



Legislation Text

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Int. No. 1080

By Council Members Salamanca and Holden

A Local Law to amend the administrative code of the city of New York, in relation to safe use of inflatable amusement devices

Be it enacted by the Council as follows:

Section 1. Section 20-211 of the administrative code of the city of New York, as amended by local law number 86 for the year 2009, is amended to read as follows:

§ 20-211 Definitions. [Whenever] As used in this subchapter, the following terms [shall mean] have the following meanings:

Affected community board. The term "affected community board" means the community board for the community district in which an amusement device or amusement arcade would be located if a license were to be granted pursuant to this subchapter.

[a. "Amusement device"] Amusement device. The term "amusement device" means any contrivance, open to the public, that carries and conveys passengers along, around or over a fixed or restricted course or within a defined area for the purpose of amusing or entertaining its passengers, other than coin-operated amusement devices as defined in [subdivision b of] this section.

[b. "Player-operated amusement device" means any machine, contrivance, apparatus, booth or other device intended as a game that one or more persons are permitted to play by controlling the mechanical, electrical or electronic components that are needed to operate or manipulate the game in exchange for the payment of a fee, charge or thing of value, and that provides amusement, diversion or entertainment. This shall include, but not be limited to, fixed stand coin-operated rides as defined in subdivision j of section 19-136 of

this code.]

[c. "Amusement arcade"] Amusement arcade. The term "amusement arcade" means any premises wherein there are located, in any combination, ten or more of the amusement devices and/or player-operated amusement devices defined in [subdivisions a and b of] this section.

[d. "Amusement operator"] Amusement operator. The term "amusement operator" means any person who maintains or operates any amusement device, gaming cafe or amusement arcade as defined in [subdivisions a, c and i of] this section.

[e. "Amusement arcade or gaming cafe owner"] Amusement arcade or gaming cafe owner. The term "amusement arcade or gaming cafe owner" means any person who owns or otherwise has legal possession or title to an amusement arcade [as defined in subdivision c] or a gaming cafe as defined in [subdivision i of] this section.

[f. "Amusement device owner"] Amusement device owner. The term "amusement device owner" means any person who owns or otherwise has legal possession or title to an amusement device as defined in [subdivision a of] this section.

Gaming cafe. The term "gaming cafe" means a place where, for a fee charged directly or indirectly, persons are provided access to three or more computers or electronic devices in which game software has been installed by or for the owner or operator for the purpose of playing a game on the premises.

Industry recommended staking standards. The term "industry recommended staking standards" means the nationally recommended safety standards for staking, weighting, anchoring, tying, tethering, or affixing of inflatable amusement devices, as determined by the United States consumer product safety commission, ASTM international or the international association of amusement parks and attractions.

Industry recommended wind standards. The term "industry recommended wind standards" means the nationally recommended safety standards for use of inflatable amusement devices in windy conditions, as determined by the United States consumer product safety commission, ASTM international or the international

association of amusement parks and attractions.

Inflatable amusement device. The term "inflatable amusement device" means an amusement device designed for uses that may include, but are not limited to, bouncing, climbing, sliding, or interactive play. An inflatable amusement device is made of flexible fabric, is kept inflated by continuous air flow by one or more blowers, and relies upon air pressure to maintain its shape.

Player-operated amusement device. The term "player-operated amusement device" means any machine, contrivance, apparatus, booth or other device intended as a game that one or more persons are permitted to play by controlling the mechanical, electrical or electronic components that are needed to operate or manipulate the game in exchange for the payment of a fee, charge or thing of value, and that provides amusement, diversion or entertainment. This shall include, but not be limited to, fixed stand coin-operated rides as defined in subdivision j of section 19-136 of this code.

[g. "Portable amusement device"] Portable amusement device. The term "portable amusement device" means an amusement device designed to be operated on the vehicle which is used to transport such device.

[h. "Affected community board" means the community board in which an amusement device or amusement arcade would be located if a license were to be granted pursuant to this subchapter.]

[i. "Gaming cafe" is a place where, for a fee charged directly or indirectly, persons are provided access to three or more computers or electronic devices in which game software has been installed by or for the owner or operator for the purpose of playing a game on the premises.]

§ 2. Subdivision b of section 20-214 of the administrative code of the city of New York, as added by local law number 72 for the year 1995, is amended by adding a paragraph 5 to read as follows:

(5) Safe use of inflatable amusement devices. (a) All inflatable amusement devices shall be used in accordance with industry recommended wind standards, or in accordance with the specifications of the manufacturer of the inflatable amusement device, where such specifications exist.

(b) All inflatable amusement devices shall be used in accordance with industry recommended staking

standards, or in accordance with the specifications of the manufacturer of the inflatable amusement device, where such specifications exist.

§ 3. This local law takes effect 60 days after it becomes law.

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