

TOWN OF FOXBOROUGH
AUTOMATIC AMUSEMENT DEVICE AND ARCADE LICENSE REGULATIONS

1. Any person or persons who keep on his premises for hire, gain, or reward any automatic amusement devices (games of skill) whereby with the deposit of a coin or token, any apparatus is released or set in motion or put in a position where it may be set in motion for the purpose of playing any game involving, in whole or in part, the skill of the player shall be required to obtain an Automatic Amusement Device License and/or an Arcade License from the Board of Selectmen.
2. The term “automatic amusement device” as used herein shall include such machines encompassed under the provisions of Massachusetts General Laws Annotated, Ch. 140, Sec. 177A, and shall also include, with limitation, the following:
 - a) Electronic Video Games;
 - b) Electronic Gun or Target Games;
 - c) Coin-Operated Pin Ball Games;
 - d) Simulated Sports Games – e.g. Baseball, Hockey, etc.;
 - e) Coin-Operated Skee – Ball Games;
 - f) Coin-Operated Computer Games, etc.;
 - g) Coin-Operated Simulated Driving and/or Racing Games.
3. The keeping of Shuffleboard, Pool and/or Billiards games shall not be subject to these regulations.
4. All licenses granted pursuant to these regulations shall expire on December 31 and may after written notice to the licensee be revoked or suspended by the Selectmen.
5. Applications for the renewal of licenses are to be submitted no later than November 1 prior to the year in which such license is to be effective.
6. All applications for licenses will require a public hearing.
7. The license fee shall be \$50 per machine per year.
8. Applicants requesting to license more than three (3) machines shall be considered an applicant for an “Arcade” License.

In addition to the Automatic Amusement Device License fee established herein, all Arcade Licenses shall pay the following license fee:

4 machines	\$100 per year
5 to 9 machines	\$200 per year
10 to 19 machines	\$300 per year
20 to 29 machines	\$400 per year
30 to 39 machines	\$500 per year

40 or more machines \$1,000 per year

9. Applicants for an Arcade License shall furnish the following information at the time of submission of its application:

- a) A sketch drawn to a scale of $\frac{1}{4}'' = 1'0''$, showing a floor plan layout of machine(s), location(s), entrance(s), exits and all other furniture;
Page 1 of 2
- b) Total square footage of the establishment and the square footage of the area that will house the machine(s);
- c) The name(s) of the owner of the machine(s).

The Board of Selectmen may require additional information.

10. All copies of applications and sketches shall be forwarded by the Board of Selectmen to the Police, Fire, Building and Health Departments for comment.

11. Re-applications for licenses shall not be entertained within one year of a denial of an Arcade and/or Automatic Amusement Device License application.

12. The following activities may result in the revocation or suspension of either an "Arcade License" and/or any Automatic Amusement Device License:

- a) Allowing a minor under the age of eighteen to operate any such device during school hours;
- b) Any false statement or material omission in the application;
- c) The admission of a minor under the age of thirteen thereto without the accompaniment of his parent or guardian;
- d) Permitting such "Arcade" and/or Automatic Amusement Device to be used for the purpose of gambling;
- e) Failure of any licensee to maintain good order on the premises or permitting any disturbance, congestion or loitering upon the licensed premises;
- f) Allowing any machine to be operated in a manner which allows it to be heard outside the licensed premises.

13. All licensees shall adhere to the license hours approved for the establishment. Massachusetts General Laws Annotated Ch. 140, Sec. 177A (5) provides;

Automatic Amusement Devices licensed hereunder shall be so installed on the premises described in the license as to be in open view at all times while in operation, and shall at all times be available for inspection.

14. Any establishment open on Sunday must obtain a Sunday license from the State Department of Public Safety.

15. Any person or persons who violate any provisions of these regulations or restrictions contained in his license shall be punished by a penalty of \$100, in addition to possible revocation or suspension of license as provided above. A separate offense shall be deemed committed on each day during which a violation occurs or continues.
16. As used herein "person" shall mean that natural person, corporation, or other entity that keeps and operates or permits the operation of any Automatic Amusement Device.
17. The invalidity of any section of these rules and regulations shall not invalidate the remaining sections, and the partial validity of any one section herein shall not invalidate the remaining portion of the section.

Adopted: 12/8/81
Amended: 11/22/88