

FEBRUARY 5, 1963

POOL ROOM ORDINANCE AMMENDED

BE IT ORDAINED, by the Mayor and Board of Aldermen of the City of Waynesboro, Mississippi, that certain Ordinance enacted on the 2nd day of April, 1952, which is as follows, to-wit:

ORDINANCE PROHIBITING THE OPERATION OF BILLIARD AND POOL HALLS

BE IT HEREBY ORDAINED, by the Mayor and Board of Aldermen of the City of Waynesboro, Mississippi, that from and after the effective date of this ordinance, it shall be unlawful for any person, firm or corporation to operate any pool or billiard hall or room in the City of Waynesboro, Mississippi, provided that it shall not be unlawful for pool or billiard tables to be kept in private homes, private groups or fraternities or patriotic organizations where said tables are operated solely for recreational purposes and no profit to any person or any corporation organized for profit. That this ordinance be in force and effect from and after the 5<sup>th</sup> day of May, 1952.

SO ORDAINED, this the 2nd day of April, 1952, be amended to read as follows, to wit:

BE IT HEREBY ORDAINED, by the Mayor and Board of Aldermen of the City of Waynesboro, Mississippi, that from and after the effective date of this ordinance, it shall be unlawful for any person, firm or corporation to operate any pool or billiard hall or room in the City of Waynesboro, Mississippi, unless such person, firm or corporation shall have first made application to the said Mayor and Board of Aldermen for a permit to operate said pool or billiard hall, the issuance of which permit shall be at the discretion of the said Mayor and Board of Aldermen and which permit may be revoked by the said Mayor and Board of Aldermen upon due proof that such pool room or billiard hall establishment is operated in other than a clean, desent, orderly and respectable manner, provided that it shall not be unlawful for pool or billiard tables to be kept in private homes, private groups or fraternities or patriotic organizations where said tables are operated solely for recreational purposes and no profit inures to any person or any corporation organized for profit.

So amended this the 5<sup>th</sup> day for February 1963.

*Minute Book "K" page 14.*

- F. P. Ellis, Mayor
- F. R. Ray, Alderman
- M. H. Walker "
- N. R. McRae "
- Earl Gray "
- Roland Smith "

**ORDINANCE AMENDING ORDINANCE NO. P-2-63 AT  
PAGE 111 OF THE ORDINANCE BOOK OF THE CITY OF  
WAYNESBORO, MISSISSIPPI, REGULATING AND CONTROLLING  
THE OPERATION OF BILLIARD AND/OR POOL HALLS  
AND AMUSEMENT CENTERS**

**ORDINANCE NO. P-77-97**

**BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE  
CITY OF WAYNESBORO, MISSISSIPPI, AS FOLLOWS:**

**SECTION 1: DEFINITIONS**

(1) "Pool and/or billiard hall" - a place of amusement operated for profit wherein the operation of pool and/or billiard tables is the main attraction held out to the public for the primary amusement engaged in by participants and wherein more than fifteen percent (15%) of the gross revenue derived directly from the operation of such place of amusement is derived directly or indirectly from the operation of such pool and/or billiard tables.

(2) "Amusement centers" - a place of amusement operated for profit wherein the operation of "mechanical amusement devices is the main attraction held out to the public for the primary amusement engaged in by participants and wherein less than fifteen percent (15%) of the gross revenue derived directly from the operation of such amusement center shall be derived directly or indirectly from the operation of pool and/or billiard tables.

(3) "Mechanical amusement device" is hereby defined to be a machine which, upon the insertion of a coin, token, or slug, operates or may be operated as a game or contest of skill or amusement of any kind or description, and which contains no automatic payoff device for the return of money or which makes no provision whatever for the return of money to the player.

**SECTION 2: LICENSE**

No person, firm or corporation shall operate, maintain or conduct a billiard and/or pool hall or amusement center open to the public without having first obtained a permit to do so from the Mayor and Board of Aldermen of the City of Waynesboro, to operate same. All applications for such permits shall state thereon the intended location of the business, the number of billiard and/or pool-tables to be used therein, the number of mechanical amusement devices to be used therein if an amusement center. Applicants shall further provide the names of those responsible for the operation of pool tables and/or devices as well as the owner of the premises in which said business shall be situated.

**SECTION 3: FEES/ISSUANCE**

Fees for such permits shall be \$20.00 per year or any portion of a year. The license period shall be the same as the license period for other similar businesses in the City of Waynesboro. License fees may be raised or lowered at the discretion of the Mayor and Board of Aldermen. In addition, each applicant shall be required to pay all annual license taxes required under §27-27-5, Mississippi Code of 1972 (as amended).

**SECTION 4: MINORS**

Minors under the age of eighteen (18) years shall under no circumstances frequent, loiter, go into or remain in any pool and/or billiard hall, unless accompanied by a parent,

guardian, or other person having lawful custody of said minor, or without the knowledge and written consent of a parent, guardian or other person having lawful custody of said minor. It shall be unlawful for the proprietor of any pool and/or billiard hall so licensed to allow or to permit any minor to frequent, loiter or remain within any pool and/or billiard hall in violation of this section. No person under the age of eighteen (18) years shall at any time be allowed to enter and remain in any pool and/or billiard hall in which beer is sold or consumed. The age restriction under this section shall not apply to amusement centers as defined hereinabove.

#### SECTION 5: HOURS OF OPERATION

All pool and/or billiard halls and amusement centers situated within the corporate limits of the City of Waynesboro shall observe the following business hours:

Monday through Saturday: 8:00 a.m. to 1:00 a.m.

Sunday: 1:00 p.m. to 11:00 p.m.

#### SECTION 6: INSPECTION

The Chief of Police shall have the right to inspect or cause the inspection of any place or building in which any pool and/or billiard hall and/or amusement center is situated at any and all times to insure compliance with this Ordinance. All mechanical amusement devices shall at all times be kept and placed in plain view so as to allow said inspections.

#### SECTION 7: REVOCATION

All permits for pool and/or billiard halls and/or amusement centers now issued or which may be issued in the future may be revoked by the Mayor and Board of Aldermen upon due proof that such pool and/or billiard hall or amusement center is operated in such a manner as to constitute a nuisance or otherwise endanger the health, safety and welfare of the community as a whole. In addition to any penalty imposed hereunder, the Mayor and Board of Aldermen may revoke such permit for any violation of this ordinance or of any other ordinance or statute pertaining to the conduction of said business.

#### SECTION 8: EXEMPT ORGANIZATIONS

All non-profit corporations, associations, and organizations established for educational and religious purposes shall not be considered as operating pool rooms and/or billiard halls for the purpose of this Ordinance.

#### SECTION 9: PENALTY

Any person which violates the provisions of this Ordinance shall upon conviction or plea of guilty, be subject to a fine of not less than one Hundred Dollars (\$100.00) for each offense.

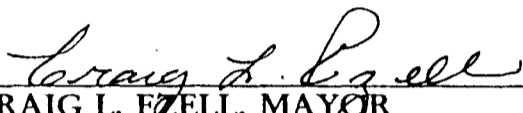
#### SECTION 10: EFFECTIVE DATE

This Ordinance shall be effective after its passage and publication as provided by law.

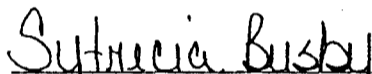
The foregoing Ordinance having first being reduced to writing and considered section by section, and then as a whole, thereafter on motion by Alderman Johnny Gray and seconded by Alderman Joe Grimley the vote was as follows:

Alderman Joe Barnett	<u>Aye</u>
Alderman Johnny Gray	<u>Aye</u>
Alderman Joe Grimley	<u>Aye</u>
Alderman Robert Hicks	<u>Aye</u>
Alderwoman Rhonda McGill	<u>Aye</u>

SO APPROVED, ADOPTED AND ORDAINED by the Mayor and Board of Aldermen on this the 3rd day of June, 1997.

  
CRAIG L. EZELL, MAYOR

ATTEST:

  
SYTRECIA BUSBY, CITY CLERK