

CHAPTER VI - ELECTRONIC & MECHANICAL AMUSEMENT DEVICES

SECTION I PURPOSE

- A. Pursuant to authority conferred by RSA 31:41-d (1981) as amended, for the purpose of regulating the operation of coin operated amusement devices within the limits of the Town of Londonderry; the Town at the request of the Town Council hereby adopts the following section.

SECTION II DEFINITIONS

- A. Mechanical Amusement Device shall mean any machine which, upon the insertion of a slug, token, plate, disc, coin or other form of currency may be operated by the public generally for use as a game, entertainment or amusement, whether or not registering a score. It shall include, but not be limited to such devices as electronic video games, pin ball machines, skill ball, mechanical grab machines and all games, operations and transactions similar thereto under whatever name they may be designated or described.
- B. Person shall include the following:
1. Any person who owns any mechanical amusement device;
 2. The person in whose place of business any mechanical device is placed for use by the public; and
 3. The person having control over any mechanical amusement device.

SECTION III HOURS OF OPERATION - MINORS:

- A. No person shall permit persons under seventeen (17) years of age, unless accompanied by a parent or guardian, or other suitable adult person having the care and custody of that person, to enter any place in which a mechanical amusement device licensed under this section is kept between the hours of 8:00 AM and 2:30 PM on days in which public schools are in session.
- B. This section shall only apply to any place in which the primary business is the operation of mechanical amusement devices.

CHAPTER VI - ELECTRONIC & MECHANICAL AMUSEMENT DEVICES (Cont'd)

SECTION IV GAMBLING DEVICES PROHIBITED

- A. Nothing in this section shall in any way be construed to authorize, license or permit any gambling devices whatsoever, or any mechanism that has been judicially determined to be a gambling device, or in any way contrary to law.

SECTION V SEIZURE AND DESTRUCTION OF GAMBLING DEVICES

- A. If the Chief of Police shall have reason to believe any mechanical amusement device is used as a gambling device, such machine may be seized by the Police and impounded, and if, upon trial, a person allowing the operation of such device is found guilty of allowing the same to be used as a gambling device, such machine shall be destroyed immediately by the Police without compensation to the owner.

SECTION VI LICENSE AND FEES

- A. No person shall keep any mechanical amusement device in the Town, except for private use, unless a license is obtained from the Town Clerk specifying the number of devices and the location where housed or kept.
- B. The form of application and license shall be determined by the Town Clerk, and example of which is hereto attached.
- C. Each person shall, within five (5) days from the date of installation of a mechanical device on his property or premises, and annually thereafter, on or before May 1, obtain from the Town clerk a license to operate such device or devices, and shall, for each device registered, pursuant to this Section, pay a fee of Twenty Five (\$25) dollars per year.
- D. This license shall be transferable to a device installed as a replacement for the initial device licensed under this section.
- E. Each license issued pursuant to this Section shall be conspicuously displayed within the premises and shall state the number of machines covered by the license.

CHAPTER VI - ELECTRONIC & MECHANICAL AMUSEMENT DEVICES (Cont'd)

SECTION VII NUISANCE

- A. If the Chief of Police, or his duly appointed representative, upon investigation, has reason to believe that any premises containing mechanical amusement devices licensed under this Ordinance is a public nuisance, the person so licensed shall be ordered to appear before the Town Council within thirty (30) days of written notice by certified mail specifying the nature of the charge.

- B. If it is determined that a public nuisance does exist, the town Council may revoke the license(s).

- C. Public Nuisance shall include, but not be limited to the following:
 - 1. Nuisance as defined in RSA 544:1;
 - 2. Common nuisance as defined in RSA 318:B.16;
 - 3. Repeated violations of law which are against the interest of the public health, safety and welfare.

SECTION VIII VIOLATION

- A. Any person who owns, maintains, or is in control of any premises in which a mechanical amusement device is kept in violation of any subsection of this Ordinance shall be guilty of a violation and subject to a fine according to State Statute (RSA 31:39 III).

- B. Every day that a violation continues after the person has received notice of the existence of the condition that constitutes the violation shall be deemed a separate offense.

Town of Londonderry
Application for
Mechanical Amusement Device License

Date: _____

I, _____ residing at _____, telephone number: _____ do hereby make application to the Town Council of the town of Londonderry for a Mechanical Amusement Device License.

I do business under the name _____ Located at _____, Londonderry, New Hampshire, and desire a license to cover _____ () such devices at \$25/per machine.

I acknowledge receipt of a copy of Londonderry Municipal Code Title IV, Chapter VI, which regulates the licensing of such devices.

Signature of Applicant

Signed:

Town of Londonderry
Town Clerk

Received: \$ _____ For _____ Devices

***Town of Londonderry
Mechanical Amusement Device License***

Date: _____

License Number: _____

_____ Residing at _____, NH,
Telephone number _____ has been granted a license by the Londonderry Town
Council to operate _____ () mechanical amusement device(s), doing business as
Located at _____, Londonderry, NH.

This license is granted subject to the provisions of Title IV, Chapter VI, of the
Londonderry Municipal code.

It expires on the thirtieth day of April, _____, unless sooner revoked as provided in the
Londonderry Municipal Code Title IV, Chapter VI, which govern such device(s).

Attest:

Town Clerk
Londonderry, NH

(Seal)