

ORDINANCE NO. 8

AN ORDINANCE providing for the licensing and regulating the operation of punch boards and similar merchandise devices for use by the public; providing penalties for the violation hereof; and fixing the effective date of this ordinance.

BE IT ORDAINED by the Council of the Town of Gig Harbor:

Section 1. DEFINITIONS. Words and phrases as used in this ordinance shall mean as follows:

"Punch Board" shall mean any device, whether used to purvey merchandise or to award prizes by which merchandise or prizes are given to persons selecting certain numbers, symbols or other insignia, from a board, spindle, jar, or other container or holder.

"Operator" shall mean any person who shall offer to the public for a consideration the privilege of punching, pulling or selecting a number, symbol or other insignia from a punch board.

"Person" shall mean and include an individual, corporation, co-partnership or association.

Section 2. PUNCH BOARD LICENSES. That it shall be unlawful for any operator to publicly display a punch board without first obtaining a punch board license for each such punch board and permanently affix ^{"#"} _A said license thereto. Application for such license shall be made to the Town Clerk upon such form as may be prescribed by the Clerk.

License fees shall be as follows:

Where the maximum price of each punch, chance or sale upon a punch board is five cents, or less, the license shall be One (\$1.00) Dollar for each five hundred (500) numbers, symbols or insignia, or fraction thereof, upon each of said punch boards.

Where the maximum price of each punch, chance or sale upon a punch board is ten cents or less, but more than five cents, the license shall be Three (\$3.00) Dollars for each five hundred

(500) numbers, symbols or insignia, or fraction thereof, upon each of said punch boards.

Where the maximum price of each punch, chance or sale upon a punch board is twenty-five cents or less, but more than ten cents, the license shall be Ten (\$10.00) Dollars for each five hundred numbers, symbols or insignia, or fraction thereof, upon each of said punch boards.

Where the maximum price of each punch, chance or sale upon a punch board is more than twenty-five cents, the license shall be Twenty-five (\$25.00) Dollars for each five hundred numbers, symbols or insignia, or fraction thereof, upon each of said punch boards.

Section 3. PLAY BY MINORS PROHIBITED. It shall be unlawful for any person under the age of twenty-one years to punch, pull, select or play any punch board, and it shall be unlawful for any operator or any owner of any punch board or for any manager or other person in charge of the premises where any such punch board is kept or maintained or permitted to be kept and maintained, to permit or allow any person under twenty-one years of age to punch, pull, select or play any punch board.

Section 4. REVOCATION OF LICENSE, REFUSAL TO LICENSE, HEARING BY TOWN COUNCIL. If the Town Marshall shall find that any licensee has violated any of the provisions of this ordinance he shall make a written report thereof to the Town Council, specifying therein the particulars in which the ordinance has been violated. The Town Council upon considering such report may revoke said license and may suspend, either temporarily or permanently, the right of said licensee to obtain further and additional licenses. In case of the revocation of a license or the suspension of the right of the licensee to

to obtain licenses, the Town Clerk shall refuse further licenses to said licensee. Any licensee whose right to licenses has been suspended shall have the right to a hearing before the Town Council by filing with the Town Clerk a written request therefor after entry of the order of suspension. The application for hearing shall specify an address at which the licensee may be given notice of such hearing. At the hearing the licensee shall have the right to appear in person and offer evidence pertinent to the suspension and the Town Marshall shall likewise be entitled to offer evidence in support of the suspension.

The Town Council expressly reserves the right to refuse to grant licenses for any reason, it being the purpose of the Council to refuse to license any operator whose place of business is frequented or patronized by an unusual number of minors.

Section 5. PENALTIES: Any violation or failure to comply with any of the provisions of this ordinance shall constitute a misdemeanor, and upon conviction thereof shall subject the offender to a fine in any sum not exceeding one hundred (\$100.00) Dollars or imprisonment in the City Jail or County Jail for a period not exceeding thirty (30) days, or to both such fine and imprisonment.

Section 6. That if any section, part of a section, clause or sentence of this ordinance shall be held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining provisions of this ordinance.

Section 7. This ordinance shall take effect and be in full force and effect on and after May, 1st, 1947.

Passed April 25, 1947.

Harold H. Ryan
Mayor

Attest:

Marie Gustafson
Town Clerk