

1109. Pool Halls

§1109.010 POOL HALLS; DEFINITIONS. For the purposes of this chapter, certain words and terms are defined as follows:

Subd. 1. Pool Halls. Any place where one (1) or more billiard or pool tables are operated or maintained, except for private family use, whether such place is a social club or a business enterprise operated for profit. (Ref. §§911.010, 911.020, Code 1966)

§1109.020 POOL HALLS; PERMIT OR LICENSE REQUIRED. No pool hall shall be maintained or operated in the City without a permit or license.

Subd. 1. Club Permit, Fee. Permission of the City Council to operate and maintain billiard and pool tables in an establishment which is not a business enterprise operated for profit but is a bona fide club restricting its privileges to those paying a stated membership fee, and making no charge proportional to the use of the billiard or pool tables, may be granted by permit, without payment of any fee.

Subd. 2. License, Fee. In all cases other than those described in subdivision 1. above, a license is required. The fee for a license shall be set by City Council resolution. Fees for licenses issued October first (1st), or later in any licensing year shall be one-half (1/2) the annual fee. (Ref. §§911.030 through 911.050, Code 1966; Ord. Nos. 570, 2/11/75:648, 1/13/81; 1015, 1/13/04)

§1109.030 POOL HALLS; PERMIT OR LICENSE APPLICATION. Application for a license or permit shall be filed with the Clerk. The owner of the pool hall, or in case of a partnership, all the partners, or in case of a corporation or association, a majority of the board of directors or other governing body, and also the person who is to be in charge of the pool hall, shall sign and swear to the truth of such application. The application shall contain the following information:

1. Names, residences and occupations for the last five (5) years of the owner of the pool hall; if owned by a partnership, of the partners; or, if owned by a corporation or association, of the executive officers, directors and manager of the pool hall.

2. Whether any of the persons listed in the application have been convicted of a felony and, if so, the date and place of such conviction and the offense.

3. Whether any of the persons listed in the application is a habitual user of intoxicating liquors or narcotic drugs.

4. Whether any of the persons listed in the application has ever operated or been employed in or connected with a pool or billiard hall in the City or in any other place and, if so, the name of the place, dates of such connection and whether the license of such hall was revoked during such connection.

5. Such other information as the Council may require. Any falsehood in such application, or any willful omission to state any information called for on such application

form, shall render any license or permit issued hereunder void and of no effect to protect any person from prosecution or violation of this chapter. (Ref. §911.060, Code 1966)

§1109.040

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§1109.040 POOL HALLS; CONDITIONS. The City Council shall, after due consideration, grant or deny a license to each applicant. No license or permit shall be issued to any person unless and until the Council shall be satisfied:

1. That all persons to be connected with the operation of the pool hall are responsible and of good moral character.

2. That no person to be connected with the operation thereof is a habitual user of intoxicants or narcotics, or has ever been convicted of a felony.

3. That the person to whom the license or permit is issued, nor any person employed by or connected with him, has within five (5) years immediately preceding suffered a revocation of any license or permit for the operation of any billiard or pool hall, either in the City or any other place.

4. That the proposed pool hall complies, as to construction, with this Code.

Furthermore, the Council may, for any reasonable cause, refuse to grant a license or permit. (Ref. §911.070, Code 1966)

§1109.050 POOL HALLS; ISSUANCE. When the proper fee has been deposited with the Clerk and the Council has so ordered, the Clerk shall issue the license or permit. The license or permit, shall specify the name of the person to whom granted, the specific place where the pool hall is to be located and the number of tables authorized. (Ref. §911.080, Code 1966)

§1109.060 POOL HALLS; LICENSE RESTRICTION. No license issued under this chapter shall be transferable. (Ref. §911.090, Code 1966)

§1109.070 POOL HALLS; REVOCATION OF PERMIT OR LICENSE. All licenses and permits granted hereunder shall be revocable for cause at any time on reasonable hearing prescribed by the Council. If there shall be two (2) convictions for violation of this chapter in any pool hall, whether such violations be by the same or different individuals, and whether of the same or different provisions hereof, the second (2nd) such conviction shall be cause for automatic revocation of the license or permit under which the said pool hall is operating. No refund of fees will be paid on revocation. (Ref. §911.110, Code 1966)

§1109.080 POOL HALLS; DISPLAY OF PERMIT OR LICENSE. Licenses shall be kept conspicuously posted in the pool hall to which it applies. No person shall post such license upon premises other than those for which issued nor deface or destroy any such license or permit. (Ref. §911.100, Code 1966)

§1109.090 POOL HALLS; DUPLICATE PERMIT OR LICENSE. A duplicate permit or license to replace a lost original or for a different location, the original being surrendered, may be issued by the Council at its discretion under such regulations as it may prescribe and upon payment of a fee of ten (\$10.00) dollars. (Ref. §911.120, Code 1966)

§1109.100 POOL HALLS; RESPONSIBILITY OF PROPERTY OWNERS. No person shall permit any real property owner or controlled by him to be used as a pool hall without a license or permit as provided by this chapter. (Ref. §911.130, Code 1966)

§1109.110

BUSINESS REGULATIONS

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§1109.110 POOL HALLS; OBSTRUCTION OF VIEW PROHIBITED. All windows in front of a pool hall shall be of clear glass and the view of the whole of the pool hall from the entrance and through the windows shall be unobstructed by screens, curtains or, partitions. No stalls, boxes or private rooms shall be permitted except for rooms maintained and used exclusively as storage closets or toilets. (Ref. §911.140, Code 1966)

§1109.120 POOL HALLS; PROHIBITED CONDUCT. It shall be unlawful for any person to whom a license or permit has been granted or for any employee or such person in any pool hall or any appurtenant or connected place:

1. To permit any form of gambling.
2. To permit any person to become disorderly or to use profane, obscene or indecent language.
3. To keep such pool hall open or in operation between twelve (12:00) o'clock midnight and eight (8:00) o'clock a.m.
4. To sell or possess or knowingly allow any person in the pool hall to sell or possess narcotics.
5. To knowingly employ any person who has been convicted of a felony.
(Ref. §911.150, Code 1966)

§1109.130 POOL HALLS; ACTS OF AGENT. The conduct of the agents and employees of a person to whom any such license or permit is issued shall be deemed the conduct of such person himself. (Ref. §911.160, Code 1966)

