

**From:** Staran, John D. [jstaran@hshclaw.com]  
**Sent:** Thursday, April 15, 2010 9:02 AM  
**To:** Leanne Scott; Greg Hooper; Bob White; Scott Cope  
**Subject:** Mechanical Amusement Device Ordinance  
**Attachments:** Chapter 10 Article IV (04.14.10).doc

Here is a revised version (4/14/2010) of the proposed amendment to the Mechanical and Electronic Amusement Devices ordinance. The revisions take into account the discussion had at this week's City Council meeting and the comments from Building Department. Please note the following:

- We have inserted Sec. 10-192 Variance into the ordinance. Sec. 10-192 was adopted several months ago as a separate ordinance so it is actually already a part of the Mechanical and Electronic Amusement Devices ordinance.
- I considered Council's comments about wanting to prohibit over-nighters and proximity to open school campuses, and I believe those concerns are already addressed through the proposed ordinance amendment without need for further change. Specifically, sec. 10-225 restricts hours that minors are allowed in the establishment unaccompanied by parent or guardian. Under 10-225(3)(c), minors are not allowed without parent or guardian before 3pm or after 9pm on school days, or after 9:30pm on Saturday, or before noon or after 6pm on Sunday. During school breaks or over the Summer (i.e., non-school days), minors are allowed without parent or guardian between 9am – 9:30pm M-Sat, and between noon – 6pm on Sunday. These time restrictions are the reason why the location restriction in 10-186 is proposed to be deleted – because the concern over minors will be addressed through the hours restrictions. So, it wouldn't appear to be necessary to also say "no over-nighters" because the ordinance already disallows minors before or after the specified hours without parental or guardian accompaniment. Likewise, minor students aren't allowed in one of these establishments until after 3pm on school days, regardless of where located. Sec. 10-229 also restricts hours of operation for establishments with amusement devices in a way that would not prohibit overnighters even for adult patrons. In summary, the Council's concerns about over-nighters and proximity to schools appear to be already addressed through the hours restrictions.



**John D. Staran**

Hafeli Staran Hallahan & Christ, P.C.  
 4190 Telegraph Road, Suite 3000  
 Bloomfield Hills, MI 48302-2082  
 (248) 731-3080 Fax (248) 731-3081  
 Direct (248) 731-3088  
[jstaran@hshclaw.com](mailto:jstaran@hshclaw.com)

[www.hshclaw.com](http://www.hshclaw.com)

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