



TOWN OF HOPKINTON, NEW HAMPSHIRE

RULES & REGULATIONS – LICENSING & REGULATIONS FOR AMUSEMENT DEVICES AND AMUSEMENT CENTERS

ORDINANCE NO: 07-04

1. Definition of Terms: As used in this regulation, unless the context otherwise indicates.

(A) The term "amusement device" shall mean any machine which, 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 such devices as electronic games, pin ball machines, skill ball, mechanical grab machines, and all games, operations or transactions, similar thereto under whatever name they may be indicated. The term does not include vending machines in which are not incorporated gaming or amusement features, nor does the term include any coin operated musical devices, rides or pool tables.

(B) The terms "person", "firm", "corporation", or "association" as used herein shall include the following; any person, firm, corporation or association which owns any amusement device; the person, firm, corporation or association in whose place of business any amusement device is placed for use by the public; and the person, firm, corporation or association having control over an amusement device provided, however, that the payment of the license fee by any person, firm, corporation or association enumerated herein shall be deemed a compliance with Section 5.

(C) The term "amusement center" shall mean any premises having thereon available for use by the general public four (4) or more amusement devices.

2. Gambling Devices Not Permitted: Nothing in this ordinance shall in any way be constructed to authorize, license, or permit any gambling or gambling devices not permitted by State Law.

3. License Required: No person, firm, corporation or association shall display for public patronage, or keep for operation any amusement device as defined in Section 1 without first having obtained a proper license/permit from the Town of Hopkinton. All licenses/permits under this article shall expire on the July 30th next following their issuance and may be renewed only after compliance with the procedures established by this article for the issuance of the original license/permit.

4. Amusement Center License: Applicants having available for use by the general public at one location four (4) or more amusement devices shall comply with all requirements of the Town of Hopkinton Ordinances.

(A) Management Plan: The application for an amusement center license shall include, in addition to other required information, a management plan which at a minimum will set forth the following:

- (1) The actual hours of operation;
- (2) The minimum number of employees on duty at any time;
- (3) Parking facilities for patrons;
- (4) A plan designed to avoid nuisances and insure compliance with Town of Hopkinton Ordinances;
- (5) Rules governing the presence of minors unaccompanied by an adult;
- (6) Rules and regulations to be posted on the premises governing the operation of the center and conduct of its patrons. These rules should include but not be limited to such matters as dress code, consumption or possession of alcoholic beverages or controlled drugs, loitering, presence of minors during school or evening hours, and maximum occupancy.

(B) Notice, Hearing, and Appeal: The Board of Selectmen shall not issue a license for an amusement center until ten (10) days after he has published notice of the application for a license in a newspaper of general circulation in the Town. During this ten (10) day period, the Board of Selectmen shall accept written comment from the public concerning the application. At the end of the ten (10) day period, the Board of Selectmen shall grant or deny the license and set the maximum hours of operation of the amusement center. Any person aggrieved by the decision of the Board of Selectmen to license an amusement center may within five (5) days from the date of decision to license request the Board of Selectmen to hold a public hearing on the application and to reconsider their decision. A renewal of an amusement center license shall be subject to the condition and proceedings of this section.

(C) Suspension and Revocation: A license issued under the provisions of this article to an amusement center may be suspended or revoked for violation of any provision of the management plan filed with the Board of Selectmen or any condition imposed by the Zoning Board of Adjustment in granting the required special exception or variance depending on zone.

5. Amusement Device: Applicants having available for use by the general public at the location less than four (4) amusement devices shall obtain a permit pursuant to the provisions of this article.

6. Application: The application for an amusement center and/or amusement device license shall in addition to such information as may be required by the Board of Selectmen contain the following information:

- (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) A general description of the type of device or devices to be licensed;
- (4) The name and address of the owner of the device or devices, if other than the applicant.

No license shall be issued to any applicant unless he shall be over eighteen (18) years of age.

7. License Fees: Every amusement center applicant, before being granted a license, shall pay a license fee of one hundred dollars (\$100.00) per year plus a fee per machine (see paragraph #11). All license fees shall be payable annually in advance, provided, that where application is made after the expiration of any application of any license year, a license may be issued for the remainder thereof when payment of a proportionate part of the annual fee. In no case shall any portion of the license fee be repaid to the licensee.

8. Transfer of License: A license shall not be transferable from person to person or place to place, and shall be useable only at the place and by the person designated on the license.

9. Conditions and Restrictions: All licenses shall be subject to such conditions and restrictions as the Board of Selectmen deems it proper to impose.

10. Time: Every amusement center shall be permitted to stay open for the reception of patrons from 10:00 AM in the morning until 10:00 PM in the evening, except Sundays when operation is not permitted.

11. Annual Fee Per Machine: See paragraphs #5 and #7

<u>Number of Machines</u>	<u>Fee</u>
Each Machine	\$100 per year

Signed: October 6, 1982

Robert York, Chairman
Toni Gray
Stanley White

Board of Selectmen
Town of Hopkinton

Effective Date: October 6, 1982

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