-2000; 11-14-2001, approved 11-15-2001]

Prior to the issuance of such license, the City Clerk shall collect the sum of \$100 therefor for each amusement device licensed and \$30 for each jukebox licensed. Each such license shall expire on the 31st day of May next after issue, unless sooner revoked by the Mayor;

and the expiration date shall appear on the face of the license. All valid existing licenses issued prior to May 31, 1985, shall expire on December 1, 1985. For new licenses issued after November 30th of any license year, the license fee shall be prorated. No such license shall be transferred from one device to another, except as hereinafter provided, nor to any person or location other than that stated in the application therefor. No more than four such amusement devices shall be licensed for maintenance, exhibition or use in the same premises at any one time.

§ 84-7 Transfer requirements; fee.

[Amended 1-22-1969, approved 1-23-1969]

A license and seal issued under the provisions of this article may be transferred either to another device identical in every respect or to a device of the same general character as that licensed. The provisions of this article with respect to applications, investigations and approval shall apply to all transfers, and no transfer shall be effective until the Mayor has issued a certificate therefor. Prior to the issuance of such certificate, the City Clerk shall collect the sum of \$7 for each transfer.

§ 84-8 Age restriction for operation.

[Amended 5-14-1969, approved 5-15-1969; 6-27-2001, approved 6-28-2001]

A. No person, firm, corporation or association or any agent, servant, employee or representative of a licensee shall permit the operation or use of any amusement device, as defined herein, by persons 15 years of age or under at the premises where such amusement device is located, unless such persons 15 years of age or under are accompanied by a parent or guardian.

B. Notwithstanding § 84-8A, no person, firm, corporation or association or any agent, servant, employee or representative of a licensee shall permit the operation or use of any amusement device, as defined herein, by persons 17 years of age or under between the hours of 8:30 a.m. and 3:30 p.m. on days when schools are officially open.

§ 84-9 Unlawful use prohibited.

[Amended 5-14-1969, approved 5-15-1969]

No such amusement device shall be operated or permitted to be operated by the licensee or by any person in responsible charge of said premises or to be put to any use or purpose prohibited by law.

§ 84-10 Revocation of license and seal.

A. Any license granted hereunder may be revoked by the Mayor and any seal issued under such license recalled and destroyed for any of the following:

- (1) The violation of any of the provisions of this article.
- (2) The violation of any law, ordinance, rule or regulation of any governmental officer, agency or department governing or applicable to the maintenance or conduct of the premises upon which said device is located.
- (3) The violation of any law, ordinance, rule or regulation governing or applicable to the maintenance, possession, use or operation of the licensed device.
- (4) The conviction of the licensee, holder of a license or any person in responsible charge of said premises of a crime.
- (5) The recommendation of the Commissioner of Public Safety in writing, stating the reasons therefor.
- (6) Otherwise for cause.

B. This section shall in no way limit or impair the power otherwise vested in the Mayor by law to revoke such licenses.

§ 84-11 Counterfeit seal.

[Amended 5-14-1969, approved 5-15-1969]

Any person attaching a fictitious or counterfeit seal or maintaining, operating or in responsible charge of premises in which a manually or mechanically operated amusement device or jukebox is kept, exhibited or used, to which device a fictitious seal purporting to be issued by the City Clerk or a counterfeit of said seal is attached, shall be guilty of a violation of this Article.

§ 84-12 Separate offenses.

Each day's maintenance, exhibition or use of any manually or mechanically operated amusement device in violation of this Article shall constitute a separate offense.

