

## GAMBLING

**Chapter 48****GAMBLING**

- § 48-1. Definitions.**  
**§ 48-2. General prohibitions; penalty.**  
**§ 48-3. Slot machines and punchboards.**

**[HISTORY: Adopted by the Council of the Town of Middleburg as Ch. 2, Art. II, of the 1961 Code. Amendments noted where applicable.]**

**§ 48-1. Definitions.**

As used in this chapter, the following terms shall have the meanings indicated:

**SLOT MACHINE** - Any machine, apparatus or device that is adapted or may readily be converted into one that is adapted for use in such a way that, as a result of the insertion of any piece of money or coin or other object such machine or device is caused to operate or may be operated, and by reason of any element of chance or of other outcome of such operation unpredictable to him, the user may receive or become entitled to receive any piece of money, credit, allowance, or thing or value or any check, slug, token or memorandum, whether of value or otherwise, which may be exchanged for any money, credit, allowance, or thing of value or which may be given in trade, or may secure additional chances or rights to use such machine, apparatus or device, irrespective of whether it may, apart from any element of chance or unpredictable outcome of such operation, also sell, deliver or present some merchandise, apparatus or device is no less a "slot machine" or device within the provisions of this chapter if it indicates beforehand the definite result of one (1) or more operations but not of all operations.

**§ 48-2. General prohibitions; penalty.**

It shall be unlawful for any person to bet, wager or play at any game for money within the town. Anyone violating the provisions of this section shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined not exceeding one hundred dollars (\$100.) or be imprisoned for not more than sixty (60) days, or both.

**§ 48-3 Slot machines and punchboards.**

- A. If any person shall keep or exhibit for use or be concerned in interest in keeping or exhibiting for use any punchboard or similar device of any kind or description, slot machine or similar device of any kind or character, or

## GAMBLING

other device that operates on the nickel-in-the-slot principle, in the operation of which any element of chance whatever may enter, or through and from which it may be possible for one person to get any article of more value than that which any other person could and would get, or through and from which the article or thing vended is not the fair equivalent in value to the coin required to operate such machine or device, or if any person shall permit any such punchboard, slot machine or similar device to be kept or exhibited for use in his place of business or in any other place in this town, he shall be guilty of a misdemeanor, and such punchboard, slot machine or other device shall be deemed a gaming apparatus and shall be embraced within the provisions of Title 19, Code of Virginia 1950, as amended §§ 29, 31 and 32, insofar as such sections relate to gaming apparatus.

- B. The possession of any such punchboard, slot machine or other device shall be prima facie evidence of the use thereof.
- C. Any slot machine or device that operates on the nickel-in-the-slot principle which does not uniformly return to the customer in each transaction the equivalent in value and kind of merchandise unaccompanied by coins, trade checks or other items of monetary value that it returned in each preceding transaction shall be deemed to embody the element of chance within the meaning of this section, even though the machine or device is so constructed as to indicate in advance of each transaction that it will dispense upon the deposit of the next coin or slug.