

AN ORDINANCE
NO. _____

An Ordinance amending the Columbus Code to add a new Article VIII to Chapter 14 which provides comprehensive local regulation of Coin Operated Amusement Machines in Columbus , Georgia to the extent permitted by State Law; and for other purposes.

THE COUNCIL OF COLUMBUS, GEORGIA HEARBY ORDAINS:

SECTION 1.

Chapter 14 of the Columbus code is hereby amended to add a new Article VIII to read as follows:

“ARTICLE VIII. - COIN OPERATED AMUSEMENT MACHINES

Sec. 14-256. Short title.

This division shall be known as the "Columbus, Georgia Coin Operated Amusement Machine Ordinance."

Sec. 14-257. Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Bona fide coin operated amusement machine shall have the same definition as found in O.C.G.A. § 50-27-70.

Business location means the entire office or area of the business in any one location owned or leased by the same proprietor or proprietors where the lessor or lessors allow the space to be used for business purposes.

Location owner or *location operator* means an owner or operator of a business where one or more bona fide coin operated amusement machines are available for commercial use and play by the public, or shall have the same definition as found in O.C.G.A. § 50-27-70, should that definition differ.

Class B machine shall have the same definition as found in O.C.G.A. § 50-27-70.

Operator means any person, individual, firm, company, association, corporation, or other business entity who exhibits, displays, or permits to be exhibited or displayed, in a place of business other than his own, any bona fide coin operated amusement machine in this state, or shall have the same definition as found in O.C.G.A. § 50-27-70, should that definition differ.

Owner means any person, individual, firm, company, association, corporation, or other business entity owning any bona fide coin operated amusement machine in this state or shall have the same definition as found in O.C.G.A. § 50-27-70, should that definition differ.

Sec. 14-258. Prohibition on Class B devices.

Location owners and location operators are prohibited from offering more than six (6) Class B machines at one (1) business location within Columbus, Georgia.

Sec. 14-259. Location owner and location operator notice.

The owner and/or possessor of each bona fide coin operated amusement machine that rewards the player exclusively as described in O.C.G.A. § 16-12-35(d) with a machine located within the jurisdiction of Columbus is required to inform the location owner and/or location operator of each business location in which one of the machine owner's machines is located of the prohibitions and penalties set out in O.C.G.A. § 16-12-35(e), (f), and (g).

Sec. 14-260. Employee notice.

The location owner and/or location operator of each business location which offers to the public the use of a bona fide coin operated amusement machines which rewards the player exclusively as described in O.C.G.A. § 16-12-35(d) with a machine located within the jurisdiction of Columbus, Georgia is required to inform all employees of that business in which one of the machine is located of the prohibitions and penalties set out in O.C.G.A. § 16-12-35(e), (f), and (g).

Sec. 14-261. License suspension and revocation; penalties.

- (a) As provided by Columbus Code Section 3-11(a)(7), Columbus may suspend or revoke the license of any location owner or location operator to manufacture, distribute, or sell alcoholic beverages in Columbus, or any other license granted by Columbus, as a penalty for the conviction of the location owner or location operator of a violation of O.C.G.A. § 16-12-35(e), (f), or (g) or for violation of one or more provisions of this article. Violation of any provision of this article may also be punished in accordance with the general penalty section 1-8 of this Code.
- (b) Columbus may suspend or revoke the license of any location owner or location operator of any other license granted by Columbus as a penalty for the conviction of the location owner or location operator of a violation of O.C.G.A. § 16-12-35(e), (f), or (g).
- (c) The suspension or revocation of licenses under this section, shall be in accordance with the guidelines of due process set forth for the revocation of an alcohol license in Columbus Code Section 3-11(b).

Sec. 14- 262. Monthly reports; gross receipts.

- (a) A location owner or location operator subject to O.C.G.A. § 50-27-84(c) is hereby required to provide a copy of the monthly verified report required by such code section to the commission. Such report shall indicate the monthly gross retail receipts for each business location located in Columbus, Georgia shall be due by the 21st day of each month, subsequent to the month in which the sales have taken place. The Finance Department shall be entitled to

conduct an annual audit of such reports and the location owner or location operator shall make its books reasonably available for such purpose upon request of the Finance Department.

- (b) No location owner or location operator may derive more than fifty (50) percent of such location owner's or location operator's monthly gross retail receipts for this business location in which the Class B machines are situated from such Class B machines.

Sec. 14-263. Posting of signs.

Any location owner or location operator with a business location within Columbus which offers to the public one or more bona fide coin operated amusement machines is hereby required to post prominently a notice, in the vicinity of such coin operated amusement machines, including the following or substantially similar language:

GEORGIA LAW PROHIBITS PAYMENT OR RECEIPT OF MONEY FOR WINNING A GAME OR GAMES ON THIS AMUSEMENT MACHINE; PAYMENT OR RECEIPT OF MONEY FOR FREE REPLAYS WON ON THIS AMUSEMENT MACHINE; PAYMENT OR RECEIPT OF MONEY FOR ANY MERCHANDISE, PRIZE, TOY, GIFT CERTIFICATE, OR NOVELTY WON ON THIS AMUSEMENT MACHINE; OR AWARDING ANY MERCHANDISE, PRIZE, TOY, GIFT CERTIFICATE, OR NOVELTY OF A VALUE EXCEEDING \$5.00 FOR A SINGLE PLAY ON THIS MACHINE.

Any such notice shall be at least 11.5 inches by 17.5 inches in size. Words and letters shall be in bold print and shall be at least one (1) centimeter in size.

Sec. 14-264. Minimum distance requirements.

Any business location which offers to the public one (1) or more bona fide coin operated amusement machines may not be located within one hundred (100) yards of any church building, within two hundred (200) yards of any school building, educational building, school grounds or college campus, within one hundred (100) yards of any alcoholic treatment center, or within one hundred (100) yards of any housing authority property.

Sec. 14-265. Disclosure of machine owner.

Any location owner or location operator seeking to locate a business within the jurisdiction of Columbus, Georgia and offer to the public one (1) or more bona fide coin operated amusement machines must first submit in writing the name, physical address and mailing address of the owner of the bona fide coin operated amusement machine to the Revenue Division of the Columbus, Georgia Finance Department. before any occupational tax certificate or license granted by Columbus is issued or renewed.

Sec. 14-266. Location of machines.

Any location owner or location operator who offers to the public one (1) or more bona fide coin operated amusement machines is required as a condition of doing business in the jurisdiction

of Columbus to locate each and every bona fide coin operated amusement machine in plain view and accessible to any person who is at the business location.

Sec. 14-267. Posting of privilege license or occupation tax certificate.

Any location owner or location operator who offers to the public one or more bona fide coin operated amusement machines is required as a condition of doing business in the jurisdiction of Columbus, Georgia to post its license and/or occupation tax certificate, whichever it is required by this code to obtain, in a conspicuous place in the location owner or location operator's place of business at which such machine(s) is offered and leave it there at all times.”

SECTION 2.

This ordinance shall become effective on July 1, 2023.

Introduced at a regular meeting of the Council of Columbus, Georgia held on the 28th day of March, 2023, introduced a second time at a regular meeting of said Council held on the ____ day of _____, 2023 and adopted at said meeting by the affirmative vote of _____ members of said Council.

Councilor Allen	voting	_____
Councilor Barnes	voting	_____
Councilor Cogle	voting	_____
Councilor Crabb	voting	_____
Councilor Davis	voting	_____
Councilor Garrett	voting	_____
Councilor House	voting	_____
Councilor Huff	voting	_____
Councilor Thomas	voting	_____
Councilor Tucker	voting	_____

Sandra T. Davis

Clerk of Council

B.H. “Skip” Henderson, III

Mayor