

## **ORDINANCE#: 032425-1**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EDGEWOOD, TEXAS, AMENDING CHAPTER 10 OF THE CITY OF EDGEWOOD, TEXAS CODE OF ORDINANCES PERTAINING TO GAME ROOMS; AMENDING DISTANCE RESTRICTIONS; AMENDING HOURS OF OPERATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR A PENALTY AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, TEXAS LOCAL GOVERNMENT CODE SEC. 51.012 STATES A MUNICIPALITY MAY ADOPT AN ORDINANCE, ACT, LAW, OR REGULATION, NOT INCONSISTENT WITH STATE LAW, THAT IS NECESSARY FOR THE GOVERNMENT, INTEREST, WELFARE, OR GOOD ORDER OF THE MUNICIPALITY AS A BODY POLITIC.; AND

**WHEREAS**, THE CITY COUNCIL FINDS IT IS NECESSARY FOR THE PROTECTION AND SAFETY OF THE CITIZENS OF EDGEWOOD TO REGULATE LAND USE IN THE CITY OF EDGEWOOD; AND

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY EDGEWOOD:**

**THAT**, CHAPTER 10 ARTICLE II DIVISION 2 SHALL BE AMENDED AS FOLLOWS; AND

**THAT**, THIS ORDINANCE SHALL BECOME EFFECTIVE UPON PASSAGE AND PUBLICATION THEREOF.

CHAPTER 10 SECTION 10-60 SHALL BE AMENDED TO ADD:

Game rooms exclusively containing only machines exempted under Section 10-181(b) may operate between the hours of 8:00 a.m. and 12:00 a.m.

CHAPTER 10 SECTION 10-181 SHALL BE AMENDED TO READ:

- (a) The licensing and regulating provisions of this division do not apply to:
- (1) Coin-operated machines kept in private residences or apartments and used without charge by members of the family or bona fide guests.
  - (2) Coin-operated machines provided on the premises of religious, charitable, educational or fraternal organizations for the use of members or their guests and not for private profit, although a charge is made for playing.
  - (3) Coin-operated machines provided on the premises of bona fide clubs or social organizations not operated for private profit, although a charge is made for playing, which provide other membership privileges and activities usual in bona fide private clubs organized for the promotion of some common object and whose members must be passed upon and elected as individuals by a committee or board made up of members of the club, and its affairs and management shall be conducted by a board of directors, executive committee or similar body chosen by the members at their annual meeting.
  - (4) Coin-operated machines provided on the premises of publicly owned facilities.
  - (5) Service coin-operated machines.
  - (6) Merchandise coin-operated machines.

## **ORDINANCE#: 032425-1**

- (7) Music coin-operated machines.
  - (8) Coin-operated machines designed for and utilized exclusively by children.
- (b) The Distance restrictions in Section 10-58 shall not apply to Game Rooms exclusively containing the following machine types:
- (1) marble machines.
  - (2) marble table machines.
  - (3) marble-shooting machines.
  - (4) miniature race track machines.
  - (5) miniature football machines.
  - (6) miniature golf machines.
  - (7) miniature bowling machines.
  - (8) pinball machines.
  - (9) billiard tables.
  - (10) video arcade machines.

### **Repealing Clause.**

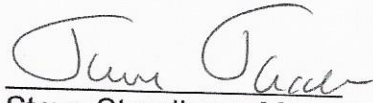
All ordinances, parts of ordinances, or resolutions in conflict herewith are expressly repealed in their entirety. The effective date of the repeal discussed herein shall not occur until the effective date of this Ordinance at which time all conflicting ordinances, parts of ordinances, or resolutions in conflict shall be repealed.

### **Severability Clause.**

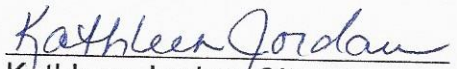
Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The City of Edgewood hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof irrespective of the fact that anyone or more sections, subsections, sentences, clauses and phrases be declared unconstitutional or invalid.

**FURTHER, THIS ORDINANCE SHALL BECOME EFFECTIVE UPON PASSAGE AND PUBLICATION.**

**ORDINANCE#: 032425-1**



Steve Steadham, Mayor  
City of Edgewood

  
Kathleen Jordan, City Secretary