

ORDINANCE NO. 16

AN ORDINANCE OF THE CITY OF RIDGECREST
REGULATING THE DEALING OR PLAYING
OF CARDS

The City Council of the City of Ridgecrest does ordain as follows:

Section 1. For the purpose of this ordinance the term PUBLIC PLACE shall be held to mean and include any place or premises except a bona fide private dwelling or an apartment house; suite or room which is used in good faith as a residence of one or more persons in an apartment house, lodging house, hotel or other institution of similar character.

Section 2. For the purpose of this ordinance the term GAME shall be held to mean and include the dealing or playing of cards.

Section 3. It shall be unlawful for any person to conduct, carry on, open or cause to be opened or conducted either as owner, lessee, agent or employee, or otherwise any game as defined herein, at or in any public place as defined herein in the City of Ridgecrest without first applying for and receiving from the City Clerk of the City of Ridgecrest a permit to do so.

Section 4. Application for such permit must be made on forms to be furnished by the City Clerk of the said City, and which contains the following:

- A. The particular place including the street number of said establishment, place or room where such game is to be conducted or carried on.
- B. The name of the owner or owners, or lessee or lessees where the game is to be carried on at said location; and if any person other than the persons above named have charge of, conduct or manage said games, the name of said person who shall conduct or manage same, and the extent of his authority.
- C. Said application must further state that if a permit be granted thereon that said establishment, place, room or premises, shall be open for inspection at all times by the Chief of Police or any regularly appointed police officer of said City at any time, and that all laws of the State of California and ordinances of the City of Ridgecrest relating thereto shall be complied with.

Section 5. Upon receiving such application the City Clerk shall refer the same to the Chief of Police for investigation as to the moral character of the applicant and whether the pro-

posed location is a suitable and proper place for conducting the said game, who shall report thereon, within such time as is practicable. In the event the application is denied, the City Clerk shall so inform applicant by letter, setting forth the basis of the denial. Such letter may be sent by regular mail to applicant's mailing address shown upon his application. Within 10 days after the date of mailing of said letter by the City Clerk, applicant may file a written appeal with the City Clerk of such denial. If such a written appeal is filed, the matter shall be set for hearing before the City Council within 30 days of the date of filing of the appeal. The City Council shall, at such hearing, receive testimony from the applicant and may receive such other testimony or evidence which it deems advisable. The City Council shall then determine whether to sustain the decision of the City Clerk or not. The decision of the City Council shall be final. Applicant shall be mailed a notice of the time and place of the hearing before the City Council of his appeal.

Section 6. The permit provided for in this ordinance shall be granted and accepted with the express understanding and agreement that the Council of the City of Ridgecrest may revoke the same at any time if any of the terms or conditions of the same have been violated, or if the same was obtained by fraudulent representations, or it is shown to the satisfaction of the Council that said game, or said establishment, place or room is conducted in an unlawful manner, or that same is detrimental to the social peace or public morals of the community; provided, however, that the holder of said permit may appear before the Council in his own behalf, but the Council shall be the judge of the sufficiency of the charges of what is detrimental to the social peace or public morals, and the decision of said Council thereof shall be conclusive.

Section 7. Each permit shall be granted and accepted upon the further understanding and agreement that all the terms, provisions and regulations contained in this ordinance as the same now is or may hereafter be amended, shall be fully complied with.

Section 8. All permits granted hereunder shall expire on the 1st day of January next succeeding the date of issue, unless it is revoked or surrendered prior to said date; the same shall not be assignable, but upon the sale or transfer of said business the City Clerk, may upon application therefor, issue a new permit to the purchaser of said business upon the same terms and conditions that the original permit was issued.

Section 9. Any person, firm or corporation violating any of the provisions of this ordinance or failing to comply with any of the terms or regulations contained herein, shall be guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine not exceeding Five Hundred Dollars (\$500.00), or by imprisonment in the County Jail of Kern County for a period not exceeding ninety (90) days or by both

such fine and imprisonment.

Section 10. Each dealer of each game as herein defined is required to register with the Chief of Police or appropriate City official as defined by the Council.

Section 11. If any section, sub-section, sentence, clause or phrase of this ordinance is held to be unconstitutional or invalid, such decision shall not affect the remaining portion of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section and sub-section thereof, irrespective of the fact that any one or more of the sections, sub-sections, sentences, clauses or phrases be declared unconstitutional and invalid.

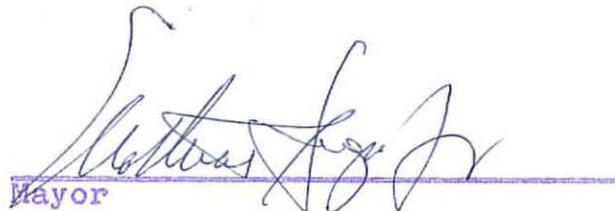
Section 12. This ordinance shall become effective thirty (30) days from and after the date of its passage.

I hereby certify that the foregoing ordinance was passed and adopted by the Council of the City of Ridgecrest at a regular meeting thereof held on the 16th day of April 1964, by the following vote:

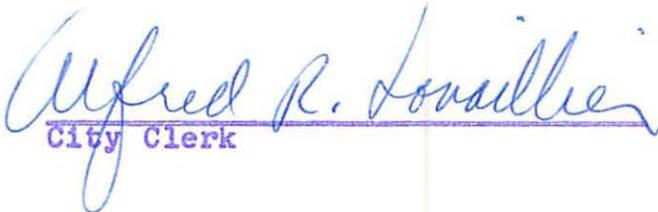
AYES: GILMER, JULES, KRAUS, WEBB, HUGO

NOES: None

ABSENT: None


Mayor

ATTEST:


City Clerk