

**THE CITY OF NEW YORK  
DEPARTMENT OF BUILDINGS**

**DEPARTMENTAL MEMORANDUM**

**DATE: November 16, 1981**

**TO: BOROUGH SUPERINTENDENTS**  
**FROM: Irwin Fruchtmann, P.E. Commissioner**  
**SUBJECT: ARCADES**

This memorandum supplements the October 7, 1975 memorandum of Commissioner Walsh with respect to the classification of establishments containing coin-operated amusement devices. That memorandum, which served to reconcile apparently conflicting zoning classification by Department personnel, was couched in terms of "viewing machines" in the Times Square Area since those were the prime new arcade uses which had arisen in the City.

Subsequent to October 7, 1975, however, the City Council enacted legislation which legalized "pinball" machines and similar games which had not been permitted in the City of New York. During the past year, in particular, there has been a sharp growth in the number of establishments which contain traditional "pinball" machines or the more recently introduced "video games" machines or similar devices. It is thus necessary to modify the previously established guidelines which provide that an amusement center within Use Group 15 shall consist of four or more amusement devices, to bring them into conformity with the requirements of the licensing law which defines an amusement arcade as an establishment consisting of five or more coin-operated amusement devices. In all other respects, Department personnel shall comply with the guidelines which have been and continue to be in effect.

The following are the guidelines which are applicable to all establishments, which include, but are not limited to, those which consist of viewing machines, "pinball" or "video games":

1. Premises which contain more than four coin-operated amusement devices shall be considered amusement arcades within Use Group 15, as set forth in Section 32-24 of the Zoning Resolution.
2. Up to four coin-operated amusement devices may be permitted as an accessory use to uses listed in Use Group 6A (except package liquor stores) and Use Group 6C, as set forth in Section 32-15 of the Zoning Resolution, and Use Groups 8A and 12A, as set forth in Sections 32-17 and 32-21 of the Zoning Resolution.

  
Irwin Fruchtmann, P.E.  
Commissioner

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