

**ORDINANCE NO. 591
CITY OF DAYTON, OREGON**

Title AN ORDINANCE REPEALING SECTION 3.5 OF THE DAYTON MUNICIPAL CODE RELATING TO LICENSING FOR GAMES OF SKILL

WHEREAS, the City Council adopted Dayton Ordinance No. 505 on May 4, 1998 requiring a license for any person or entity operating games of skill in an area that is open to the public ; and

WHEREAS, the City Council does not feel it is necessary to continue to require a license and the corresponding fee;

THE CITY OF DAYTON ORDAIN AS FOLLOWS:

1. **THAT** Section 3.5 of the Dayton Municipal Code is repealed in its entirety; and
2. **THAT** this Ordinance shall become effective on the 30th day after adoption.

PASSED AND ADOPTED by the City Council of the City of Dayton on this 2nd day of November 2009.

Mode of Enactment:

Date of first reading: October 5, 2009 In full _____ or by title only X

Date of second reading: November 2, 2009 In full __ or by title only X

_____ No Council member present at the meeting requested that the ordinance be read in full.

X A copy of the ordinance was provided to each Council member; three copies were provided for public inspection in the office of the City Recorder not later than one week before the first reading of the Ordinance.

Final Vote:

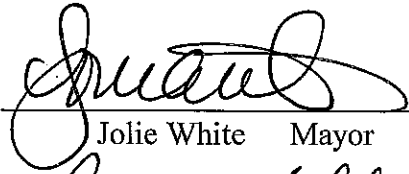
In Favor: **Blackburn, Dickson, Evers, Hensley, White, Wytoski**

Opposed: **None**

Absent: **Henry**

Abstained: **None**

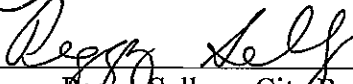
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Jolie White Mayor

11/19/09

Date of Signing



Peggy Selberg City Recorder

11/2/09

Date of Enactment

Attachments:

Exhibit A: Section 3.5

Exhibit A

- 3.5 License for Game of Skill.** No person or entity shall operate or have in an area that is open to the public a device or table for a game of skill, unless a current Game of Skill License, issued by the City Recorder is prominently attached to the device or table. Game of Skill Licenses expire on December 31st each year, and must be renewed annually to be current.
- 3.5.1 License Fee.** The Game of Skill License fee shall be \$120 per year or \$5 per week. Game of Skill License fees are waived for organizations having tax exempt status from the Internal Revenue Service.
- 3.5.2 Confiscation.** A police officer who reasonably believes that a person or entity is operating or keeping, in an area that is open to the public, a device or table for a game of skill, without a current Game of Skill License, and who issues a citation into municipal court for the offense, may confiscate the device or table until the matter is heard in municipal court.
- 3.5.3 Violation.** A violation of any provision of section 3.5 of Dayton Code shall be a Class A violation and may carry the additional penalty that a confiscated device or table may be sold by the city to pay any fines assessed for this violation. *(Amended by Ordinance #505, 5/4/98 – Effective 5/4/98)*