

POOL HALLS, REGULATED
Act of Jun. 7, 1911, P.L. 668, No. 261
AN ACT

Cl. 11

To restrain and regulate the use of billiard-tables, pool-tables, and bagatelle-boards or tables, kept and maintained for the use of the general public, for hire or reward, in cities of the first class in this Commonwealth; providing for the granting of licenses, and providing for punishments for the violations of the provisions of this act.

Section 1. Be it enacted, &c., That it shall be unlawful to keep or maintain any house, room, or place, for the use of the general public, where any billiard-tables, pool-tables, or bagatelle-boards or tables are kept for hire or reward for the use thereof, in cities of the first class in this Commonwealth, except a license therefor shall have been previously obtained as hereinafter provided: This act shall have no application to any house, room or place for the use of the general public, wherein coin-operated billiard-tables, pool-tables or bagatelle-boards or tables are located, if such coin-operated billiard-tables, pool-tables or bagatelle-boards or tables are less than regulation size, and are not the principal business activity of the premises where located.

(1 amended Aug. 14, 1963, P.L.841, No.409)

Section 2. Licenses to keep or maintain any house room, or place, for the public use of billiard-tables, pool-tables, or bagatelle-boards or tables, shall be granted only to citizens of the United States of temperate habits and good moral character.

Section 3. Said licenses shall be granted only by the Department of Public Safety, and shall be for one year from a date fixed by rule or standing order of the Department of Public Safety. The Director of the Department of Public Safety shall fix, by rule or standing order, a time at which all applications for said licenses shall be heard, at which time, all persons applying or making objections to applications for licenses may be heard by evidence, petition, remonstrance, or counsel.

(3 amended May 23, 1919, P.L.259, No.138)

Section 4. Every person intending to apply for a license as aforesaid, in any city or county of this Commonwealth, from and after the passage of this act, shall file with the Director of Public Safety his, her, or their petition. It shall not be considered or passed upon until the same shall have been on file at least three weeks, and public notice of the same caused to be given once a week in three daily newspapers designated by the said Director of Public Safety; said notice to contain the name or names of the applicant or applicants, their private residence and the location of the place for which a license is sought, and the time and place when said application shall be heard. At the filing of said application the applicant or applicants shall pay to the said director the sum of ten dollars for expenses connected therewith, as provided for in this act. Said petition shall contain:

One.--the name and address of the applicant or applicants; how long he or they have there resided.

Two.--the particular place for which the license is desired, and the number of tables to be kept therein.

Three.--the place of birth of said applicant or applicants, and, if a naturalized citizen, where and when naturalized.

Four.--the name of the owner of the premises.

Five.--the signatures of fifteen reputable citizens of the immediate vicinity where said premises are situated, stating that they do not object but favor the granting of the license for the premises mentioned in said petition, and that they are acquainted personally with the applicant or applicants and know him or them to be reputable citizens.

Six.--attached to said petition shall be a certificate signed by the superintendent or chief of police, certifying to the fact that the applicant or applicants have never been convicted of any criminal offense, and is of a good moral character, and that the building or premises for which said license is desired is fit for the purpose intended. If said petition is for a renewal of any license at the expiration of the license year, the said certificate shall contain, further, the information that the conduct of the business during the license year expired has not been to the disturbance of the peace of the neighborhood, and that the licensee has complied with the law relating to the nonadmission of minors on the premises. Said petition to be verified by the affidavit of the applicant or applicants, taken before a magistrate or notary public. If any false statement is made in any part of the petition, by the applicant or applicants, he or they shall be deemed guilty of perjury, and upon indictment and conviction shall be subject to its penalties.

Section 5. Any citizen, being of full age, male or female, living in the immediate vicinity of the place for which said license is applied, may file a remonstrance against such application being granted; said remonstrance to be filed with the Director of Public Safety at least five days before the date fixed for the granting of the same.

The said Director of Public Safety shall refuse the license whenever in his opinion, having due regard to the number and character of the petitioners, both for and against the granting of the said license, that it would be detrimental to the immediate neighborhood, or that the applicant is not a fit person to whom said privilege should be granted.

Section 6. That said license, if granted, shall not under any circumstances be transferable to any other premises or any other person or persons during the year for which it is granted, except that it may be transferred to the legal representatives of any deceased licensee, or purchaser at any insolvent or bankrupt sale, for the remainder of the term; that is, the same proceeding must be taken at the end of the term for the renewal of a license as the act provides for the obtaining of one.

Section 7. All persons licensed under this act to keep and maintain premises, for the use by the public, for hire or reward, of billiard-tables, pool-tables, or bagatelle-boards or tables, shall pay twenty-five dollars for the first table, and

fifteen dollars for every other table, as mentioned in said petition, upon which the license was granted, and kept upon the premises named in said license. Said license fee shall be paid for the use of the city: Providing further, That if any licensee shall desire to add an additional table to those already mentioned in his said petition, during his current license-year, he shall be privileged to do so on petition filed, paying for the same a proportionate amount for the balance of the license-year.

Section 8. The Superintendent or Chief of Police shall, once every three months, make a return to the Department of Public Safety all premises being used for the purpose of allowing the general public, for hire or reward, to play billiards, pool, or bagatelle, giving the location of the premises and the number of tables so used. That, upon this return, the Director of Public Safety shall compare it with the original petitions; and if there has been any change, either as to premises or an increase of tables, without the provisions of this act having been complied with, it shall be his duty to immediately and forthwith serve notice on the licensee to show cause on a date fixed, not exceeding ten days, why the said license should not be revoked.

Section 9. It shall not be lawful for any licensee under the provisions of this act to knowingly allow or permit any minor, under eighteen years of age, to even be present in the premises licensed, nor to allow or permit any minor, under eighteen years of age, to play any game of billiards, pool, or bagatelle. Any violation thereof, on rule granted, shall be sufficient for said license to immediately be revoked and forfeited.

Section 10. Be it enacted further, that any person or persons feeling aggrieved at the action of the Department of Public Safety or the director thereof, because of the rulings of said Department through the director, may, within ten days thereafter, appeal the same to the court of quarter sessions of the county wherein said city is situated, and said court shall proceed to hear the same within fifteen days after said appeal is filed in said court, and, upon a reversal, make such order and decree directing what duty the director of the said Department of Public Safety shall perform in the premises.

Section 11. All acts or parts of acts inconsistent with this act are hereby repealed, except its provisions shall not interfere with the provisions of the act of June first, one thousand eight hundred and eighty-one (Pamphlet Laws, thirty-seven), being an act, entitled "An act to prevent the keeping, maintaining, or permitting the game or amusement of pool played with balls, or any other game of chance, for drink of vinous and other liquors, and defining the punishments therefor."