

1 Ordinance To Amend And Re-Enact The Zoning Ordinance Of The City Of Hampton,
2 Virginia By Amending Section 2-2 Entitled, "Definitions" To Add The Definition Of
3 "Amusement Device", To Amend The Definition of "Amusement Center", To Amend The
4 Definition Of "Physical Recreational Facility", To Add the Definition Of "Off-Track Horse
5 Race Betting Facility," And To Remove The Definition Of "Coin-Operated Amusement
6 Machine."

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8 **WHEREAS**, the public necessity, convenience, general welfare and good zoning practice so
9 require;

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11 **BE IT ORDAINED** by the City Council of the City of Hampton, Virginia that Section 2-2 of the
12 Zoning Ordinance of the City of Hampton, Virginia be amended to read as follows:

13
14 **CHAPTER 2 – DEFINITIONS**

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16 ...

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18 **Section 2-2. – Definitions.**

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20 ...

21
22 *Amusement center.* Any establishment whose principal ~~use~~ source of income is derived
23 from ~~access to coin-operated amusement machines~~ *amusement devices*.

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25 *Amusement device.* A mechanical or electronic game device, activated by the insertion
26 or use of coins, currency, cards, tokens, mobile payment, or other electronic means, operated
27 for entertainment purposes, in which the outcome is predominantly determined by the skill,
28 dexterity, coordination, or reaction time of the player. Examples include, but are not limited to:
29 arcade video games, pinball machines, crane or claw machines, and redemption games.

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31 *This term shall not include (i) any device the ownership or operation of which is subject to a*
32 *license or permit from any agency of the Commonwealth of Virginia, including, without limitation,*
33 *the Virginia Lottery Board or the Virginia Racing Commission; or (ii) any device access to which*
34 *is restricted by law to players older than a certain age.*

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38 ~~*Coin-operated amusement machine.* Any machine, activated by insertion of a coin,~~
39 ~~providing active or passive recreation, amusement, or entertainment, access to which is not~~
40 ~~legally restricted on the basis of age; except that this term shall not include jukeboxes, vending~~
41 ~~machines or coin-operated pool tables in a pool hall.~~

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45 *Off-track horse race betting facility.* Any establishment duly licensed by the Virginia
46 Racing Commission to conduct pari-mutuel wagering on "historical horse racing" or "simulcast
47 horse racing" as those terms are defined in the Virginia Horse Racing and Pari-Mutuel Wagering
48 Act, Va. Code § 59.1-364 et seq., as the same may be amended from time to time. "Off-track
49 horse race betting facility" excludes, without limitation, (i) any indoor or outdoor racetrack or
50 other facility where horse racing physically occurs, and (ii) any establishment which conducts or

51 *permits casino gaming, sports betting, or any other form of gaming or gambling that is not*
52 *authorized under the Virginia Horse Racing and Pari-Mutuel Wagering Act.*

53 ...

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55 *Physical Recreational Facility.* An establishment that ~~operates as a business or~~
56 ~~membership organization in a building or portion of a building containing~~ *provides* space
57 designed and equipped for the conduct of sports, exercise, recreational, or athletic activities,
58 whether or not under instruction, including but not limited to *fitness centers*, gymnastics
59 *facilities*, ~~weight lifting~~, dancing *studios*, martial arts *studios*, and yoga *indoor or outdoor courts*
60 *or fields, climbing facilities, or miniature golf facilities*. This term shall exclude other uses
61 contained within Section 3-2 entitled, "Table of Uses Permitted."
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