

ORDINANCE NO. 1053

**AN ORDINANCE AMENDING CHAPTER 24, PART 1 OF THE CODE OF ORDINANCES OF THE TOWN OF BLOOMSBURG ENTITLED "AMUSEMENT TAX"**

**WHEREAS**, the Town of Bloomsburg (the "Town") has enacted Chapter 24, Part 1 of the Code of Ordinances of the Town of Bloomsburg (the "Code") which enacted an Amusement Tax; and

**WHEREAS**, the Town desires to amend Chapter 24, Part 1 of the Code as set forth herein.

**AND NOW be it ORDAINED and ENACTED** by the Bloomsburg Town Council, as follows:

1. The following shall be added to §24-103 "Definitions" of Chapter 24, Part 1:

**APPLICANT:** any organization, person, limited liability company, trust or other business entity of any nature who is seeking a license for an amusement device, jukebox or pool table under this Part.

**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 including, without limitation, the internet, app, mobile device or in person.

**OWNER:** a person having ownership of an amusement device, jukebox or pool table.

**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 the payment of any price (via the internet, app, mobile device or in person).

**PROPRIETOR:** any organization, person, limited liability company, trust or other business entity who owns, leases or operates any type of business establishment in which any jukebox, pool table or amusement device is place for the use, patronage, recreation or amusement of the public or of persons in or about the premises where such jukebox, pool table or amusement device is located.

**VENDOR:** any organization, person, limited liability company, trust or other business entity who is the lawful owner of any jukebox, pool table or amusement device for which a license is sought under this Part or makes, assembles, sets up, maintains, sells, lends, leases, gives away, or offers for sale, loan, lease, or gift any jukebox, pool table or amusement device for which a license is sought under this part.

2. The following shall be added to the definition of "AMUSEMENT DEVICE" in §24-103:

This term shall include "skill games" consisting any electronic, computerized, mechanical contrivance, terminal, machine or other device to play or activate a game the outcome of which is determined by any element of skill of the player and which may deliver or entitle the person playing or operating the device to receive cash, cash equivalents or gift cards or vouchers, billets, tickets, tokens or electronic credits to be exchanged for cash or to receive merchandise or anything of value, whether the payoff is made automatically from the device or manually.

3. Section 24-104. 2. shall be deleted and replaced with the following:

2. Amusement Device, Jukebox and Pool Tables. Subject to the exemptions listed in §24-105, below, each applicant, organization, owner, person, proprietor and/or vendor in possession Amusement Device, juke box and/or pool table in the Town shall be required to obtain a license pursuant to §24-104.3. No license shall be issued until the following fees shall have been paid to the Town, subject to amendment by Bloomsburg Town Council, by resolution:

- i. Jukebox: \$50.00
- ii. Pool Table \$100.00
- iii. Amusement Devices consisting of mega-touch or similar devices: \$100
- iv. Amusement Device \$50.00
- v. Amusement Devices consisting of "skill games": \$400.00

A license shall be effective for one (1) calendar year from the date of issuance.

4. The following shall be added as §24-104.3. to Chapter 24, Part 1 of the Code:

- A. No organization, owner, person, limited liability company, trust or other business entity of any nature whatsoever shall at any time have in its possession any jukebox, pool table or amusement device for the playing of games and amusement without first having procured a license and paying a license fee therefor as set forth in §24-102.2.
- B. Any applicant for a license desiring to procure a license as required in §24.104.3. A. shall apply therefor in writing to the Town Finance Director. Said application shall require information including, but not limited to, the following with regard to the applicant, as appropriate:

- i. The application status (new or renewal).
- ii. The type of business
- iii. A list of the type and number of amusement devices as well as the vendor and place when the amusement device, jukebox and/or pool table will be located.

C. The Finance Director shall not issue any license:

- i. To a person who is not twenty-one (21) years of age;
- ii. Until a period of ten (10) days shall have elapsed from the date of application during with the Finance Director at his or her discretion, may investigate the facts set forth in the application;
- iii. For any amusement device that is intended to be used for gambling purposes.

D. Upon the payment of the license fee provided by this Part, and upon a determination that the application fully complies with this Part, the Town Finance Director shall issue a disc, plate, sticker or other affixable emblem setting forth the number of the license for each amusement device, juke box and/or pool table so licensed, and said disc, plate, sticker or other affixable emblem shall be attached and fastened to the respective amusement device, jukebox and/or pool table so that the same may be clearly observable and readable. Discs, plates, stickers or other affixable emblems issued for a particular amusement device, jukebox or pool table are not transferrable. All discs, plates, stickers or other affixable emblems issued by the Town shall provide that the amusement device or pool table is solely for amusement purposes and that it is not a gambling device.

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

F. In the event that any applicant:

- i. falsifies any information on the applicant for license of amusement device, jukebox, pool table or violates this Part, the Town shall immediately revoke all licenses issued under this Part to such applicant, vendor or proprietor; or
- ii. is convicted of possessing or using an amusement device in violation of the Crimes Code of the Commonwealth of Pennsylvania (18 Pa. C.S.A. §101 et. seq.) or has accepted accelerated rehabilitative disposition for the same, the Town shall revoke each license issued to such person.

5. Section 24-107 of Chapter 24, Part 1 of the Code shall be amended to read as follows:

**§24-107. Collection and Recording by Tax Collector and Finance Director**

The Tax Collector of the Town of Bloomsburg is hereby authorized and empowered to collect and receive the taxes pursuant to §24-104. 1. of this Part as well as the fines and penalties imposed by this Part for the same and to make return of funds collected for the Town of Bloomsburg. The Finance Director and/or his/her authorized designee of the Town of Bloomsburg is hereby authorized and empowered to collect and receive the fees pursuant to §24-104. 2. of this Part as well as the fines and penalties imposed by this Part for the same and to make return of funds collected for the Town of Bloomsburg. It shall also be the Tax Collector's and Finance Director's duties to keep a record showing the amount received by him or her and the date of receipt.

6. The words "and/ or Finance Director, as applicable" shall be added following "Tax Collector" in §24-108, §24-109. 3. B., §24-111, §24-112 and §24-113.
7. This Ordinance Amendment will be effective on January 1, 2025.

**ORDAINED AND ENACTED** into law by the Bloomsburg Town Council in lawful session assembled this 15<sup>th</sup> day of May, 2024.

Attest:

Lisa M. Dooley  
Lisa M. Dooley, Secretary

**TOWN OF BLOOMSBURG**

Justin C. Hummel  
Justin C. Hummel, Mayor