



**City of Rochester Hills  
AGENDA SUMMARY  
NON-FINANCIAL ITEMS**

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**Legislative File No:** 2010-0166

**TO:** Mayor and City Council Members  
**FROM:** Scott Cope Building Department 248-841-2445  
**DATE:** April 13, 2010  
**SUBJECT:** Mechanical Amusement Device ordinance revision

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**REQUEST:**

The revisions for Article IV Division 1, Section 10, Mechanical Amusement Device ordinance are being presented for second reading.

**BACKGROUND:**

An application for a mechanical amusement device license was submitted by Game Over Lounge to have computer and play station type gaming at 1524 E. Auburn. In reviewing the ordinance, staff determined that the location of the business was not allowed by ordinance in that it was not in an enclosed mall and it was too close to a nearby school. It was also determined that the business did not fit any of the ordinance requirements as to location. On December 7, 2009, the applicant appeared before Council to request the license. Council approved a temporary license until January 30, 2010. Council directed the City Attorney to draft an ordinance giving Council the ability to grant a variance for certain hardships. That amendment was presented for first reading at the regular meeting of the City Council on December 4, 2009, and was approved. Second reading for the amendment was approved on January 11, 2010. Council also extended the temporary license for Game Over Lounge until April 30, 2010 and directed staff and the City Attorney to review the current ordinance and update the ordinance where appropriate. The revisions prepared by staff and the City Attorney were presented for first reading at the April 12, 2010 regular City Council meeting. The ordinance was approved for first reading with two changes suggested by Council. The suggested revisions were added and are being presented for second reading at the April 26, 2010 regular meeting of City Council.

**RECOMMENDATION:**

Staff recommends that the ordinance revisions presented be approved for second reading by the City Council.

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