

Ordinance of the Borough of Curwensville,
Clearfield County, Pennsylvania
Ordinance 507

**AN ORDINANCE OF CURWENSVILLE BOROUGH, CLEARFIELD COUNTY,
PENNSYLVANIA, AMENDING ORDINANCE NO. 485 and ORDINANCE NO. 499 TO
MODIFY THE IMPOSITION OF FEES AND PERMIT REQUIREMENTS FOR
AMUSEMENT AND MECHANICAL AMUSEMENT DEVICES.**

NOW THEREFORE, be it enacted and ordained by the Borough of Curwensville, Clearfield County, Pennsylvania, and it is hereby enacted and ordained by authority of the same as follows:

1. Title. This Ordinance shall be known as the "Curwensville Borough Amusement Ordinance."
2. Repealer. Ordinance Nos. 485 and 499 are hereby repealed and replaced as well as any ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.
3. Definitions. As used in this Ordinance, the following terms shall the meanings as set forth:
 - a. Amusement Center: A facility of establishment that provides dances, amusement, entertainment or games for the general public and/or private usage.
 - i. For purposes of this Ordinance, amusement shall include all forms of entertainment or recreation where an admission charge is required to attend or participate in such event. This shall include, but shall not be limited to: trade shows, craft fairs, and similar exhibitions; carnivals and fairs; theatrical and musical performances, concerns, dances, lectures; athletic contests, pastimes, training, and sporting exhibitions; bowling and golfing facilities. This definition does not include campgrounds, movie theaters, and fitness centers.
 - b. Borough: The Curwensville Borough or its designated employees.
 - c. Mechanical Amusement Device: any device where a fee is required, utilized for amusement purposes. The device may be mechanical, electronic, electrical, video, projector, hologram, or virtual reality. Video device shall include any type of game played on a screen, by a projector, or virtually. A mechanical device is any type of device that may be operated for music, and/or general use of game for entertainment, or amusement. Skills machines are those consisting of a game where the outcome is determined mainly by mental or physical skill, rather than by chance. This shall include, but not be limited to; jukeboxes, skills machines, pinball machines, video games, athletic skill testing mechanisms, and coin-operated pool tables.
 - i. The following are specifically excluded from the definition of an amusement device since the primary purpose is to dispense a known item or provide a defined service. These include, but are not limited to, vending machines (water, soda pop, coffee, tea, candy, premade meals, personal care items, newspapers) and service machines (laundry, car wash, air compressor, vacuums, petroleum dispenser).
 - d. Permit: Written evidence of authority granted by the Borough of Curwensville.

- e. Person: Any individual, partnership, limited partnership, association, firm or corporation, regardless of tax-exemption status. Whenever used in any clause prescribing or imposing a penalty, "person" as applied to associations, shall mean the partners thereof; and as applied to corporations, the officers thereof.

In this Ordinance, the singular shall include the plural and the masculine shall include the feminine and the neuter.

- 4. Permit. No person shall operate or conduct an amusement and/or permit the use of a mechanical amusement device in the Borough without first obtaining and holding a current permit. If the applicant has or intends to have more than one place of amusement within the Borough, an application shall be made for each location. Applications shall be made, and permits will be issued, separately for mechanical amusement devices.
 - a. Amusement permits shall be effective from August 1st of the current year through July 31st of the following year. Certain events may be exempt from the payment of the permit fee but will still need a permit. Specially, all school events and events on Borough owned property are exempt from the permit fee.
 - b. It shall be the sole responsibility of the person to whom this Ordinance applies to obtain a permit. The Borough shall maintain a permit application. All renewal applications shall be received and paid for no later than July 15th of each year. All new amusement devices shall have a permit within thirty (30) days of use. Any permits applied for after February 1st will be prorated by one-half.
 - i. The application, at minimum, shall include the following:
 - 1. Name and address of the person receiving the permit;
 - 2. The location of the amusement covered by the permit;
 - 3. The type of amusement and type of permit (i.e. Amusement Event or Mechanical Amusement Device);
 - 4. The period for which the permit is issued;
 - 5. The permit number;
 - 6. The date the permit is issued;
 - 7. The person(s) conducting the amusement and appropriate contact information, including address and phone number; and
 - 8. Any other relevant information the Borough may deem necessary to consider the application.
 - c. No permit shall be granted until two (2) working days have elapsed from the date of application. During this time the Borough, at its discretion, may investigate the facts outlined in the application. No permit shall be granted to the application if any information is false. The Borough may seek legal action for any false statements made on a permit application. Any business or activity permitted under this Ordinance
 - d. Once issued, the permit certificate shall be displayed prominently at the location of the amusement. Each mechanical amusement device shall require its own permit sticker, affixed to each machine.
 - e. Permits are non-transferable and are valid only for the location and person in whose name they were issued. Owners shall notify the Borough promptly of any change in the permit application information.

- e. Permits are non-transferable and are valid only for the location and person in whose name they were issued. Owners shall notify the Borough promptly of any change in the permit application information.
- f. The fee for such permits shall be set by Resolution of the Borough Council and may be modified by Resolution of Borough Council as Borough Council deems necessary and appropriate. A person may petition yearly to be exempt from paying the permit fee if such fee would create a financial hardship. This hardship shall be determined by Borough Council in an open meeting and the decision shall be final.
- g. Should a person violate this Ordinance on more than three (3) instances, the Borough may refuse to issue a permit.
5. Violations and Penalties. Any person who violates any provision of this Ordinance shall, upon conviction thereof, be sentenced to pay a fine of not less than \$1,000.00; and if in default of payment, to imprisonment for a term not to exceed thirty (30) days. Every day that a violation of this Ordinance continues shall constitute a separate offense. Any person who fails to obtain and pay for a permit when due and suit is brought for the recovery of the same, the person liable shall in addition be liable for the costs of collection, court costs, and permissible interest.
6. Enforcement. This Ordinance may be enforced by Borough Council or a designated representative of the Borough.
7. Severability. If any sentence, clause, section, or part of this Ordinance is found to be unconstitutional, illegal or invalid for any reason such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses or sections or parts of this Ordinance. It is hereby declared as the intent of the Borough that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid, sentence, clause, section or part thereof, not been included herein.
8. Effective Date. This Ordinance shall become effective the 28th day of July, 2025.

DULY ADOPTED and enacted this 28th day of July 2025.


ATTEST:


Secretary

COUNCIL:


President

MAYOR:


Mayor