

ORDINANCE NO.: 36 -2011
INTRODUCED BY: O'Toole

AN ORDINANCE AMENDING SECTION 725.01 OF CHAPTER 725, "MECHANICAL AMUSEMENT DEVICES", OF THE BUSINESS REGULATION CODE OF THE CODIFIED ORDINANCES; AND DECLARING AN EMERGENCY.

WHEREAS, it has been determined by Council, that Chapter 725, "Mechanical Amusement Devices" should be amended in order to more clearly define the meaning of the term "mechanical amusement device", particularly in light of the enactment of Chapter 723, "Sweepstakes/Internet Cafes", of the Business Regulation Code.

NOW, THEREFORE, Be It Ordained by the Council of the City of Richmond Heights, State of Ohio; that:

Section 1. Existing Section 725.01, "Definitions", of Chapter 725, "Mechanical Amusement Devices", of Part Seven of the Business Regulation Code of the Codified Ordinances of the City, is amended to read as follows:

725.01 DEFINITIONS.

For the purpose of this chapter, "mechanical amusement device" means a machine, other than a "computerized sweepstakes device" as defined under Chapter 723, which, upon the insertion of a coin, slug, token, or other device, operates or may be operated for use as a game, contest or amusement of any description, or which may be used for any game, contest or amusement and which contains no automatic pay-off device for the return of money, coins, merchandise or tokens, or tickets redeemable in money or anything of value.

Section 2: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 3: This Ordinance is declared to be an emergency measure immediately necessary for the preservation of public health, safety and general welfare of the citizens of, property owners and tenants in, and visitors to, the City of Richmond Heights and for the further reason that it is necessary to immediately amend Chapter 725 for clarity and for enforcement purposes related to businesses and proposed businesses seeking to locate in the City and which

will have mechanical amusement devices; wherefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: _____

Daniel J. Ursu, Mayor

APPROVED: _____

ATTEST: _____

Betsy Traben
Clerk of Council

David H. Roche
President of Council