

CITY OF CLUTE, TEXAS
ORDINANCE NO. 2025-010

AN ORDINANCE OF THE CITY OF CLUTE, TEXAS, AMENDING CHAPTER 14, ARTICLE IV, AMUSEMENT REDEMPTION MACHINES, PROHIBITING THE OPERATION, POSSESSION, OR USE OF AMUSEMENT REDEMPTION MACHINES WITHIN THE CITY LIMITS; PROVIDING DEFINITIONS; ESTABLISHING PENALTIES FOR VIOLATIONS; REPEALING CONFLICTING ORDINANCES; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Clute finds that the operation of Amusement Redemption Machines has the potential to negatively impact the public health, safety, and welfare of the community; and

WHEREAS, such machines may encourage gambling-like behavior, attract undesirable activities, or otherwise conflict with the values and standards of the City of Clute; and

WHEREAS, the City Council has determined that a complete prohibition of Amusement Redemption Machines within the city limits is in the best interest of community and its citizens;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLUTE, TEXAS:

FIRST, Chapter 14, Article IV Amusement Redemption Machines is hereby amended to read as follows:

**Chapter 14 – AMUSEMENTS AND ENTERTAINMENTS
ARTICLE IV. AMUSEMENT REDEMPTION MACHINES**

Sec. 14-150. Definitions.

- (a) *Amusement redemption machine game room* means any business where amusement redemption machines, are operated.
- (b) *Amusement redemption machine* means:
 - Any electronic, electromechanical, or mechanical contrivance, that for a consideration affords the player an opportunity to obtain anything of value, the award of which is determined solely or partially by chance, even though accompanied by some skill, whether or not the prize is automatically paid by the contrivance.
- (c) *Excluded machines*: An amusement redemption machine does not include:
 - A machine that awards the user noncash merchandise prizes, toys, or novelties solely and direct from the machine, including claw, crane, or similar machines.
- (d). Person shall mean any individual, corporation, partnership, association, or legal entity.

Sec. 14-151. Prohibition

It shall be unlawful for any person to own, operate, maintain, possess, or use an Amusement Redemption Machine at any location within the city limits of Clute, Texas, including but not limited to commercial establishments, private residences, or public spaces.

Sec. 14-152. Penalties

1. Any person found in violation of this ordinance shall be guilty of a misdemeanor and, upon conviction, shall be fined in an amount not to exceed \$500.00 per violation.
2. Each day that a violation continues shall constitute a separate offense.
3. In addition to fines, the City may seek injunctive relief to enforce compliance with this ordinance, including the removal or confiscation of prohibited machines.

Sec. 14-153. Nuisance and Confiscation

Every Amusement Redemption Machine within the City of Clute, Texas is hereby declared to be a public nuisance and may be seized and destroyed by the chief of police or his designated officers, as in such cases made and provided by law for the seizure and destruction of common nuisances.

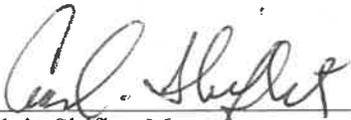
Sec. 14-154 through 14-160 reserved

SECOND, all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

THIRD, in the event any section or provision of this ordinance is found to be unconstitutional, void or inoperative by the final judgment of a court of competent jurisdiction, such defective provision, if any, is hereby declared to be severable from the remaining sections and provisions of this ordinance and such remaining sections and provisions shall remain in full force and effect.

FOURTH, this ordinance shall take effect and be in force from and after the heading is published twice in the Brazosport Facts.

READ, PASSED AND ADOPTED this 3rd day of April, 2025.



Calvin Shiflet, Mayor
City of Clute, Texas

ATTEST:



Rosie Poitevint, City Clerk

APPROVED AS TO FORM ONLY:



Christopher Duncan, City Attorney