

ORDINANCE NO. 99-02

**AN ORDINANCE OF THE RIDGECREST CITY
COUNCIL AMENDING THE RIDGECREST
MUNICIPAL CODE AS IT RELATES TO
CONTROLLED GAMES**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RIDGECREST as follows:

Section 1. Purpose.

This ordinance amends the Municipal Code to incorporate provisions about controlled games as mandated by state law.

Section 2. Amendment: Title.

Section 6-32 of the Ridgecrest Municipal Code is amended and reenacted to read as follows:

"6-32. Controlled Games."

Section 3. Amendment: General.

Subsection 6-32.1 of the Ridgecrest Municipal Code is amended and reenacted to read as follows:

"6-32.1. General.

This section regulates controlled games permitted under State law. As used herein, a "controlled game" is a card game not prohibited by the Penal Code. "Controlled game" does not include bingo or games played with cards in private homes where no person makes money for operating the game, except as a player. Terms used in this section, also defined in the Business and Professions Code or the Penal Code, have the meanings ascribed by those Codes."

Section 4. Amendment: Permit Required.

Subsection 6-32.2 of the Ridgecrest Municipal Code is amended and reenacted to read as follows:

"6-32.2. Permit required.

No person shall permit a controlled game to be conducted without first securing a permit from the City. The owner and lawful occupant of real property where the controlled game is conducted and persons employed at a location where the controlled game is conducted are responsible for compliance with this section."

Section 5. Amendment: Applications.

Subsection 6-32.3 of the Ridgecrest Municipal Code is amended and reenacted to read as

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follows:

"6-32.3. Application for Permit.

Applications for permits to conduct controlled games shall be filed in writing with the city clerk. The application shall contain at least the following information:

- (a) The location where the controlled game is to be conducted;
- (b) The names and addresses of the owners of the real property where the controlled game is to be conducted;
- (c) The names of the lawful occupants of the real property where the controlled game is to be conducted;
- (d) The names and addresses of gambling enterprise employees, including key employees; and
- (e) The names and addresses of the owners of the gambling enterprise."

Section 6. Amendment: Investigation.

Subsection 6-32.4 of the Ridgecrest Municipal Codes is amended and reenacted to read as follows:

"6-32.4. Investigation of Application.

- (a) The Chief of Police, or designee, shall determine whether the proposed location is suitable for controlled gaming and whether the gambling enterprise owners are of good moral character.
- (b) The Chief's written decision shall be provided to the: Division of Gambling Control of the California Department of Justice; the applicant and the City Clerk within 30 days after the application is filed. All work permit applicants must submit an application and fingerprints directly to the State Department of Justice, Division of Gambling Control, for a full background check to be conducted by that State Agency.
- (c) The applicant for the gambling enterprise may appeal the Chief's decision to the City Council by filing a written appeal within ten days after the Chief's decision. The Council shall schedule a hearing within 30 days. The decision of the Council is final."

Section 7. Amendment: Conditions.

Subsection 6-32.5 of the Ridgecrest Municipal Code is amended and reenacted to read as follows:

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"6-32.5. Permit Conditions.

- (a) Permits issued under this section shall include at least the following conditions:
- (1) The location of the gambling enterprise shall be as stated in the application;
 - (2) The gambling enterprise ownership shall not change without prior written approval following investigation by the Chief of Police;
 - (3) The permittee shall comply with other provisions of law;
 - (4) The permit shall be prominently displayed on the premises;
 - (5) Each dealer shall display an identification card issued by the State Department of Justice;
 - (6) The gambling enterprise shall operate only between the hours of 2:00 p.m. and 2:00 a.m.;
 - (7) The owner shall be liable for the safety and security of patrons;
 - (8) The permittee shall comply with applicable zoning;
 - (9) Wagers shall be set by the gambling establishment and shall be approved by the City. Wager limits must be clearly displayed at the table;
 - (10) The maximum number of tables, in each establishment shall not cause the maximum number of tables for the City to be exceeded;
 - (11) The premises shall be open for inspection by the Chief of Police and other peace officers;
 - (12) An expiration date of the next following January 1st.

(b) The maximum number of tables permitted in each gambling establishment is three (3). The maximum number of tables permitted in the City is twelve (12). Additional tables may be permitted for gambling tournaments and other special events on application."

Section 8. Amendment: Revocation.

Subsection 6-32.6 of the Ridgecrest Municipal Code is amended and reenacted to read as follows:

"6-32.6. Revocation of Permit.

- (a) The Chief of Police may revoke permits issued under this section for:
- (1) Fraudulent application statements;
 - (2) Noncompliance with permit conditions;
 - (3) Maintaining the premises in a manner detrimental to good public morals and social peace.

(b) The permittee may appeal the Chief's decision to revoke a permit to the City Council by filing a written appeal with the City Clerk within ten days of the decision. The Council shall conduct a hearing within thirty days. The decision of the council is final."

Section 9. Amendment: Fees.

Subsection 6-32.7 of the Ridgecrest Municipal Code is amended to read as follows:

"6-32.7. Fees.

The applicant, gambling enterprise employees, owners of the gambling enterprise and the permittee shall pay fees established by resolution of the Council."

Section 10. Amendment: Enforcement.

Subsection 6-32.8 of the Ridgecrest Municipal Code is amended and reenacted to read as follows:

"6-32.8. Enforcement.

Violation of this section is a misdemeanor."

Section 11. Amendment: Other.

Subsection 6-32.9 of the Ridgecrest Municipal Code is repealed. Except as provided herein, the Ridgecrest Municipal Code is reaffirmed and readopted.

PASSED, APPROVED AND ADOPTED on the 4th day of August, 1999, by the following votes:

AYES: Mayor Darnell, Council Members Carter, Holloway, and Morgan

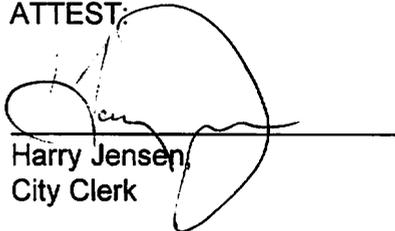
NOES: None

ABSENT: Council Member Rollins

ABSTAIN: None


Donna Darnell, Mayor

ATTEST:


Harry Jensen,
City Clerk