



ORD06-1112-002

**AN ORDINANCE TO AMEND SECTION 203, 308 AND 405 OF THE
ZONING ORDINANCE OF THE TOWN OF PINE LEVEL, NORTH CAROLINA
IN REGARDS TO ELECTRONIC GAMING OPERATIONS
(INTERNET SWEEPSTAKES CAFES)**

**BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF PINE LEVEL,
NORTH CAROLINA that the Pine Level Zoning Ordinance is hereby amended as follows:**

1. Amend Section 203: Definitions of Commonly Used Terms and Words to **ADD** the following definition:

Electronic Gaming Operations: Any business enterprise, whether as a principal or an accessory use, where persons utilize electronic machines, including but not limited to computers and gaming terminals, to conduct games of chance, including sweepstakes, and where cash, merchandise or other items of value are redeemed or otherwise distributed, whether or not the value of such distribution is determined by electronic games played or by predetermined odds. This term includes, but is not limited to internet cafés, internet sweepstakes, beach sweepstakes or cybercafés. This does not include any lottery approved by the State of North Carolina.

2. Amend Section 308: TABLE OF PERMITTED USES, Table 308.1 to **ADD** in the RECREATION section, "Electronic Gaming Operations" as a Special Use in the "C" Commercial and "HB" Highway Business Districts.
3. Amend Section 308: TABLE OF PERMITTED USES, Table 308.1 to **AMEND** in the ACCESSORY, TEMPORARY, OR OTHER USES section:

Electronic Game Machines and pinball machines – Accessory use does not include machines used for Electronic Gaming Operations, See definition Section 203)

4. Amend Section 405: STANDARDS FOR INDIVIDUAL USES to **ADD:**

405.30 Electronic Gaming Operations

Electronic Gaming Operations operated either as a principal use or as an accessory use shall be subject to the following:

- (A) Prior to the operation of an electronic gaming operation, a privilege license for an electronic gaming operation must be issued by the Town of Pine Level with a fee paid per establishment and per machine in accordance with the adopted fee schedule.

- (B) Separation Requirement. The establishment must be 1,500 feet from the following:
schools, libraries, playgrounds, churches, daycares and businesses with alcohol sales.
Must be located 1,000 feet from another gaming business.
- (C) Must provide off-street parking in accordance with Section 401.
- (D) No minor (17 years of age or younger) shall be allowed to operate a gaming machine.
- (E) Hours of Operation. Shall be limited to 8:00 a.m. through 12:00 midnight, seven days per week.
No playing on any computer subject to this chapter shall be allowed from 12:00 midnight to 8:00 a.m.

5. Adoption

This ordinance shall be effective upon its adoption.

DULY ADOPTED the 7th day of June 2012.



MAYOR

ATTEST:



TOWN CLERK

(SEAL)