

THE CITY OF
PORTLAND



OREGON

151083

May 29, 1981

OFFICE OF
PUBLIC SAFETY

CHARLES JORDAN
COMMISSIONER

1220 S.W. FIFTH AVE.
PORTLAND, OR. 97204
503 248-4682

TO: George Yerkovich, Auditor
FROM: Commissioner Jordan
RE: Amusement Concession Game Ordinance

I would like to request the ordinance amending Title 14, Public Peace, Safety and Morals of Code regulating amusement concession games, be scheduled for June 3, 1981, Council agenda.

Thank you for your assistance.

CRJ/ps

cc: Gordon Croell

PLAYLAND SHOWS

INCORPORATED

1786
151083
P.O. BOX 2338 • VANCOUVER, WASH. 98661

PHONE (206) 574-2303

Mr. Mayor,
Respected members of the Portland City Council.

My name is Donald Nelson. I am president of an Oregon Corporation, Playland Shows, Inc. 3345 N.E. Wasco Street, Portland, Oregon.

I operate a complete carnival known as Playland Shows. My Company has had a valid licence to operate in the city of Portland for twenty two years. During this time I have operated in the city of Portland an average of two times annually. I have never been asked to change the method of play in any amusement game I operate, nor have I ever been accused of failing to give the participants a fair opportunity to play and win at said games.

I do recognize the importance of the amendment and the enacting of new sections to chapter 14.08, enforcement of the code of the City of Portland as directed by the Council. I do feel minor corrections are necessary.

I agree with 14.08.160 (A) paragraph 1 thro 6 and paragraph 8 under (B).

I would assume that paragraph 7 was intended to read, It is unlawful for any person to manage or operate any amusement concession or game, in which the patron or contestant is required to shoot a firearm, air gun, pellet gun, BB gun or similar device at a target in order to win such amusement concession or game, unless all of the ammunition utilized in such devices is uniform in type, size and weight.

At the present time I have amusement games and amusement rides operating at the Rose Festival Fun Center as an independent operator contracted with Rainier Shows.

I thank you for your time and consideration and you may be assured of my complete cooperation in all matters relative to the operation of amusement games in the City of Portland.

ORDINANCE NO. 151683

An Ordinance amending Title 14, Public Peace, Safety and Morals, of the Code of the City of Portland, by enacting certain provisions, as a part of Chapter 14.08, Enforcement, regulating certain amusement concession games, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds:

1. That certain amusement concession games that are played at carnival-type public events present, because of the type of game, a serious potential for being used to defraud the public by depriving patrons and contestants of a fair opportunity to win when playing such games.
2. That certain regulations of such games are needed to ensure that these carnival-type amusement concession games are honestly operated so that participants have a fair opportunity to play and win such games.

NOW, THEREFORE, the Council directs:

- a. That Title 14, Public Peace, Safety and Morals, Chapter 14.08, Enforcement, of the Code of the City of Portland is hereby amended by enacting the following new sections:

14.08.160(a) It is unlawful for any person to manage, operate or profit from any unlawful amusement game or concession.

(b) As used in this section, "unlawful amusement game or concession" includes the following:

(1) Any amusement concession or game in which any physical limitations affecting the degree of skill necessary to win such amusement concession or game are not readily visible to the player unless a duplicate thereof, which does disclose such physical limitations,

is displayed, at the location where such amusement concession or game is played, so as to be readily visible to patrons and contestants.

(2) Any amusement concession or game, in which the winning of such amusement concession or game depends upon the patron's or contestant's ability to throw or project an object, unless all such objects available for use by any single patron or contestant are uniform in size and weight.

(3) Any amusement concession or game, in which the ability of the patron or contestant to win depends upon the throwing or projecting of an object, unless there exists an unobstructed air space of at least eighteen (18) inches in height above the highest point of any surface, object or place upon which such object must land to win such amusement concession or game.

(4) Any amusement concession or game in which any target, which must be struck, hit, overturned, broken or passed through is tilted or inclined in any manner so as to give any advantage to such manager or operator.

(5) Any amusement concession or game in which any material or substance has been placed on any target so as to give any advantage to such manager or operator.

(6) Any amusement concession or game which utilizes any device, whether mechanical or electrical, other than the target and the objects to be thrown or projected at that target, which increases or decreases the opportunity of any patron or contestant to win such amusement concession or game.

(7) Any amusement concession or game, in which the patron or contestant is required to shoot a firearm, air gun, pellet gun, BB gun or similar device at a target in order to win such amusement concession or game, unless all of the ammunition utilized in such devices is uniform in type, size and weight and such devices are physically fixed, attached or controlled to ensure that they can only be pointed toward the target area. The utilization of such devices in compliance with this subsection shall be authorized as an exception to, and not be deemed a violation of, Section 14.32.010.

(8) Any amusement concession or game in which, as a condition of winning such amusement concession or game, a part or all of a target must be destroyed or obliterated, unless the patron or contestant in such amusement concession or game is permitted, at his

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request, to have such target(s) brought to him for his inspection at any time(s) after he has paid to play and has concluded such contest but before he has left such amusement concession or game location.

Section 2. The Council declares that, in order to immediately protect and preserve the public health, safety and welfare, an emergency exists, and this ordinance shall be in force and effect from and after its passage by the Council.

Passed by the Council, **JUN 3 1981**

Commissioner Jordan
May 28, 1981
KHScomperdis:djb

Attest:


Auditor of the City of Portland

as amended

THE COMMISSIONERS VOTED AS FOLLOWS:		
	Yeas	Nays
JORDAN		
LINDBERG		
SCHWAB		
STRACHAN		
IVANCIE		

FOUR-FIFTHS CALENDAR	
JORDAN	
LINDBERG	
SCHWAB	
STRACHAN	
IVANCIE	

Calendar No. 1786

ORDINANCE No. 151683

Title

An Ordinance amending Title 14, Public Peace, Safety and Morals, of the Code of the City of Portland, by enacting certain provisions, as a part of Chapter 14.08, Enforcement, regulating certain amusement concession games, and declaring an emergency.

Filed MAY 29 1981

GEORGE YERKOVICH
Auditor of the CITY OF PORTLAND

BY *George Yerkovich*
Deputy

INTRODUCED BY
COMMISSIONER JORDAN

NOTED BY THE COMMISSIONER
Affairs
Finance and Administration
Safety <i>Charles Jordan</i>
Utilities
Works

BUREAU APPROVAL
Bureau:
Prepared By: <i>KHS</i> Date:
KHS Compardis:djb 5-29-81
Budget Impact Review:
<input type="checkbox"/> Completed <input type="checkbox"/> Not required
Bureau Head:

CALENDAR
Consent
Regular <i>X</i>

NOTED BY
City Attorney <i>CPT (KHS)</i>
City Auditor
City Engineer