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New Haven Code of General Ordinances

Title III Chapter 17 Licenses and Permits

Article III. Amusement Devices & Game Rooms

ARTICLE III. - AMUSEMENT DEVICES AND GAME ROOMS

Sec. 17-3. - Provisions of Article I apply.

The provisions of Article I, Licenses and Permits In General, of this chapter also apply to the activities regulated by this article.

(Ord. No. 1304, Pt. I(J), 12-17-01)

Sec. 17-3.1. - Definitions.

(a) For the purposes of this article, the following meanings apply:

Game machine means any machine or device operated by the insertion of a coin, token or similar object, or other means of payment for the purpose of amusement, recreation, skill or chance, such as electronic game machines, video games, pin ball, or other similar devices. The term "game machine" does not include a bowling alley or jukebox.

Game room means any building or portion thereof, which is used for purposes including, but not limited to, the operation of three or more game machines by the general public or specific invitees.

Jukebox means any machine or device operated by the insertion of a coin, token or similar object, or other means of payment for the purpose of emitting audio or images for amusement or entertainment. The term "jukebox" includes any machine or device, including but not limited to, videodisc, DVD, CD-R, DVD-R, MP-3, or other playback and/or recording formats.

Peepshow or panorama means any device, which upon insertion of a coin or by other means, exhibits or displays a picture or view on film.

Distributor means any person or entity that owns or distributes any amusement device, whether on his own behalf or for another, within the city.

Operator means any person or entity owning, managing or conducting a place of business in the city, which keeps or maintains one (1) or more amusement devices to be used by the public or specific invitees.

Amusement device or device means a game machine, jukebox, peepshow or panorama. The city reserves the right to expand upon this definition to include new contrivances as the state of technology develops.

(b) Nothing in this article shall be construed to authorize, license or permit any gambling device whatsoever, or any mechanism judicially determined to be a gambling device, or otherwise declared contrary to law.

(Ord. No. 1304, Pt. I(J), 12-17-01)

Sec. 17-3.2. - License required.

(a) It is unlawful for any person or entity to sell, lease or rent amusement device(s) within the city without first obtaining a distributor's license in accordance with the provisions of this article.

(b) It is unlawful for any person or entity that owns, manages or conducts a place of business in the city, to keep or maintain three (3) or more amusement devices without first obtaining a game room operator's license therefore, in accordance with the provisions of this article.

(c) It is unlawful for any person or entity that owns, manages or conducts a place of business in the city, to keep or maintain one (1) or two (2) amusement devices without obtaining an operator's license for each device. Not more than one (1) device may be operated or placed in operation under one (1) such license. If the operator owns, manages or conducts a place of business for three (3) or more amusement devices, the license issued under subparagraph (b) above is sufficient to meet the license requirements of this article. An individual license for each amusement device under this subparagraph is not required.

(Ord. No. 1304, Pt. I(J), 12-17-01)

Sec. 17-3.3. - Application.

- (a) In order to obtain a distributor's license, an interested person must file an application with the issuer. In addition to the information required by section 17-1.3 of this Code, the applicant must include the description or type of amusement device(s) to be covered by the license.
- (b) In order to obtain an operator's license, an interested person **must file an application under oath** to the issuer. In addition to the information required by section 17-1.3 of this Code and the information required by subsection (a), the applicant must provide all of the following information:
 - (1) Name and business address of the distributor of each amusement device.
 - (2) Address where each amusement device is to be displayed or operated.

(Ord. No. 1304, Pt. I(J), 12-17-01)

Sec. 17-3.4. - Issuance.

Upon approval of the application, and payment of the fee(s) in accordance with section 17-201 of this Code, the issuer shall issue a license to the applicant in accordance with the provisions of this article.

(Ord. No. 1304, Pt. I(J), 12-17-01)

Sec. 17-3.5. - Duties.

In addition to the requirements and duties applicable to all licenses and permits issued by the issuer, and to other duties expressed in this article:

- (a) A licensee may substitute one amusement device for a similar one under the license.
- (b) An operator's license shall be posted permanently and conspicuously on the front of or on the wall above the location of the amusement device on the premises where it is to be kept or operated, together with the name and address of the distributor. However, if an operator's license is issued under section 17-3.2(b) for three (3) or more amusement devices, only one such notice shall be placed permanently and conspicuously on the premises. When the operator is the owner of the amusement device he is not required to post the name and address of the distributor.
- (c) No person to whom a license has been issued under this article shall permit any other person to operate his business or display his license, nor shall such other person operate under or display such license.
- (d) Each operator shall maintain good order in his place of business in accordance with accepted community standards regarding public health, safety and welfare, and shall not permit any amusement device to be used for gambling.
- (e) Each distributor shall submit annually to the issuer a list of all amusement devices placed within the city. The list shall be alphabetized by street address, and shall indicate the number and type of amusement device(s) at each address. On the tenth day of each month the distributor shall submit a similarly constructed supplemental list showing additions and removals of such amusement devices to the issuer.

(Ord. No. 1304, Pt. I(J), 12-17-01)