

(O-87-60)

ORDINANCE NUMBER O- 15745 (NEW SERIES)

ADOPTED ON NOV 10 1986

AN ORDINANCE AMENDING CHAPTER III, ARTICLE 3, DIVISION 16 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 33.1641 RELATING TO GAMES OF SKILL, OR AMUSEMENT AND DIVISION 33 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 33.3301 AND BY REPEALING SECTION 33.3303 RELATING TO PEEP SHOW ESTABLISHMENTS.

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. That Chapter III, Article 3, Division 16 of the San Diego Municipal Code be and the same is hereby amended by amending section 33.1641 to read as follows:

SEC. 33.1641 GAMES OF SKILL OR AMUSEMENT - DEFINITIONS AND REGULATION

The term "game of skill or amusement" for the purpose of this Article is hereby defined to mean and include any mechanical, electrical, electronic, or video machine, device or apparatus, or combination thereof, the operation or use of which is permitted, controlled, allowed or made possible by the deposit or placing of any coin, plate, disk, slug or key into any slot, crevice or other opening or by the payment of any fee or fees, for the use as a game, contest or amusement of any description, or which may be used for any such game, contest or amusement, and the use or possession of which is not prohibited by any law of the State of California. This definition shall include video games which generate or

display a computer or electronically created image on a screen, but shall exclude "peepshow devices" as defined in section 33.3301.

The phrase "any place in the City of San Diego open to the public" shall include clubs, headquarters and meeting places of fraternal or other societies, associations and bodies.

The Chief of Police may inspect such games of skill or amusement or their plans to ensure that such games are not in violation of any other provision of law.

Section 2. That Chapter III, Article 3, Division 33 of the San Diego Municipal Code be and the same is hereby amended by amending section 33.3301 to read as follows:

SEC. 33.3301 DEFINITIONS

(a) "Peep Show Establishment" means any place to which the public is permitted or invited wherein one or more peep show devices as defined herein are maintained.

(b) "Peep show device" means any electronically, electrically or mechanically controlled still or motion picture machine, projector or videotape machine or other image producing device which is operated by coin, slug, token or payment of a fee and which shows still or motion pictures or videotape pictures to five (5) or fewer persons at any one time. It does not include a video game or similar electronic device which displays a computer created image on a screen or any similar game of skill or amusement defined in section 33.1641.

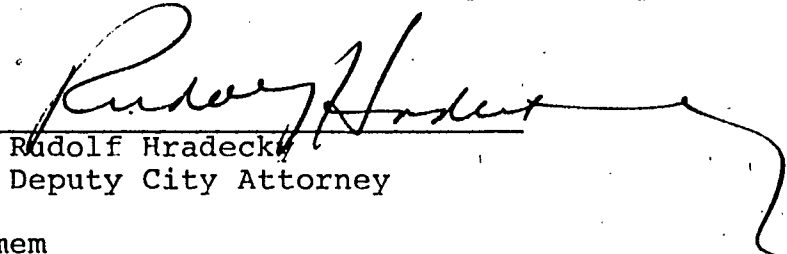
11/17
Section 3. That Chapter III, Article 3, Division 33 of the San Diego Municipal Code be and the same is hereby amended by repealing the following section:

SEC. 33.3303 PERMIT TERMS

Section 4. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney'

By


Rudolf Hradeck
Deputy City Attorney

RH:mem
09/18/86
Or.Dept:Police
O-87-60
Form=o.code

Passed and adopted by the Council of The City of San Diego on **NOV 10 1986**
 by the following vote:

| Council Members | Yeas | Nays | Not Present | Ineligible |
|------------------------|-------------------------------------|--------------------------|-------------------------------------|--------------------------|
| Abbe Wolfsheimer | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Bill Cleator | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Gloria McColl | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| William Jones | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Ed Struiksma | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Mike Gotch | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Judy McCarty | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Uvaldo Martinez | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Mayor Maureen O'Connor | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

AUTHENTICATED BY:

MAUREEN O'CONNOR
 Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR
 City Clerk of The City of San Diego, California.

(Seal)

By *June G. Blackwell*, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

OCT 27 1986

NOV 10 1986

, and on

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

CHARLES G. ABDELNOUR
 City Clerk of The City of San Diego, California.

(Seal)

By *June G. Blackwell*, Deputy.

Office of the City Clerk, San Diego, California

01325

Ordinance Number **0-16745**

Adopted **NOV 10 1986**

RECEIVED
CITY CLERK'S OFFICE
1986 OCT 13 AM 7:48
SAN DIEGO, CALIF.

01326



CERTIFICATE OF PUBLICATION

CITY OF SAN DIEGO
202 C STREET 12TH FLOOR
SAN DIEGO, CA 92101

IN THE MATTER OF
AN ORDINANCE AMENDING CHAPTER III, ARTICLE 3, DIVI-
SION 16 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING
SECTION 33.1641 RELATING TO GAMES OF SKILL OR AMUSE-
MENT AND DIVISION 33 OF SAN DIEGO

NO.

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AN ORDINANCE AMENDING CHAPTER III, ARTICLE 3, DIVI-
SION 16 OF THE SAN DIEGO MUNICIPAL CODE BY AMEN-
DING SECTION 33.1641 RELATING TO GAMES OF SKILL OR
AMUSEMENT AND DIVISION 33 OF THE SAN DIEGO
MUNICIPAL CODE BY AMENDING SECTION 33.3301 AND BY
REPEALING SECTION 33.3303 RELATING TO PEEP SHOW
ESTABLISHMENTS.

This ordinance amends the San Diego Municipal Code definition
of peep shows and peep show devices. A peep show device is defin-
ed as any electronically, electrically or mechanically controlled still
or motion picture or videotape machine operated for a fee which
shows still or motion pictures or videotapes to five or fewer persons
at any one time. It does not include a video game or a game of skill or
amusement as defined elsewhere in the Municipal Code.

A complete copy of the ordinance is available for inspection in the
Office of the City Clerk of the City of San Diego, 12th floor, City Ad-
ministration Building, 202 "C" Street, San Diego, CA 92101.

Introduced on OCT 27 1986
Passed and adopted by the Council of The City of San Diego on
NOV 10 1986

ALITHENTICATED BY: MAUREEN O'CONNOR
Mayor of The City of San Diego, California
CHARLES G. ABDELNOUR
City Clerk of The City of San Diego, California
By JUNE A. BLACKNELL, Deputy
Pub. November 24

85224

DEAN F. ABBOTT

I, _____, am a citizen
of the United States and a resident of the County aforesaid; I am over the
age of eighteen years, and not a party to or interested in the above-entitled
matter. I am the principal clerk of the San Diego Daily Transcript, a
newspaper of general circulation, printed and published daily, except
Saturdays and Sundays, in the City of San Diego, County of San Diego, and
which newspaper has been adjudged a newspaper of general circulation by
the Superior Court of the County of San Diego, State of California, under
the date of January 23, 1909, Decree No. 14894; and the

ORDINANCE NUMBER O-16745
(NEW SERIES)

is a true and correct copy of which the annexed is a printed copy and was
published in said newspaper on the following date(s), to wit:

NOVEMBER 24, 1986

I certify under penalty of perjury that the foregoing is true and correct.

Dated at San Diego, California this 24 day of NOV, 19 86

(Signature)

5" X \$10.24 = \$51.20

01327