



The New York City
Department of
Consumer Affairs
42 Broadway
New York, NY
10004-1716

Jonathan Mintz
Commissioner

Asst. Commissioner

April 17, 2008

[REDACTED]

Re: Billiard tables Are Not Counted
For Arcade Law Purposes

Dear Mr. [REDACTED]

You had sought confirmation on whether or not our new legislation on billiard tables, signed into law on July 3, 2007, affects our "counting" of player-operated or pocket billiard tables when considering whether an establishment requires an amusement arcade license. The answer is "no."

A player operated or pocket billiard table does not come within the definition of an amusement device or a player-operated amusement device, which are defined in the New York Administrative Code ("Code") Section 20-211, subsections a and b, respectively. An amusement device "carries and conveys passengers." A player operated amusement device is controlled by "mechanical, electrical or electronic components that are needed to operate or manipulate the game...."

Therefore, a player operated or pocket billiard table would not be "counted" for purposes of the definition and license requirement for an Amusement Arcade, for "any premises wherein there are operated, in any combination, five or more of the amusement devices defined in subdivisions a and b of this section. Code Section 20-211 c.

This has nothing whatsoever to do with the new "count" for billiard rooms which now only need a license if they have three or more tables.

I apologize for the delay in responding to your inquiry.

Sincerely,

[REDACTED]

Susan Gassapian
Asst. Commissioner
Legal Services

[REDACTED]