

## CHAPTER 230

### POOL, BILLIARD AND RECREATION HALLS REGULATED

[History: Ord 230, 1989-7]

**230.01 LICENSE REQUIRED FOR POOL, BILLIARD OR RECREATION HALLS.** No person, corporation or other legal entity shall operate within the City of Richland Center any pool, billiard or recreation hall unless such person, corporation or other legal entity shall first have obtained a license therefore as hereinafter provided. For purposes of this chapter, any place where pool, billiard, pigeon-hole, or similar games or game tables are kept for gain or wherein any charge is made in money or any other thing of value for the privilege of playing pool, billiards, pigeon-hole, or any similar game, is a pool, billiard or recreation hall and is subject to licensing requirements of this chapter, notwithstanding the fact that food is served therein or other commercial activities are carried on therein.

**230.02 ADULT TO BE IN ATTENDANCE.** No person, firm or corporation, whether organized as a club or otherwise, shall keep or operate any pool, billiard or recreation hall, as defined in sec. 230.01 of this chapter, within the City of Richland Center, unless there shall be in attendance at all times a person over the age of 21 years and of good reputation and moral character who shall be the owner or the agent of the owner thereof and who shall have full charge and responsibility for the operation thereof.

**230.03 ISSUANCE OF LICENSES.** Licenses for the operation of pool, billiard or recreation halls as defined in sec. 230.01 of this chapter may be issued by the City Clerk if approved by a majority vote of the members of the Common Council of the City of Richland Center upon application made as hereinafter provided and if, in the opinion of the members of the Common Council, the granting of such license is in the public interest.

**230.04 APPLICATION.** Application for a license to operate a pool, billiard recreation hall as defined in sec. 230.01 of this chapter shall be made in writing to the City Clerk and such application shall be accompanied by a tender of an annual license fee of Fifty dollars (\$50.00). Such application for a license shall contain the name of all persons who shall be in charge of the operation of such pool, billiard or recreation hall as provided in sec. 230.02 of this chapter. In the event that a license is issued as herein provided, such annual license fee shall be pad to the City Treasurer for the use of the City of Richland Center, and no refund shall be made of any such fee after it has been so paid to the City Treasurer.

**230.05 EXPIRATION & RENEWAL.** All licenses hereunder shall expire on the first Tuesday of July following the date of issuance thereof. Application for renewal of any license issued hereunder shall be made as provided in sec. 230.04 of this chapter at least thirty (30) days prior to the expiration thereof.

**230.06 NOTICE OF CHANGES.** The owner or operator of any pool, billiard or recreation hall as defined in sec. 230.01 of this chapter shall immediately notify the City Clerk, in writing, of any change of the person or persons in charge of the operation thereof or of the number of tables or games maintained therein.

**230.07 HOURS OF OPERATION.** No pool, billiard or recreation hall as defined in sec. 230.01 of this chapter shall be kept open and operated except between the hours of 8:00 o'clock A.M. on any week day and 1:00 o'clock A.M. of the following day and between the hours of 1:00 o'clock P.M. on Sunday and 1:00 o'clock A.M. the following Monday.

**230.08 LIMITATIONS ON MINORS.** No person under the age of 13 years and not accompanied by a parent or legal guardian, nor any person of the age of 13 years and not accompanied by a parent or legal guardian or who does not have written permission of a parent or legal guardian therefore, shall enter, loiter in or play any game in any pool, billiard or recreation hall as defined in sec. 230.01 of this chapter. It shall be a violation within the contemplation of this section on the part of any person who does any act forbidden by this section and it shall be a violation on the part of the owner or keeper of such pool, billiard or recreation hall who personally or by his agent or servant permits any person to do any act forbidden by this section. It shall not be a defense that the owner, keeper or person in charge as agent of the owner or keeper does not know the age of the person violating this section. Each separate occasion on which a person does any act forbidden by this section shall be deemed a separate violation of this chapter.

**230.09 PENALTIES.** (1) Any person, firm or corporation who shall operate a pool, billiard or recreation hall as defined sec. 230.01 without having first obtained a license therefore shall, upon conviction thereof, forfeit to the City of Richland Center not less than one-hundred dollars (\$100.00) nor more than four-hundred dollars (\$400.00), as adjudged by the Court, together with the costs of prosecution as taxed and assessed by the Court, and in default of payment of such forfeiture and costs shall be imprisoned in the County Jail of Richland County, Wisconsin, for such period of time, by not to exceed ninety (90) days, that shall be adjudged by the Court, unless such forfeiture and costs are sooner paid. Each day of said operation without the said license shall constitute a separate offense.

(2) Any person, firm or corporation who violates any other provision of this Chapter shall, upon conviction thereof, forfeit to the City of Richland Center, not less than twenty-five (\$25.00) dollars or more than two-hundred (\$200.00) dollars, as adjudged by the Court, together with the costs of prosecution as taxed and assessed by the Court, and in default of payment of such forfeiture and costs shall be imprisoned in the County Jail of Richland County for such period of time, but not to exceed ninety (90) days, as shall be adjudged by the Court, unless such forfeiture and costs are sooner paid. Each day that such violation persists shall be considered a separate offense.

(3) Repeated violations of the provisions of this Chapter by the licensee or the licensee's agents shall constitute grounds for the revocation or non-renewal of a license issued under this Chapter.

**230.10 VIDEO AND ELECTRONIC GAMES PERMITTED UNDER LICENSE;  
RELATION OF CHAPTER 230 TO CHAPTER 231.** Notwithstanding any provision of Chapter 231

of the Code of Ordinances of the City of Richland Center to the contrary, the issuance of a license under this Chapter as a pool, billiard or recreation hall also permits the licensee to install and maintain video games and/or electronic games on the licensed premises without the necessity of obtaining an additional video game license under Chapter 231. The provisions of Chapter 230 shall apply in all respects to an establishment which maintains video or electronic games under a pool, billiard or recreation hall license, and shall control in the event of any inconsistency between the provisions of Chapter 230 and the provisions of Chapter 231. No license under Chapter 231 may be issued to an establishment licensed under Chapter 230.

**230.11 TRANSFERABILITY OF LICENSES.**

(1) TRANSFERS FROM PLACE TO PLACE. Every license issued under this Chapter may be transferred to another place or premises within the City.

(2) TRANSFERS FROM PERSON TO PERSON. If a business licensed under this Chapter is sold or assigned, the license may be transferred to the successor owner or assignee at no charge if:

(a) He/she complies with the requirements applicable to original applicants, including filing a written application for licensing.

(b) He/she is acceptable to the City Council and consent to the transfer of the license is given by the City Council.

(c) In the event that the foregoing consent to transfer is not applied for or granted by the City Council, the license shall be immediately canceled and void upon the sale or assignment of the business.