

ORDINANCE NO: 10102006-1

AN ORDINANCE PROHIBITING THE CONTROL, MAINTENANCE, OPERATION, USE OR PLAY OF ANY ELECTRONIC OR COIN-IN-THE-SLOT, DEVICE OR OTHER DEVICE OF LIKE CHARACTER, EXCLUDING, MUSIC DEVICES, CERTAIN TYPES OF VENDING MACHINES, COKE MACHINES, CANDY MACHINES AND ESTABLISHING THE EFFECTIVE DATE HEREOF BY THE DECLARATION OF AN EMERGENCY.

BE IT ORDAINED BY THE CITY OF MUNDAY:

Section 1. Findings of Council. The Council of the City of Munday finds that electronic or coin-in-the-slot operated devices of various types present problems of law enforcement since such devices may be adapted or misused for the purpose of conducting lotteries or gambling; that the prohibition of play by minors of such devices presents difficult policing problems; that therefore all such devices with certain specific exceptions should be prohibited within the limits of the City regardless of any element of skill involved, and regardless of any intention to use such devices for amusement only.

Section 2. Certain electronic or coin-in-the-slot devices prohibited. It hereby is unlawful for any person to maintain, control, operate, use or play or permit to be maintained, controlled, operated, used or played within the limits of the City of Munday, either as operator, user or player or as proprietor, lessee, employee or agent, any electronic or coin-in-the-slot operated mechanical game or device or other device of like character regardless of whether such game or device be operated or played for a profit or prize or for further operation or play, or for the display or exercise of skill or for amusement, and whether or not any element of skill is involved in any way in said operation, use or play. This section shall not be deemed to apply to music devices certain types of vending machines, coke machines and candy machines.

Section 3. Penalty. Any person, firm or corporation violating any provision of this ordinance, shall upon conviction thereof in the Municipal Court of the City of Munday, be punished by a fine of not less than \$25.00 and not more than \$500.00 or to be imprisoned in the County jail for a term not to exceed 30 days, or by both such fine and imprisonment.

Section 4. Emergency Clause. It is hereby adjudged and declared that existing conditions are such that this ordinance is necessary for the immediate preservation of the public peace, health and safety of the City of Munday and its inhabitants in that law enforcement should be aided and facilitated in accordance with the provisions hereof. By virtue of the foregoing reasons, and emergency is hereby declared to exist and this ordinance shall be in full force and effect immediately upon and after its passage by the City Council and approval by the Mayor of the City of Munday.

Approved by the Council and Mayor of the City of Munday, this 10th day of October, 2006.


Robert Bowen, Mayor

ATTEST:


Dwayne Bearden, City Administrator