

## SESSION 2026

## Chapter 69

## AMUSEMENT DEVICES

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**[HISTORY: Adopted by the City Council of the City of Bradford 12-13-2011 by Ord. No. 3244.<sup>1</sup> Amendments noted where applicable.]**

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#### **§ 69-1. Authority for tax.**

This jukebox and mechanical amusement device tax is levied under the authority granted to the City by Act 511 approved December 31, 1965, P.L. 1257, known as the "Local Tax Enabling Act," as amended.<sup>2</sup>

#### **§ 69-2. Definitions.**

Unless otherwise expressly stated, the following terms shall have for the purpose of this chapter the meaning herein indicated:

**DEVICE** — Any jukebox and/or any mechanical amusement device taxable under this chapter.

**JUKEBOX** — Any music vending machine contrivance or device which, upon the insertion of a coin, slug, token, plate, disc or key into any slot, crevice or other opening, or by the payment of any price, operates or may be operated, for the emission of songs, music or similar amusement.

**GAMBLING DEVICE** — Any device, machine or apparatus used for the playing of poker, blackjack, keno, bingo or other casino games by the insertion therein of any coin, currency, metal disc, slug or token.

**ILLEGAL GAMBLING DEVICE** — Any device, machine or apparatus used for playing poker, blackjack, keno, bingo, slots or other casino gambling games by the insertion therein of any coin, currency, metal disc, slug or token which contains or has been modified to have a knockoff or knockdown switch or other capability for erasing or eliminating playing credits.

**MECHANICAL AMUSEMENT DEVICE** — Any device, other than a jukebox, which, upon insertion of a coin, slug, token, plate or disc, may be operated for use as a game, entertainment or amusement, whether registering a score and whether or not a prize is offered. The term does not include any gambling device or any mechanism that has been judicially determined to be a gambling device.

**PERSON** — Any person, firm, corporation or association which shall, at any time, own or operate within the City of Bradford or make available for use or operation within the City of Bradford any mechanical

amusement devices as used in this chapter for the use or operation by the general public.

**§ 69-3. License required for certain electronic or mechanical devices.**

- A. Mechanical or electronic amusement machine or apparatus. From and after the passage and enactment of this chapter, no person or persons, firm or corporation shall at any time have in his, her, its, or their possession within the City of Bradford, any mechanical or electronic device, machine, or apparatus

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1. Editor's Note: This chapter also provided an effective date of 1-1-2012.

2. Editor's Note: See 53 P.S. § 6924.101 et seq.

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whatsoever for the playing of games, amusement or entertainment, which are played through the insertion therein of any currency, coin or any metal disk, slug or token whatsoever, without first having procured a license therefor as hereinafter provided.

- B. Jukeboxes or other similar musical devices. No person or persons, firm or corporation, shall at any time have in his, her, its or their possession within the City of Bradford any jukebox, music box, phonographs or other similar musical device, machine or apparatus, which are played through the insertion therein of a coin or any metal disk, slug or token whatsoever, without first having procured a license thereof as hereinafter provided in this chapter.

**§ 69-4. License application.**

- A. Any person or persons, firm or corporation desiring to procure a license, as provided in § 69-1, shall apply therefor in writing to the City Administrator. Said application shall set forth the name or names, the residence or residences of the person or persons, firm or corporation so applying, together with the present and previous occupation of the applicant or applicants and the length of residence at the present address of the applicant and at the previous place of residence; the name of the owner of the premises upon which the aforesaid machines are to be used and installed, and, if the owner of the premises is not the applicant, then the applicant shall set forth the length of time for which the premises has been leased. The applicant shall also set forth the manufacturer and nature of the machines to be installed and used.
- B. The information hereby required shall be furnished over the signature of the applicant or applicants and shall be made under oath or affirmation.

**§ 69-5. Form of license; posting required; transfer. [Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I)]**

The license provided for shall be a label, disc, tag or certificate for the year for which the license or fee has been paid, and the applicant shall firmly attach it to the device for which it was issued or post the same at the license location. A license may be transferred, without payment of an additional fee or assessment, to another device intended to replace on the same premises only, either temporarily or permanently, an existing licensed device, provided that the application required is filed with, and approved by, the City Treasurer; and provided further that the license of any device the use of which is discontinued shall not be transferred or revised. No device shall be operated without the license therefore being affixed thereto or being prominently posted at the licensed location.

**§ 69-6. Investigation of application; transfer prohibited.**

No license shall be granted until a period of seven days shall have elapsed from the date of application, during which time the officials or employees of the City of Bradford may, at their discretion, investigate the facts set forth in the application. No license shall be transferable.

**§ 69-7. Gambling devices not licensed.**

Nothing in this chapter shall in any way be construed to authorize, license or permit any gambling device whatsoever or any mechanism that has been judicially determined to be a gambling device or in any way contrary to law, or that may be contrary to any present or future laws of the Commonwealth of Pennsylvania.

**§ 69-8. License fees; transferability of license.**

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- A. The annual license fee for mechanical devices including music boxes, pool tables, pinball machines and similar devices, excluding all devices defined as "gambling devices" by § 69-2, shall be \$75. Each license shall be renewed yearly. **[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I)]**
- B. The annual license fee for all devices defined as "gambling devices" by § 69-2, including but not limited to video poker machines, shall be \$500 per device.
- C. License fees shall not be prorated but shall remain the same for the whole or portion of any one year.
- D. The Chief of Police, or any other office the City of Bradford may designate, may in his discretion, put a lead (or any other type) seal upon any device for which no license fee has been paid; and when the proper license fee has been paid for such sealed device, said seal shall be removed by the Chief of Police, or other designated office of the City of Bradford.
- E. While said unlicensed device is under seal as aforesaid, the owner, proprietor, manager, or person in charge of the place where said device is located shall be responsible for the device, and for any unlawful use thereof while such mechanical device is unlicensed.
- F. Any device licensed under this chapter may not be moved to another location within the City for use thereon unless a new license is obtained, except that a device licensed under this chapter may be moved to another location if the said device is replacing another device that had been licensed at said location.
- G. A license for any device under this chapter may not be transferred to another device at the same location whether or not that device is similar to the licensed device, except that a license issued for a device which has fallen into disrepair or requires maintenance may be transferred to a substitute device or, in the event that a device in any establishment is removed, the license for that device may be transferred to the substitute or replacement device, provided that the number of devices in the establishment at which the device is located is not increased.
  - (1) Should any license be transferred to a replacement device, the owner or applicant must register the new device, type and serial number with the City of Bradford.
  - (2) Should any machine be confiscated for illegal use by a recognized law enforcement agency of the Commonwealth of Pennsylvania, the license for such machine shall become null and void, and the license may not be transferred. Should any applicant or owner wish to replace the confiscated machine with another device, a new license and fee shall be obtained through the City

of Bradford.

- H. No rebate or refund or any license fee or part thereof shall be made for any reason except if the fee or any part thereof was collected through an error.

**§ 69-9. Issuance of license.**

Upon payment of the license fee, the Secretary shall issue a license setting forth the number and type of device for each location. Such license shall be posted on the premises where the device is located.

**§ 69-10. Term of license.**

The term of the license under this chapter shall be one-year from initial date of license.

**§ 69-11. Violations and penalties. [Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I)]**

Any person, firm or corporation who shall violate any provision of this chapter commits a summary offense and, upon conviction, shall be sentenced to pay a fine of not more than \$1,000 or to imprisonment for not more than 90 days, or both. Each day that a violation of this chapter continues shall constitute a separate offense.