



Legislation Text

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Int. No. 853-A

By Council Members Comrie, Gennaro, Palma, Seabrook, Weprin, White, Jr., Mealy and Arroyo.

A Local Law to amend the administrative code of the city of New York, in relation to amusement devices.

Be it enacted by the Council as follows:

Section 1. Subdivision c of section 20-211 of the administrative code of the city of New York, as amended by local law number 58 for the year 2005, is amended to read as follows:

c. "Amusement arcade" means any premises wherein there are [operated] located, in any combination, [five] ten or more of the amusement devices and/or player-operated amusement devices defined in subdivisions a and b of this section.

§2. Section 20-216 of the administrative code of the city of New York, as amended by local law number 58 for the year 2005, is amended to read as follows:

§ 20-216 Location of Player-Operated Amusement Devices and prohibition on minors entering certain premises where located.

a. No person shall [operate] locate a player-operated amusement device or a gaming cafe within two hundred feet of a public or a private elementary or secondary school.

b. The provisions contained in subdivision a of this section shall not apply to fixed stand coin operated rides as defined in subdivision j of section 19-136 of this code.

c. No person shall permit persons under the age of eighteen, unless such persons under the age of eighteen are otherwise exempt under New York State Education Law, to enter or remain, between the hours of nine a.m. through three p.m. on weekdays during the regularly scheduled school year for public schools, in a

premises wherein there are located more than four and fewer than ten player-operated amusement devices.

d. Premises wherein there are located more than four and fewer than ten player-operated amusement devices shall prominently display a sign stating that, unless exempt by New York State Education Law, persons under eighteen years of age are not to enter or remain on the premises between the hours of nine a.m. through three p.m. on weekdays during the regularly scheduled school year for public schools, and that the truancy laws of the state of New York will be enforced.

e. Any person who violates the provisions of this section or any rules promulgated hereunder shall be guilty of a class B misdemeanor. In addition, the commissioner may, upon due notice, hold hearings to determine whether violations of the provisions of this section have occurred. Such notice shall contain a concise statement of the facts constituting the alleged violation and shall set forth the date, time and place of the hearing. Upon a finding of a violation of the provisions of this section, the commissioner shall be authorized to impose a civil penalty of not more than five hundred dollars.

§3. This local law shall take effect ninety days after enactment except that the commissioner shall take all actions necessary for its implementation, including the promulgation of rules, prior to such effective date.

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