

**CHAPTER XI
BUSINESS AND TRADE REGULATIONS**

Section 1100 - Amusements and amusement devices

1100.01. Public entertainment. Subdivision 1. License. No person may give or maintain a show, circus, carnival, concert, game, or public entertainment to which an admission is charged, or from which private profit is expected whether directly or indirectly, without first securing a license therefor and paying the required fee set by City Council resolution. A license is not required for public entertainment (i) given by amateurs, or (ii) from which the performers do not receive any pay or (iii) which is given by or for the benefit of any school, county agricultural society, church or benevolent institution or for any charitable purpose.

Subd. 2. Application. The application for a license shall state the name and address of the applicant, the nature of the entertainment, the place, time and duration thereof, method of advertising, reference as to financial responsibility of applicant, and such other information as the manager may require.

Subd. 4. Projection equipment. Projection machines shall be housed in a fireproof booth constructed to conform to the requirements of the state law.

Subd. 5. Compliance. Licensees are subject to any other and further orders and regulations as may be promulgated by the state law or by the city health officer, or by any duly constituted municipal or state authority.

Subd. 6. Enforcement. A police officer of the city, or anyone duly designated by the manager, shall be given admittance to any public entertainment of any form licensed hereunder to discover or prevent any violation of the law and shall be given full information upon request by any licensee in regard to any coming attraction.

Subd. 7. Drive-in theaters prohibited. Subdivision 1. Definition. A "drive-in-theatre" means an enclosed area into which patrons drive with motor or other vehicles and view the moving picture screen or stage on which the entertainment is presented from such vehicle. Drive-in theatres are prohibited.

1100.11. Mechanical amusement devices. Subdivision 1. Defined. As used in this subsection the term "mechanical amusement device" means a machine or other mechanism, which, upon the insertion of a coin, slug or token, operates or may be operated for use as a game, contest or amusement and which contains no automatic pay-off device for the return of money, coins, checks, tokens or merchandise, or which machine or owner, keeper, lessee, or operator thereof provides for no such pay-off by any other means or manner.

Subd. 2. Exception. This subsection does not prohibit the licensing or the maintaining, keeping, operating or selling of a machine or device which returns slugs or tokens not redeemable in money or merchandise and which slugs or tokens may be used only in licensed machines.

Subd. 3. License; fees. No person may maintain, keep, operate or sell within the city a mechanical amusement device, without first obtaining a license from the city and paying the required fee

as set by City Council resolution. No license shall be issued for the maintaining, keeping, operating or selling of any machine or device which is used as a gambling device. The manager may issue a license for the operation, keeping, maintaining or selling of mechanical amusement devices.

Subd. 4. Premises. The owner or lessee of any premises licensed for the operation of mechanical amusement devices must also procure, be responsible for and be the only eligible licensee of and for vending machines, amusement devices or games and all other activities located on the premises for which other city licenses are required.

Subd. 5. License identification; display. An amusement device shall contain suitable identification marks or numbers, which marks or numbers shall be written by the manager upon the license. The license shall be kept posted in full public view.

Subd. 6. Prohibitions. No person shall give any prize, award, merchandise, gift or anything of value to any player or to any operator of a mechanical device. No person shall keep, maintain, operate, sell, or permit a mechanical amusement device which has been converted into an automatic pay-off device which shall discharge coins, money, checks or other tokens to the player or operator of such machine, except as provided in subdivision 1. No person may convert a mechanical amusement device into an automatic pay-off device.

Subd. 7. Music. This subsection shall not apply to a mechanical amusement device, which, upon the insertion of a coin, slug or token, operates solely in the production or playing of music.

Subd. 8. Seizure. A machine, apparatus, contrivance, or device which is or has been operated or used in violation of the terms of this subsection may be seized and destroyed in compliance with the terms and provisions of Minnesota Statutes, section 609.762, relating to gambling devices.

Subd. 9. Exceptions. Nothing in this subsection applies to mechanical amusement devices held in storage or kept in storage or for sale or in transit in interstate commerce, which devices are not actually in use or displayed for use. Nothing in this subsection applies to any food, candy or other merchandise vending machine, or to any coin operated amusement device designed and used for purposes of physical exercise, rides and other similar amusement purposes.

1100.13. Juke boxes. Subdivision 1. License required. No juke box shall be kept or used without first having procured a license therefor from the city.

Subd. 2. Fee. The juke box fee is set by City Council resolution.

Subd. 3. Identification. A jukebox must contain suitable identification marks or numbers, which marks or numbers shall be written by the manager upon such license issued.

Amended by Ordinance 2015-1090 (May 14, 2015)