

ORDINANCE NO. 77-16

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIDGECREST AMENDING ORDINANCE NO. 76-15 LICENSING THE TRANSACTION AND CARRYING ON OF BINGO GAMES FOR CHARITABLE PURPOSES WITHIN THE CITY

THE CITY COUNCIL OF THE CITY OF RIDGECREST, CALIFORNIA, DOES ORDAIN AS FOLLOWS:

SECTION 1. That Section 1 of Ordinance No. 76-15 of the City of Ridgecrest is hereby amended to read as follows:

Section 1. Bingo Games for Charitable Purposes Permitted. The City is authorized pursuant to Section 19, Article IV of the California Constitution and Section 326.5 of the Penal Code to provide for, and does hereby provide for bingo games, but only for charitable purposes in accordance with the provisions of this ordinance.

SECTION 2. That Section 2 of Ordinance No. 76-15 of the City of Ridgecrest is hereby amended to read as follows:

Section 2. Bingo Game License Required. No person, firm, corporation, organization or association shall engage in, carry on, maintain, conduct, or cause to be engaged, carried on, maintained or conducted a bingo game in the City of Ridgecrest without first having secured a license from the City Clerk in accordance with the requirements of this ordinance, nor without complying with the regulations contained herein pertaining to the operation of bingo games.

SECTION 3. That Section 3 of Ordinance No. 76-15 of the City of Ridgecrest is hereby amended to read as follows:

Section 3. Organizations Eligible for City License to Conduct Bingo Games. Organizations exempted from the payment of the bank and corporation tax by Sections 23701a, 23701b, 23701d, 23701e, 23701f, 23701g, and 237011 of the Revenue and Taxation Code, and mobile home park associations and senior citizens organizations are eligible to apply to the city for a license to conduct bingo games in the city under the provisions of Section 326.5 of the Penal Code, provided that the proceeds of such games are used only for charitable purposes.

SECTION 4. That Section 4 of Ordinance No. 76-15 of the City of Ridgecrest is hereby amended to read as follows:

Section 4. Applications for Licenses. Applications for a license to conduct bingo games pursuant to this ordinance shall be executed under penalty of perjury and submitted to the City Clerk on forms to be obtained from the City Clerk's office upon payment of the license fee prescribed in Section 6(f). The license issued shall be for a term of one (1) year from the date of issue, subject to renewal for annual fee.

SECTION 5. That Section 6(g) of Ordinance No. 76-15 of the City of Ridgecrest is hereby amended to read as follows:

Section 6(g). The applicant shall also submit with its application a letter or other evidence from the State Franchise Tax Board showing that the applicant is exempted from the payment of the bank and corporation tax by Sections 23701a, 23701b, 23701d, 23701e, 23701f, 23701g, and 237011 of the Revenue and Taxation Code, or that the organization is a mobile home park association or a senior citizens organization.

SECTION 6. That Section 8 of Ordinance No. 76-15 of the City of Ridgecrest is hereby amended to read as follows:

Section 8. Contents of License. Upon being satisfied that the applicant is fully qualified, under the law, to conduct bingo games in the City, the City Clerk shall issue a license to said applicant, which shall contain the following information:

- (a) The name and nature of the organization to whom the license is issued.
- (b) The address where bingo games are authorized to be conducted.
- (c) The occupancy capacity of the room in which bingo games are to be conducted.
- (d) The date of the expiration of such license.
- (e) Such other information as may be necessary or desirable for the enforcement of the provisions of this ordinance.

SECTION 7. That Section 13 of Ordinance No. 76-15 of the City of Ridgecrest is hereby amended to read as follows:

Section 13. Profits to be Kept in Separate Fund or Account. All profits derived from a bingo game shall be kept in a special fund or account and shall not be co-mingled with any other fund or account. Such proceeds shall be used only for charitable purposes except as follows:

- (1) Such proceeds may be used for prizes.
- (2) A portion of such proceeds, not to exceed 10% of the proceeds after the deduction for prizes or \$500.00 per month, whichever is less, may be used for rental of property, overhead, and administrative expenses.

The licensee shall keep full and accurate record of the income and expenses received and disbursed in connection with its operation, conduct, promotion, supervision and any other phase of bingo games which are authorized by this ordinance. The City, by and through its authorized officers, shall have the right to examine and audit such record at any reasonable time, and licensee shall fully cooperate with City by making such record available.

SECTION 8. That Section 18 of Ordinance No. 76-15 of the City of Ridgecrest is hereby amended to read as follows:

Section 18. Bingo Games Conducted Only on Licensee's Property. An organization authorized to conduct bingo games pursuant to this ordinance shall conduct a bingo game only on property owned or leased by it and which property is used by such organization for an office or for performance of the purposes for which the organization is organized. Nothing in this section shall be construed to require that the property owned or leased by the organization be used or leased exclusively by such organization. The license issued under this ordinance shall authorize the holder thereof to conduct bingo games only on such property, the address of which is stated in the application. In the event the described property ceases to be used as an office or as a place for performance of the purposes for which the organization is organized, the license shall have no further force or effect. A new license may be obtained by an eligible organization upon application under this ordinance when it again owns or leases property used by it for an office or for performance of the purposes for which the organization is organized.

SECTION 9. That Section 25 of Ordinance No. 76-15 of the City of Ridgecrest is hereby amended to read as follows:

Section 25. Receipt of Profit by a Person, a Misdemeanor Under State Law. It is a misdemeanor under Section 326.5(b) of the Penal Code of the State of California for any person to receive or pay a profit, wage, or salary from any bingo game authorized under this ordinance, a violation of which is punishable by a fine not to exceed \$10,000.00, which fine shall be deposited in the general fund of the City of Ridgecrest.

SECTION 10. That the City Clerk shall certify to the adoption of this Ordinance and cause the same to be published as required by law.

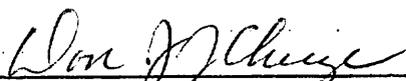
APPROVED AND ADOPTED this 5th day of October, 1977, by the following roll call vote:

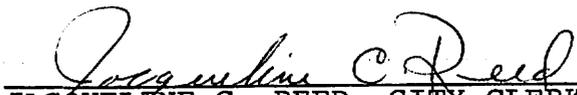
AYES: Vice-Mayor Chieze, Councilmembers Green, Karlberg and Smith.

NOES: None.

ABSENT: Mayor Edwards.

ATTEST:

  
DON J. J. CHIEZE, VICE-MAYOR

  
JACQUELINE C. REED, CITY CLERK