

## CHAPTER 111: COMMERCIAL AMUSEMENTS

### Section

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### **§ 111.01 BOWLING; BILLIARDS AND POOL.**

Each proprietor of a billiard or pool table or of a bowling alley, or a combination of both, shall pay an annual license fee in an amount established in the Ordinance Establishing Fees and Charges adopted pursuant to § 30.11, as it may be amended from time to time.

Penalty, see § 10.99

### **§ 111.02 CIRCUSES, CARNIVALS, SHOWS AND OTHER ENTERTAINMENT.**

(A) (1) Pursuant to M.S. § 437.07, as it may be amended from time to time, each person, desiring to conduct, stage or give a circus, carnival, theatrical exhibition, public show, athletic game or other entertainment, for which there is a charge for admission, shall first obtain a license and pay the license fee or fees as established by the Ordinance Establishing Fees and Charges adopted pursuant to § 30.11 of this code, as that ordinance may be amended from time to time.

(2) Local school entertainment, charitable organizations, lecture courses, and lectures on historic, literary or scientific subjects are not subject to the provisions of this section; provided, that the entertainment is not for profit.

(B) In addition to any other requirements, the applicant for a license shall give at least one week's notice in writing to the City Clerk or other authorized official, stating the dates of the performances and the location at which the performances are to be presented. The City Clerk shall give his or her consent to the issuance of the license if he or she deems that the location is suitable for the purpose; that it will properly accommodate the patrons; that the nature of the performance or exhibition does not pose a threat to the health, safety or general welfare of the public; and that the use of the location will not create too great a burden upon the Police Department or the Fire Department.

(C) No circus, carnival, theatrical exhibition, public show, athletic game or other entertainment shall be given for more than two consecutive days, except in cases where the City Council by resolution allows a longer period, or where the exhibition is to be conducted on municipal property and the use thereof for a longer period shall have been approved by the City Council.

Penalty, see § 10.99

### § 111.03 AMUSEMENT DEVICES.

(A) The term "coin-operated mechanical amusement device" means any machine, which upon the insertion of a coin, slug, token, plate or disc, may be operated by the public generally for use as a game, entertainment or amusement, whether or not registering a score. It includes such devices as marble machines, pinball machines, skill ball, mechanical grab machines, mechanical rides intended for use by children, such as merry-go-rounds, horses, ferris wheels, and the like; carnival, fair, and/or festival rides, and all similar games, operations or transactions under whatever name they may be indicated.

(B) A person, firm, corporation or association must not display for public use any coin-operated mechanical amusement device without obtaining a license for it and paying the fee established in the Ordinance Establishing Fees and Charges adopted pursuant to § 30.11 of this code, as that ordinance may be amended from time to time. Applications for a license must be made to the City Clerk.

(C) The license or licenses obtained must be posted permanently and conspicuously at the location of the machine in the premises where the machine is to be operated.

Penalty, see § 10.99

### § 111.04 DEPOSIT REQUIRED.

(A) At the time application for a license is made, where use of municipal grounds is contemplated, the applicant shall deposit with the City Clerk or other designated municipal official a cash bond in an amount to be determined by the City Council, conditioned upon the restoration and cleaning up of the grounds in a manner satisfactory to the Mayor. In the event the grounds are restored and cleaned up properly following the exhibition, the deposit shall be returned; otherwise the same shall be forfeited to the city to the extent of actual costs to the city for restoration and cleaning up of the grounds.

(B) No licensee shall fail to restore or clean up the grounds upon which the circus, carnival or other entertainment has taken place.

Penalty, see § 10.99

### § 111.05 LICENSE FEE FOR PUBLIC ENTERTAINMENT OR EXHIBITION.

The fee for the license shall be in an amount as established in the Ordinance Establishing Fees and Charges adopted pursuant to § 30.11 of this code, as that ordinance may be amended from time to time.

§ 111.06 AMUSEMENT RIDES.

(A) For the purposes of this section *AMUSEMENT RIDE* shall mean a mechanical device that carries or conveys passengers along, around, or over a fixed or restricted route or course for the purpose of giving its passengers amusement, pleasure, thrills, or excitement subject to regulation under M.S. § 184B.01 through § 184B.09, as it may be amended from time to time. *AMUSEMENT RIDE* does not include:

(1) A coin-operated ride that is manually, mechanically, or electrically operated and customarily placed in a public location and that does not normally require the supervision or services of an operator; or

(2) Nonmechanized playground equipment, including but not limited to swings, seesaws, stationary spring-mounted animal features, rider-propelled merry-go-rounds, climbers, playground slides, trampolines, and physical fitness devices;

(3) Any other amusement device regulated under § 111.03 of this code, as that ordinance may be amended from time to time.

(B) A person, firm, corporation or association must not operate an amusement ride without first obtaining a license under § 111.02 of this code, as that ordinance may be amended from time to time and providing the City Clerk with a copy of:

(1) A certificate stating that the insurance required by M.S. § 184B.02, as it may be amended from time to time, is in effect; and

(2) An affidavit attesting that the inspection required by M.S. § 184B.03, as it may be amended from time to time, has been performed. The City Clerk, upon receipt shall furnish such information to the local law enforcement office.

