

CHAPTER 113: AMUSEMENTS

Section

Pinball Arcades

- 113.01 Definitions
- 113.02 License required
- 113.03 License application
- 113.04 Inspection of premises
- 113.05 Regulations
- 113.06 Denial of license
- 113.07 License fees
- 113.08 Granting of licenses
- 113.09 Conduct on premises
- 113.10 Renewal and transferability
- 113.11 Revocation

PINBALL ARCADES

§ 113.01 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

OPERATOR. Proprietor, lessee, manager or employee of any pinball arcade.

PINBALL ARCADE. Any place of business or establishment containing two or more mechanical or electrical devices which provide amusement, information or entertainment, which may be operated or set in motion upon the insertion of a coin or token, not including juke boxes, but specifically including billiard or pool tables whether coin operated or not.

PINBALL MACHINE. Any mechanical or electrical device which provides amusement or entertainment, which may be operated or set in motion upon the insertion of a coin or token, not including juke boxes, but specifically including billiard or pool tables whether coin operated or not.
(Ord. 149, passed 11-2-78)

§ 113.02 LICENSE REQUIRED.

No pinball arcade shall be established, maintained or conducted in the City of Standish by any person or corporation without first obtaining a license to operate such place from the City Council of the City of Standish and no operator, as defined herein, shall allow or permit the use of two or more pinball machines unless a license for such use shall have been obtained from the City Council of the City of Standish.

(Ord. 149, passed 11-2-78)

§ 113.03 LICENSE APPLICATION.

(A) Every person or operator, as defined herein, desiring to obtain a license as required by this subchapter shall file a written application to the City Clerk on forms approved by the City Clerk for the City of Standish, together with an application fee of \$50, or as hereinafter provided by resolution of Council. The application shall include the following information:

(1) His or her age, correct name, post office address and residence, the length of time he or she has resided within this state and where and his or her places of residence for the past five years immediately before the time of such applications;

(2) Whether or not he or she has ever been convicted of any crime involving moral turpitude;
and

(3) Giving reference in such applications to at least five reputable citizens of such community wherein he or she has last resided within this state and the written recommendations of at least two such citizens of such community respecting his or her moral character.

(B) Each such application shall be accompanied by a fee as herein specified payable to the City Treasurer for use of the city upon issuing of license to the applicant, and the applicant shall specify in such application the type of business and the exact location of the place thereof for which he or she requests a permit. In case the applicant for such license is a corporation authorized to do business in this state, the application shall be made by the agent of such corporation who will have principal charge of the place proposed to be established, and such application shall contain all of the statements and furnish all the facts and recommendations in respect to such agent as are required in the case of a private individual herein. The license to a corporation shall be revocable upon the occurrence of a change in the agent so managing such place, and a new license may be required by the City Council of the City of Standish before any new agent shall take charge of such place for such corporation. In case of a partnership, each active partner in such business shall join in the application for such license and shall furnish all of the information and recommendations required of an individual applicant.

(Ord. 149, passed 11-2-78)

§ 113.04 INSPECTION OF PREMISES.

Before any pinball arcade license shall be issued, investigation of the application and inspection of the premises shall be made by the City Building Department, Fire Marshal, Police Department and such other city departments or agencies as may be deemed necessary to determine whether the premises fully comply with all pertinent ordinances and regulations. Before any pinball arcade license may be recommended for approval, it must be determined by the Police Department and such other agencies or departments as deemed necessary that the applicant is providing sufficient off-street parking and sufficient aids and regulations whereby vehicular traffic shall not constitute a nuisance or danger. For a standard for such determination, minimum off-street parking facilities shall be as required by the Zoning Code of the City of Standish, with additional facilities for general peak load parking requirements of the business being operated. Before the Fire Marshal approves the same, he or she must determine that adequate space is provided between the pinball machines to permit safe ingress and egress in the premises.

(Ord. 149, passed 11-2-78)

§ 113.05 REGULATIONS.

Each licensee shall:

(A) At all times open each and every portion of the licensed premises for inspection by the Police Department and other city departments for the purpose of enforcing any provisions of this chapter;

(B) At all times display the license granted hereunder in a conspicuous place near the entrance to the licensed establishment;

(C) Have at least one adult operator on the premises at all times that the premises are open to the public who has not been convicted of a crime involving moral turpitude and who has been so certified by the Standish Police Department;

(D) Not open the licensed premises for business between the hours of 1:00 a.m. and 7:30 a.m. (local time). Provided, however, premises may open for business during the aforesaid hours on the granting of a special permit by the Chief of Police upon the showing by the licensee:

(1) That the premises are being used for the holding of a tournament; or

(2) That the licensee desires the premises to remain open during said hours on a legal holiday.

(Ord. 149, passed 11-2-78)

§ 113.06 DENIAL OF LICENSE.

No license shall be issued:

(A) Where the individual operator, managing agent of a corporation or active partner has been convicted of a crime involving moral turpitude;

(B) For any premises unless the Building Code, Fire Code and other pertinent provisions of all city ordinances, as far as can be determined, are being complied with;

(C) For any premises unless the applicant files an approval of the application in writing signed by more than 60% of all owners of property residing within 300 feet of the premises on which the business is operated, except in the case of renewal of licenses;

(D) For any premises that are located within 1000 feet of any school building attended by students below the age of 16 years of age. (Measurement shall be made from front door to front door, along the street line;)

(E) For any premises that does not provide off-street-parking as provided in § 113.04;

(F) For any premises that does not provide space for safe ingress and egress of such premises;

(G) For any premises that has living quarters with direct entry to the premises.

(Ord. 149, passed 11-2-78)

§ 113.07 LICENSE FEES.

The fee to be paid upon granting of licenses issued hereunder shall be \$50, plus \$10 for each pinball machine on the premises, or as set by resolution of the City Council.

(Ord. 149, passed 11-2-78)

§ 113.08 GRANTING OF LICENSES.

After review and recommendation by all city agencies and departments, but in no event later than 45 days from the date of filing the application, the City Manager shall present the application to the City Council at its next regular meeting. The City Council upon receiving such application, if presented in due form, shall pass upon the same at its next regular meeting of any adjournment thereof and, if satisfied that such applicant possesses the qualifications herein prescribed, shall grant such license for a term expiring on December 31 of each year. All such licenses shall be in such form as the City Council may prescribe and shall contain the name, address, place of business, the number of pinball machines on the premises and the date of expiration of the license and shall be authenticated by the signature of the City Clerk.

(Ord. 149, passed 11-2-78)

§ 113.09 CONDUCT ON PREMISES.

No licensee, by himself or herself, directly or indirectly, or by any servant, agent or employee shall:

(A) Permit any indecent, immoral or profane language or indecent, immoral or disorderly conduct;

(B) Permit the licensed premises to become a resort for disorderly persons of any type;

(C) Permit gambling or the use, possession or presence of gambling paraphernalia in the premises. The winning of anything of value as a result of the operation of a pinball machine shall constitute gambling; however, the winning of a prize that does not exceed \$100 in value in a scheduled tournament shall not constitute gambling;

(D) Permit intoxicated persons to loiter on the premises;

(E) Permit any persons under the age of 16 years to be upon the premises at any time unless accompanied by a parent or legal guardian or permit any persons under 17 years to be upon the premises after 12:00 p.m. (local time) unless accompanied by a parent or legal guardian;

(F) Permit the possession or use of any alcoholic liquor on the premises, nor shall the licensed premises be accessible in any way with any place where alcoholic liquor is kept, sold, distributed or given away. This prohibition shall not apply while a Michigan Liquor Control Commission license is in effect at the licensed premises;

(G) Permit the possession or use of any unlawful drug or narcotic, including marijuana, on the premises;

(H) Permit noise or music to emerge from licensed premises which is disturbing to the surrounding area.

(Ord. 149, passed 11-2-78)

§ 113.10 RENEWAL AND TRANSFERABILITY.

Any license issued in accordance with this subchapter may be renewed for an additional year upon the same terms and subject to the same requirements as provided herein for an original license. Whenever the holder of such license desires to effect a change of place of doing business, he or she shall notify the City Council and make application for a license for such new place in the same manner as in the first instance, excepting that proof of good character may be dispensed with by such City Council. No license issued pursuant to this subchapter shall be assignable or transferable, nor shall any person excepting the person to which it was issued be permitted to do business thereunder, either directly or indirectly.

(Ord. 149, passed 11-2-78)

§ 113.11 REVOCATION.

The City Council shall have the right to revoke any license once granted or deny annual renewal thereof when it appears to their satisfaction that any licensee has violated this chapter or any ordinance of the City of Standish or statute of the State of Michigan. The revocation of any license or the denial of renewal thereof shall not be made without a hearing. Notice must first be given to the applicant or licensee setting forth the time and place of hearing and the reasons for such revocation or denial of renewal of the license. Any conviction of a violation of this chapter, or any ordinance of the City of Standish or statute of the State of Michigan involving moral turpitude by the licensee or his or her employees shall be grounds for revocation of any license or the refusal to renew the same.
(Ord. 149, passed 11-2-78)

CHAPTER 114: AUCTIONS AND AUCTIONEERS

Section

- 114.01 Auctions in public places prohibited
- 114.02 License required for real estate auctions
- 114.03 License fees
- 114.04 Bond
- 114.05 Transient traders or dealers
- 114.06 One bid limit

§ 114.01 AUCTIONS IN PUBLIC PLACES PROHIBITED.

It shall be unlawful for any person to hold or conduct or aid in holding or conducting any auction or auction sale of any article or thing whatsoever upon any public street, lane, alley or public place in the City of Standish or in any room, building, lot or place so situated that the conduction of such auction or auction sale will attract or induce any person or persons to stand or be upon any public street, sidewalk or other public place for the purpose of bidding at such auction or auction sale.

(Ord. 77, passed 6-29-33) Penalty, see § 10.99

§ 114.02 LICENSE REQUIRED FOR REAL ESTATE AUCTIONS.

It shall be unlawful for any person to hold or conduct or aid in holding or conducting as an auctioneer in the City of Standish an auction or auction sale of any real estate or personal property without first obtaining from the City Council a license for that purpose and having the license fee or fees hereinafter provided, and before any such license shall be granted the person applying therefor shall make an application in writing, giving his or her name and address and stating whether a license is desired for a period ending April 30, next following the date of such application, or whether such a license is desired for a period of 90 days or less, and such application shall contain an agreement that the license, if granted, will be accepted on condition that it may be revoked for good cause, by the City Council. No such license will be transferred, provided that no license shall be required for a sale at auction under legal process where such sales are required by law to be made at public auction.

(Ord. 77, passed 6-29-33) Penalty, see § 10.99

§ 114.03 LICENSE FEES.

Any person applying for a license hereunder shall pay to the City Clerk a license fee or fees as follows: \$100 for each year or unexpired part thereof ending April 30, next following the date of such application; \$10 per day when a license is desired for a period of 90 days or less, providing that after the payment of a license fee of \$10 per day for eight consecutive days a license issued to the person making such payment shall continue in force for a period of not exceeding 90 days in all, unless sooner revoked by the City Council.

(Ord. 77, passed 6-29-33)

§ 114.04 BOND.

It shall be unlawful for any person to hold or conduct or to aid in holding or conducting as an auctioneer in the City of Standish any auction or auction sale without first executing a bond to the people of the State of Michigan with a surety company authorized to transact business in the State of Michigan as surety in the penal sum of \$2,000 for the use and benefit of any and all persons claiming damages because of the violation of any of the provisions of this chapter, which bond shall contain the conditions that the principal therein will well and faithfully in all things comply with the provisions of this chapter and will well and truly pay or cause to be paid all loss or damage that any and all persons may sustain by reason of the failure of the principal to comply with the provisions.

(Ord. 77, passed 6-29-33) Penalty, see 10.99

§ 114.05 TRANSIENT TRADERS OR DEALERS.

The sale of any goods at auction which are being handled and sold within the limits of the city by transient traders or dealers, as defined by the laws of the State of Michigan, shall not excuse the compliance by such transient trader or dealer with the laws of the state requiring the payment of a license fee or fees as a transient trader or dealer.

(Ord. 77, passed 6-29-33)

§ 114.06 ONE BID LIMIT.

It shall be unlawful for the owner or for any person acting for the owner of any goods or property sold or offered for sale at any auction in the City of Standish to make more than one bid at such sale on any article or thing and then only when the right to make such bid is reserved and publicly announced at the time of the opening of any such auction.

(Ord. 77, passed 6-29-33) Penalty, see § 10.99

CHAPTER 115: PEDDLERS AND HAWKERS

Section

- 115.01 License required
- 115.02 Definition
- 115.03 License fees
- 115.04 License application
- 115.05 Suspension or revocation of license

§ 115.01 LICENSE REQUIRED.

(A) No person shall be authorized to travel from place to place within the City of Standish, Michigan, for the purpose of carrying to sell or exposing to sale any goods, wares or merchandise or to take orders for the purchase of goods, wares or merchandise by sample, lists or catalogues, unless he or she shall have obtained a license as a hawker and peddler in the manner hereinafter directed.

(B) Every person desirous to obtain a license as a hawker or peddler shall apply to the Clerk of the city and shall deliver to him or her a written application signed by such applicant stating in what manner he or she intends to travel and trade, whether on foot or with one or more vehicles.

(C) Upon the presentation of application in writing and the payment of the proper fees herein required, the City Clerk shall grant to such applicant a license under his or her hand and seal of office and authorizing such applicant to travel and trade as a hawker or peddler in the manner stated in such application for the term specified in the license.

(Ord. 73, passed 10-13-31)

§ 115.02 DEFINITION.

The term and words *HAWKER* or *PEDDLER* for the purpose of and as used in this chapter shall be construed to mean and include any person who shall go about from place to place within the city in any manner whatsoever or who shall from any stand, cart, vehicle or other device in or upon any street, highway, sidewalk or in or upon any open place or places or space or public building or grounds or private building or grounds within the city or who shall by sample or otherwise from any hotel, public

§ 115.03 LICENSE FEES.

The rates to be charged and collected by the City Clerk for any license issued to a hawker or peddler shall be as follows:

(A) Any hawker or peddler on foot who shall travel from house to house for the purpose of selling, offering for sale or soliciting orders for, by sample or otherwise, any goods, wares, merchandise, refreshments or any kind of property or thing whatsoever shall pay the sum of \$5 per day for each day or fractional part thereof for any number of days not exceeding ten, and for any number of days exceeding ten and not exceeding one year shall pay the sum of \$50;

(B) Any hawker or peddler with vehicle who shall travel from house to house for the purpose of selling, offering for sale or soliciting orders for, by sample or otherwise, any goods, wares, merchandise, refreshments or any kind of property or thing whatsoever shall pay the sum of \$10 per day for each day or fractional part thereof for any number of days not exceeding ten, and for any number of days exceeding ten and not exceeding one year shall pay the sum of \$100.
(Ord. 73, passed 10-13-31)

§ 115.04 LICENSE APPLICATION.

The applicant for license as a hawker or peddler must be a citizen of the United States and of good moral character and on request of the City Clerk must furnish suitable recommendations.
(Ord. 73, passed 10-13-31)

§ 115.05 SUSPENSION OR REVOCATION OF LICENSE.

Licenses granted under authority of this chapter may be suspended or revoked for violations of the terms of the license or for violation of any laws of this state or city or for other reasons or causes in the judgment of the City Clerk, and appeals therefrom may be made to the City Council.
(Ord. 73, passed 10-13-31)