

## Chapter 10 – Part D (2025)

### Section 1. Mechanical Amusement Devices

#### a) Short Title

This Part shall be known as the "Mechanical Amusement Device Ordinance."

#### b) Definitions

Unless the context clearly indicates otherwise, the following words and phrases, used in this Part or in an application for license of amusement devices, shall have the meaning given to them in this section:

1. **Amusement Device:** Any mechanical, electronic, and/or video amusement device, jukebox, or pool table and/or other electronic device, machine, or apparatus whatsoever, which, upon the insertion of a coin, slug, token, plate, disc, or key into any slot, crevice, or other opening, or by the payment of any price (via the internet, app, mobile device, or in person), may be operated or used as a game, skill game, entertainment, or amusement, whether or not registering a score and whether or not a prize or payment is offered.
2. **Applicant:** Any individual, partnership, corporation, unincorporated enterprise owned by two or more persons, limited liability company, trust, or other business entity domestic or foreign, required to seek and/or who is seeking to obtain a license for an amusement device under this Part.
3. **Application for License of Amusement Devices:** The document filed by an applicant requesting a permit to possess in the Borough of Saegertown any video or mechanical amusement device, jukebox, pool table and/or other electronic device, machine, or apparatus whatsoever, for the playing of games and amusement.
4. **Business Establishment:** Any restaurant, bar, tavern, retail, manufacturing, wholesale, institutional, educational, religious, governmental, or other nonresidential establishment, store, or business, whether or not in operation.
5. **Gambling Device:** Any device, machine, or apparatus used for the playing of poker, blackjack, keno, bingo, or other casino games by the insertion therein of any coin, currency, metal disc, slug, or token, or by payment of any price (via the internet, app, mobile device, or in person).
6. **Illegal Gambling Device:** Any device, machine, or apparatus designed and/or specifically equipped to be used for the playing of poker, blackjack, keno, bingo, slots, or other casino gambling games by the insertion therein of any coin, currency, metal disc, slug, or token, which has, or is designed to facilitate the ready use of, a knock-off or knockdown device or other capability for erasing or eliminating accumulated playing credits.
7. **Jukebox:** Any device, machine, or apparatus which plays recorded music, whether by record, tape, compact disc, or other means, by the insertion therein of any coin,

currency, metal disc, slug, or token, or by the payment of any price (via the internet, app, mobile device, or in person).

8. **Pool Table:** Any device or apparatus upon which is played the games of eight-ball, billiards, pool, snooker, or other similar games for which a fee is charged, whether or not such device is operated through the insertion of coin, currency, metal disc, slug, or token, or by payment of any price (via the internet, app, mobile device, or in person).
9. **Proprietor:** Any individual, partnership, or corporation who owns, leases, or maintains the business establishment in which any jukebox, pool table, or video or mechanical amusement device is placed for the use, patronage, recreation, or amusement of the public or of people in or about the business establishment.
10. **Vendor:** Any individual, partnership, corporation, unincorporated enterprise owned by two or more persons, limited liability company, trust, or other business entity, domestic or foreign, who is the lawful owner of any jukebox, pool table, or video or mechanical amusement device for which a license is sought under this Part, or any individual partnership, or corporation who makes, assembles, sets up, maintains, sells, lends, leases, gives away, or offers for sale, loan, lease, or gift, any jukebox, pool table, or video or mechanical amusement device for which a license is sought under the Part.
11. **Video or Mechanical Amusement Device:** Any device, machine, or apparatus used for the playing of games or otherwise used for the purpose of amusement or entertainment by the insertion therein of any coin, currency, metal disc, slug, or token, or payment via the internet, app, or in person, including, but not limited to, "claw machines," "electric or electronic dart boards," "gambling devices," "pinball machines," "skill games or devices," and "video games."

### **c) License Required**

No person, individual, partnership, corporation, unincorporated enterprise owned by two or more persons, limited liability company, trust, or other business entity, domestic or foreign, shall at any time have in his/their possession within the Borough of Saegertown any video or mechanical amusement device, jukebox, or pool table for the playing of games and amusement without first having procured a license and paying a license fee or tax therefor as hereinafter provided in this Part.

### **d) Application for License**

Any Applicant, as defined herein, desiring to procure a license as required in (c) of this Part, shall apply therefore in writing to the Borough of Saegertown. Said application shall require information including, but not limited to, the following with regard to the Applicant, Proprietor, and/or Vendor, as appropriate:

1. The application status (new or renewal license).
2. The type of business.

3. Business information including but not limited to the name of the business, the mailing address and location of the business, phone number, email address, and business contact information.
4. A list of the type and number of mechanical devices as well as the vendor.

#### **e) Persons Ineligible for Licenses**

The Borough of Saegertown, Borough Manager, or Borough Secretary shall not issue a license for any video or mechanical amusement device to any person who:

1. Is not 21 years of age.
2. Has been found guilty of or accepted accelerated rehabilitative disposition for possessing or using a video or mechanical amusement device in violation of the Crimes Code of the Commonwealth of Pennsylvania, 18 Pa.C.S.A. § 101 et seq., within three years of the date of the application.

#### **f) Conditions for Issuance**

The grant of a license applied for under this Chapter shall be subject to the following conditions, in addition to the payment of fees as further addressed herein:

1. No license shall be granted until a period of 10 days shall have elapsed from the date of application during which time the Borough of Saegertown may, at its discretion, investigate the facts set forth in the application.
2. The Borough of Saegertown shall refuse to issue a license for any device that the applicant has not affirmed the fact that it is not designed, or intended to be used, for gambling purposes.
3. A license shall not be issued unless/until the applicant acknowledges: a. That obtaining or displaying a Borough of Saegertown license does not sanction or permit the use of any device for gambling purposes or possession of an illegal gambling device, either per se, or as modified; and b. If the applicant or licensee illegally uses or possesses an unlawful gambling device, either per se or as modified, he or she or it may be prosecuted by the Borough of Saegertown or other law enforcement officials.
4. Licensee shall agree to abide by the rules and regulations established by the Borough of Saegertown by duly adopted Resolution; said regulations being incorporated herein in their entirety.

#### **g) Construction of Provisions**

Nothing in this Part shall be construed to authorize, license, or permit any gambling devices whatsoever, or any mechanism that has been judicially determined to be a gambling device, either per se or as modified, or in any way contrary to law, or that may be

contrary to any future laws of the Commonwealth of Pennsylvania or the United States of America.

#### **h) License Fees/Tax**

No license shall be issued until the annual fees / taxes established by Resolution of Saegertown Borough Council shall have been paid by the applicant to the Borough of Saegertown for each and every device to be installed or used.

#### **i) Issuance and Display of License**

Upon the payment of the license fee provided by this Part, and upon determination that the application fully complies with this Part, the Borough of Saegertown shall issue a certificate; said certificate shall be displayed within the establishment and be clearly observable and readable.

#### **j) Inspection**

The Borough of Saegertown or its agents may, during regular business hours, conduct inspections of any business establishment where any video or mechanical amusement device, jukebox, or pool table licensed under this Part is located, installed, placed, or used, to ensure compliance with this Part.

#### **k) Revocation, Debarment, and Contraband Declaration**

1. In the event any applicant, vendor, or proprietor falsifies any information on an application for license of amusement devices, or violates this Ordinance, the Borough of Saegertown shall immediately revoke the license issued under this Ordinance to such applicant, vendor, or proprietor.
2. Moreover, in the event an applicant, vendor of a video or mechanical amusement device, or a proprietor of a business establishment is convicted of possessing or using a video or mechanical amusement device in violation of the Crimes Code of the Commonwealth of Pennsylvania, 18 Pa.C.S.A. § 101 et seq., the Borough of Saegertown shall revoke each license issued to such person, as an applicant, vendor, or proprietor.
3. Additionally, the Borough of Saegertown shall not issue a license of amusement devices to any person who has been found guilty of or accepted accelerated rehabilitative disposition, for possessing or using a video or mechanical amusement device in violation of the Crimes Code of the Commonwealth of Pennsylvania, 18 Pa.C.S.A. § 101 et seq., within three years of the date of application.
4. Any video or mechanical amusement device used or possessed in violation of the Crimes Code of the Commonwealth of Pennsylvania, 18 Pa.C.S.A. § 101 et seq., or

this Part, may be deemed contraband and forfeited in accordance with the laws of the Commonwealth of Pennsylvania.

## **Section 2. Repealer**

Any/all provisions of Borough Ordinances, regulations, and/or Resolutions inconsistent with this Ordinance are repealed to the extent of such inconsistency.

## **Section 3. Effective Date**

This Ordinance and any/all licensing requirements addressed herein shall be effective immediately upon enactment and approval.

DULY ORDAINED AND ENACTED this 8th day of September 2025, by Borough Council of the Borough of Saegertown, Crawford County, Pennsylvania, in lawful session duly assembled.