

CHAPTER 882. ARCADES.

882.01. Definitions.

(a) “Arcade” for the purposes of this chapter shall be defined as any premises where four or more coin operated amusement devices are made available to members of the public. The term “arcade” shall not include any premises which is licensed for the sale of intoxicating liquors or fermented malt beverages.

(b) License Fee. The license fee for each arcade shall be charged in accordance with Chapter 165, the City of Ashland Comprehensive Fee Schedule. In no case shall any portion of said license be repaid to the licensee. Licenses will be issued for the fiscal year beginning July 1 and ending June 30 of each year.

882.02. License Required.

(a) License required. No person, firm or corporation shall engage in the business of owning or operating an arcade as the term is herein defined without first having obtained the proper license therefor.

(b) License Fee. The annual license fee for each arcade as herein defined shall be charged in accordance with the City of Ashland Comprehensive Fee Schedule. All licenses will be issued for the fiscal year beginning July 1 and ending June 30 of each year. In no case shall any portion of said license fee be repaid to the licensee.

(c) Application for License. Application for license hereunder shall be filed in writing with the City Clerk, on a form to be provided by the City, and shall specify:

- (1) The name and address of the applicant, and if a firm, corporation, partnership or association, the principal officers thereof and their addresses.
- (2) The address of the premises where the licensed device or devices are to be operated, together with the character of the business as carried on at such place.
- (3) The proper license fee shall accompany the application.
- (4) The application shall be referred to the Common Council for review and in its sole discretion either approval or denial of the license. If the license is denied, the fee shall be returned to the applicant.

(d) Expiration, posting, transfer. All licenses under this article shall expire on June 30th following their issuance. The license shall be posted in a conspicuous place in the arcade. Such license shall be non-assignable and nontransferable and shall apply only to the premises for which such license was issued, unless approval is granted by the Common Council. No additional fee shall be charged.

882.03. Restrictions and Limitations.

(a) It shall be unlawful to consume or possess or permit the consumption or possession of intoxicating liquors, fermented malt beverages, or controlled substances in any arcade or amusement center.

(b) No arcade may be operated, kept or maintained in any disorderly or riotous, indecent or improper manner.

882.04. Revocation or Suspension of License. Licenses issued under the provisions of this ordinance may be suspended or revoked by the Common Council after notice and hearing for any of the following causes:

(a) Fraud, misrepresentation, or incorrect statement contained in the application for license;

(b) Fraud, misrepresentation, or incorrect statement made in the course of carrying on his/her business;

(c) Any violation of this chapter, or permitting or condoning the violation of any other ordinance of the City of Ashland or law of the State of Wisconsin in any arcade;

(d) Conviction of any crime or misdemeanor.

882.05. Notice of Hearing. Notice of the hearing for suspension or revocation of a license shall be given by the City Clerk in writing, setting forth specifically the grounds of complaint and the time and place of hearing. Such notice shall be mailed, postage prepaid, to the licensee at his/her last known address at least 72 hours prior to the date set for hearing, or shall be delivered by a police officer in the same manner as a court summons.

882.06. Penalty. Any person, firm, or corporation that shall violate any of the provisions of this chapter shall forfeit not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00) for each offense, plus the cost of prosecution. Each day's violation of the provisions of this chapter shall constitute a separate offense.

ADOPTED: 882 (991) 8/10/1982

AMENDMENTS: 882 (1781) 3/13/2012; 882 (2020-1927) 02/11/2020