

**MUNICIPALITY OF BETHEL PARK
ALLEGHENY COUNTY, PENNSYLVANIA**

ORDINANCE NO. 6-8-26A

**AN ORDINANCE OF THE MUNICIPALITY OF BETHEL PARK,
ALLEGHENY COUNTY, PENNSYLVANIA, AMENDING CHAPTER
25, ARTICLE I OF THE BETHEL PARK MUNICIPAL CODE
RELATING TO THE LICENSING OF AMUSEMENT DEVICES.**

WHEREAS, the Municipality of Bethel Park adopted rules and regulations pertaining to the licensing of mechanical amusement devices as part of Ordinance No. 2-13-89A; and

WHEREAS, Pennsylvania courts have ruled that certain skill-based gaming devices are not gambling devices per se due to the predominant role of skill over chance; and

WHEREAS, under such rulings these skill-based gaming devices are therefore not prohibited or regulated under Section 5513 of the Crimes Code or the Gaming Act;

WHEREAS, the Municipality of Bethel Park is authorized to enact regulations of any business not otherwise preemptively regulated under the law pursuant to 53 Pa.C.S. § 2961 and Article 3, Section 301 of the Municipality of Bethel Park Home Rule Charter to preserve and maintain the public health, safety, and welfare; and

WHEREAS, the Municipality of Bethel Park has determined that the licensing and regulation of such skill-based gaming devices will promote the health, safety, and welfare of the Municipality of Bethel Park; and

WHEREAS, the Municipality of Bethel Park wishes to amend and clarify the provisions of Ordinance No. 2-13-89A with an ordinance adopting rules and regulations pertaining to the licensing of amusement devices, accounting for developments in Pennsylvania decisional law and technological advancements.

**NOW, THEREFORE, THE MUNICIPALITY OF BETHEL PARK HEREBY
ORDAINS AND ENACTS**, by and through its Municipal Council as follows:

SECTION 1:

The current provisions of Chapter 25 of the Municipality of Bethel Park Code of Ordinances are hereby repealed.

SECTION 2:

The title of Chapter 25 of the Municipality of Bethel Park Code of Ordinances is hereby amended by a new title, which shall be read as “Amusement Devices.”

SECTION 3:

Chapter 25, Article 1, Sections 25.1 through 25.12 of the current Municipality of Bethel Park Code of Ordinances is hereby amended in its entirety by a new Chapter 25, Article 1, Sections 25.1-25.10, which shall read as follows:

Article I Amusement Devices

25.1 Definitions.

25.1.1. As used in this ordinance, the following terms shall have the meanings indicated:

25.1.2. AMUSEMENT DEVICE — Any Skill-Based Gaming Device; Game of Chance; Musical Device; and Pinball, Amusement Game or Ride as defined in this ordinance.

25.1.3. SKILL-BASED GAMING DEVICE — Any mechanical or electrical device, machine or apparatus operated or accessed by the insertion of paper currency, a coin, slug, ticket, token or similar object or payment of a fee for the playing of a game; the outcome of which is determined by any element of skill of the player, rather than chance; and that, in some or all circumstances, delivers or entitles the person playing or operating the device to receive cash or cash equivalents, gift cards, vouchers, billets, tickets, tokens, or electronic credits to be exchanged for cash, or cash equivalents, whether the payout is made automatically from the device or other service or manually.

25.1.4 GAME OF CHANCE — Any mechanical or electrical device, machine or apparatus operated or accessed by the insertion of paper currency, a coin, slug, ticket, token or similar object or payment of a fee for the playing of poker; blackjack; keno; or other playing card or playing card simulation game; or other casino-type game of chance, including but not limited to, dice, roulette, slot machines, bingo, or the like.

25.1.5 MUSICAL DEVICE — Any mechanical or electrical device, machine or apparatus whereby music is played by the insertion of paper currency, a coin, slug, ticket, token or similar object or payment of a fee.

25.1.6 PINBALL, AMUSEMENT GAME OR RIDE — Any mechanical or electrical device, machine or apparatus operated or accessed by the insertion of paper currency, a coin, slug, ticket, token or similar object or payment of a fee; used or designed to be operated for entertainment, as a game or ride; which includes, but is not limited to, any type of mechanical or electrical device commonly known as “pinball,” “pool table,” “dartboard” or “video game” or other television-screen-type game; and every device having a grasping, gripping or claw arrangement whereby the operator of the device retrieves prizes or objects.

25.2 License required.

No person or persons, firm or corporation shall have in his or its possession any Amusement Device defined in Chapter 25, Article 1, Section 25.1 Definitions, at any time, without having first procured from and paid for a license therefore from the Municipality of Bethel Park.

25.3 Application.

Any person or persons, firm or corporation desiring to procure a license as provided above in this ordinance shall apply in writing to the Manager of the Municipality. The form of the application shall be as prescribed by the Manager.

25.4 Gambling devices not authorized.

Nothing in this ordinance shall in any way be construed to authorize, license or permit any gambling device whatsoever or any mechanism which has been judicially determined to be a gambling device or is in any way contrary to law.

25.5 Fees for Amusement Devices.

25.5.1 No license shall be issued under the provisions of this ordinance for any Amusement Device until an annual fee is paid to the Municipality of Bethel Park, therefore. The amount paid shall operate as a license fee until December 31st of the year in which it is paid.

25.5.2 The following fee schedule applies to all Amusement Devices:

1. Skill-Based Gaming Device: \$300
2. Game of Chance: \$300
3. Musical Device: \$100
4. Pinball, Amusement Game or Ride: \$200

25.5.3 The following prorated fee schedule applies to certain Amusement Devices if the installation of the Amusement Device and application for the license therefore is made after September 1 of any year:

1. Skills-Based Gaming Device: \$150
2. Game of Chance: \$150
3. Musical Device: \$50
4. Pinball, Amusement Game or Ride: \$100

25.6 Multiple devices in one cabinet or enclosure.

When two or more Amusement Devices, capable of being independently operated, are contained in a single cabinet or enclosure, each Amusement Device within the cabinet or enclosure must be separately licensed.

25.7 Issuance and display of licenses.

Upon payment of the license fee as provided by this ordinance, the Manager of the Municipality shall issue a sticker which shall state the type of Amusement Devices and the number of Amusement Devices that have been licensed. Such sticker shall be prominently displayed in a location approved by the Municipality.

25.8 Violations and penalties.

25.8.1 Any person or persons, firm or corporation having an Amusement Device located on property under his or her control, which is not in compliance with the terms of this ordinance, shall be guilty of a summary offense and shall be fined a sum not to exceed \$300.00 for each and every offence. Each and every day that an Amusement Device not in compliance with the terms of this ordinance remains on the property or premises

shall constitute a separate and distinct offense hereunder, and shall be subject to a separate and distinct penalty therefore.

25.8.2 Any person who defaces or allows to be defaced a sticker as described in this ordinance shall be guilty of a summary offense and shall be fined a sum not to exceed \$100.00.

25.8.3 Notwithstanding an applicant having paid a property license fee, it shall be a violation punishable pursuant to this section for a property owner, lessee or person having control of property to have a licensed Amusement Device on premises under his or her control without having a sticker prominently displayed. It shall also be a violation to deface or allow to be defaced such sticker.

25.9 License fees to continue in force without annual reenactment.

The license fees imposed herein shall continue in force on a calendar-year basis following December 31, 2026, without annual reenactment until such time as the Council of the Municipality of Bethel Park shall change the license fees, by resolution and without adopting an ordinance, or by appropriate ordinance.

25.10 Enforcement.

The Manager of the Municipality of Bethel Park may prescribe the form of an application, transfer application and license stickers, and may establish such reasonable regulations as are necessary to enforce the provisions of this ordinance or any other municipal ordinance which may be affected by the use or operation of Amusement Devices.

SECTION 4:

This ordinance shall take effect within thirty (30) days of its adoption for calendar year 2026 and subsequent years and shall specifically repeal any other ordinance inconsistent with this ordinance to the extent of such inconsistency.

ORDAINED AND ENACTED into law this ____ day of _____, 2026.

ATTEST:

MUNICIPALITY OF BETHEL PARK

Kristen Denne, Municipal Manager

Joseph Janosik, Council President

EXAMINED AND APPROVED by me this ____ day of _____, 2026.

Jack T. Allen, Mayor