

# ITEM - 14

Sponsored by: Mayor Moeller

**BILL NO**

**ORDINANCE NO. 2023-DRAFT**

**AN ORDINANCE AMENDING CHAPTER 13, LICENSES, TAXATION, AND MISCELLANEOUS BUSINESS REGULATIONS, OF THE MUNICIPAL CODE REGARDING RESTRICTIONS ON THE USE VIDEO GAMING MACHINES**

**WHEREAS**, the State of Missouri and its residents have repeatedly defined locations and other restrictions upon gaming facilities and terminals within the state; and

**WHEREAS**, the City of Maryland Heights has an interest in regulating the operation of gaming facilities and terminals; and

**WHEREAS**, the use of “gray machines” or “no-chance machines” have started appearing outside of the State of Missouri’s regulations.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARYAND HEIGHTS, MISSOURI, AS FOLLOWS:**

**Section 1.** Section 13.101, Definitions, of the City of Maryland Heights Municipal Code is hereby repealed and the following new Section 13.101, Definitions, is hereby adopted:

Section 13.101. *Definitions*

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Amusement device* means any amusement machine or device operated by means of the insertion of a coin, token or similar object; for the purpose of amusement or skill and for the playing of which a fee is charged, including, but not limited to, any such machine or device capable of reproducing musical sounds.

*Automatic vending machine* or *machine* means any device originally designed and/or intended for use as a self-service machine for a consideration, including but not limited to a coin actuated or operated vending machine.

*Beverage machine* means any machine whose purpose is to dispense nonalcoholic beverages in containers sealed prior to insertion in the machine, referred to as prepackaged, or nonalcoholic beverages prepared, mixed, cooled and/or heated within each machine prior to dispensing in unsealed containers.

*Cigarette machine* means any machine whose purpose is to dispense cigarettes or tobacco products in containers sealed prior to insertion in the machine.

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*Food machine* means any machine whose purpose is to dispense food including candy or other confections, in containers sealed prior to insertion in the machine, referred to as prepackaged, or food including candy or other confections not so prepackaged.

*Miscellaneous vending device* means any machine or device not previously described, including, but not limited to, book vendors, magazine vendors, or any other devices dispensing food, candy or novelty, with such goods being of a retail value of five cents (\$0.05) or more.

*Video Gaming Machine or Video Lottery Terminal* means an electronic video lottery game terminal which accepts coins or currency in exchange for lottery game credit and is available to play or simulate the play of a video lottery game using a video display and microprocessors and in which the player may receive lottery game credit for winning plays, that may be redeemed for a ticket voucher redeemable for cash prizes. Video lottery terminal does not include a terminal that directly dispenses coins, currency, or tokens.

*Video Lottery Game* means an electronically simulated lottery game of chance, including but not limited to video poker, keno, or blackjack, displayed on a video lottery terminal.

**Section 2.** Section 13.107, *Video Gaming Machines*, of the City of Maryland Heights Municipal Code is hereby adopted:

Section 13.107, *Video Gaming Machines*

- (a) It shall be unlawful for any individual or business to operate, or allow to be operated, video gaming machines, video lottery terminal, or other device which provides a video lottery game for use by the general public unless licensed by the Missouri Gaming Commission.
- (b) Any machine being operated in violation of section 13.107(a) without license shall be subject to removal and to the penalties contained in section 1-13 – General penalty; continuing violations; minor traffic and municipal ordinance violations.

**Section 3:** This Ordinance shall be in full force and effect from and after its passage and approval.

PASSED BY THE CITY COUNCIL THIS \_\_\_\_\_ DAY OF APRIL 2023.

\_\_\_\_\_  
MAYOR/PRESIDING OFFICER

APPROVED BY THE MAYOR THIS \_\_\_\_\_ DAY OF APRIL 2023.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK