

(O-88-46)

ORDINANCE NUMBER O- 17000 (NEW SERIES)

ADOPTED ON JAN 4 1988

AN ORDINANCE AMENDING CHAPTER III, ARTICLE 3,
DIVISION 41, OF THE SAN DIEGO MUNICIPAL CODE
BY AMENDING SECTIONS 33.4101 THROUGH 33.4110
REGULATING THE OPERATION OF CASINO PARTIES.

WHEREAS, it is the intent of the Council of The City of San Diego to expand the types of tax exempt organizations permitted to conduct casino parties; and

WHEREAS, it is the intent of the Council of The City of San Diego to establish a licensing fee for processing casino party applications; and

WHEREAS, it is the intent of the Council of The City of San Diego to change certain operating conditions and requirements for casino parties; NOW, THEREFORE,

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

Section 1. That Chapter III, Article 3, Division 41, of the San Diego Municipal Code be and the same is hereby amended by changing Sections 33.4101 through 33.4110 to read as follows:

DIVISION 41

CASINO PARTY

SEC. 33.4101 LICENSE REQUIRED

(a) It shall be unlawful for any person to conduct any casino party in the City of San Diego unless such person is a member of a tax exempt

organization, as defined in this Division, acting on behalf of such tax exempt organization and such organization has been issued a license as provided by this Division.

(b) No change in this subsection.

SEC. 33.4102 LICENSE NOT TRANSFERABLE

Each license issued hereunder shall be issued to a specific individual on behalf of a tax exempt organization to conduct a casino party at a specific location and on one specific date and shall in no event be transferred from one person to another nor from one location or date to another.

SEC. 33.4103 DEFINITIONS For the purpose of this Division, the following words and phrases shall mean:

(a) No change in this subsection.

(b) TAX EXEMPT ORGANIZATION shall mean any organization exempted from the payment of the Bank and Corporation Tax by Section 23701(a), 23701(b), 23701(d), 23701(e), 23701(f), 23701(g) and 23701(l) of the Revenue and Taxation Code.

No changes in subsections (c) through (i).

(j) GAMING EQUIPMENT SUPPLIER shall mean any person or entity subject to the provisions of Section 31.0301 and which is engaged in the business of leasing, renting, operating or otherwise providing specialized gaming tables,

devices, equipment and/or supplies used in the activities regulated by this division.

(k) SUPPLIER EMPLOYEE shall mean any person who is present during the period of operation of a casino party and who is compensated for said presence by a gaming equipment supplier.

SEC. 33.4104 APPLICATION

An application for a casino party shall be made to the Chief of Police accompanied by a non-refundable fee of \$50.00 on forms provided by the Chief of Police not less than thirty (30) days prior to the proposed date of the party. The application for a casino party shall contain the following:

(a) A list of all volunteers who will participate in the operation of the casino party, including full names of each volunteer, date of birth, place of birth, physical description, home address and home telephone number. The Chief of Police may waive the thirty (30) day application requirement for this subsection upon a showing of good cause.

(b) Name and address of company or individual as defined in Section 33.4103(j) above that will be furnishing casino personnel, equipment or devices.

(c) No change in this subsection.

(d) Casino Managers. Concurrently with the filing of an application for a casino party license each applicant shall file a statement specifying the names and addresses of two persons who shall manage, supervise and be responsible for the conduct of the casino party. At least one of the casino managers shall be present on the premises at all times during which a casino party is being conducted.

SEC. 33.4105 APPLICATION INVESTIGATION

Upon receipt of an application for a license the Chief of Police shall make an investigation of the applicant. The Chief of Police may send copies of such application to any office or department which the Chief of Police deems essential in order to conduct a proper investigation of the applicant.

The Chief of Police and every officer and/or City Department to which an application is referred may investigate the truth of any matters set forth in the application, the character of the applicant and may examine the premises to be used for the casino party to ensure that it complies with all health, fire and zoning regulations.

The Chief of Police shall issue the license unless he finds that the applicant has knowingly made any false, misleading or fraudulent statement or omission of material fact in the application for

the license or that the organization is not a tax exempt organization or if the applicant has had a previous casino party license revoked within five (5) years immediately preceding the date of the application or that the applicant has conducted two casino parties in the City of San Diego within the last twelve (12) months or that such organization has not been located and operating within the limits of the City of San Diego for a period of more than 180 days prior to the date of application.

SEC. 33.4106 DENIAL OR REVOCATION OF LICENSE

No change in this section.

SEC. 33.4107 REGULATIONS

(a) Any police officer shall have free access to any casino party licensed under this Division. The licensee shall have the casino party license and a list of approved volunteers of the tax exempt organization and supplier employees who will operate the casino party available for inspection at all times during the event.

No changes in subsections (b) through (j).

(k) The casino managers and all cashiers, volunteers, supervisors, persons assigned to operate any gaming tables or persons who participate in the promotion of any games during the operation of the casino party must each wear on

his or her outside clothing, in plain view, at chest height, an identification insignia or badge specifying the full name and affiliation of such person.

SEC. 33.4108 REVOCATION OF LICENSE

No change in this section.

SEC. 33.4109 PENALTIES

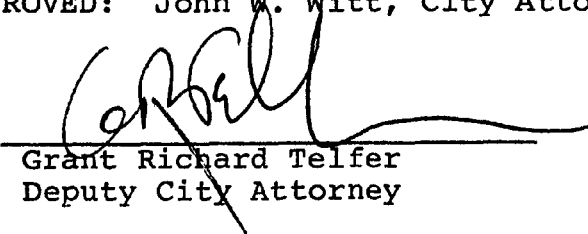
No change in this section.

SEC. 33.4110 SEVERABILITY

If any provision, clause, sentence or paragraph of this Division or the application thereof to any person or circumstances shall be held invalid, such invalidity shall not affect the other provisions or applications of the provisions of this Division which can be given effect without the invalid provision or application and to this end the provisions of this Division are hereby declared to be severable.

Section 2. 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 
Grant Richard Telfer
Deputy City Attorney

GRT:lfs:041
09/02/87
Or.Dept:Police
O-88-46
Form=o.none

Passed and adopted by the Council of The City of San Diego on JAN 4 1988,
 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"/>
Ron Roberts	<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"/>
H. Wes Pratt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ed Struiksma	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
J. Bruce Henderson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Judy McCarty	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Filner	<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

NOV 30 1987

JAN 4 1988

~~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

Ordinance 0-17000 Adopted JAN 4 1988
 Number

CERTIFICATE OF PUBLICATION CITY CLERK'S OFFICE

RECEIVED
1988 FEB -5 AM 10:12

SAN DIEGO, CALIF.

CITY OF SAN DIEGO
202 C STREET, 2ND FLOOR
SAN DIEGO, CA 92101
ATTN: JUNE A. BLACKNELL

IN THE MATTER OF

NO.

AN ORDINANCE AMENDING SECTIONS 1., 3. AND 10. AND REPEALING SECTION 5. OF ORDINANCE NO. O-16855 (NEW SERIES), ADOPTED MAY 4, 1987, LIMITING ISSUANCE OF DEMOLITION PERMITS, BUILDING PERMITS AND COMMENCEMENT OF CONSTRUCTION IN PORTIONS OF THE UPTOWN COMMUNITY PLAN AREA.

THOMAS D. KELLEHER

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

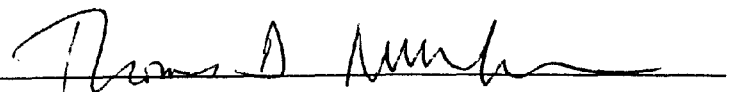
ORDINANCE NUMBER O-17001 (NEW SERIES)

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:

FEB. 1

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

Dated at San Diego, California this 1 day of FEB., 19 88.



(Signature)

26 lines x .98 = 50.96

2 3/8 x 2 x 10.78 = 51.20

ORDINANCE NUMBER O-17001 (NEW SERIES)
ORDINANCE AMENDING SECTIONS 1., 3. AND 10. AND REPEALING SECTION 5. OF ORDINANCE NO. O-16855 (NEW SERIES), ADOPTED MAY 4, 1987, LIMITING ISSUANCE OF DEMOLITION PERMITS, BUILDING PERMITS AND COMMENCEMENT OF CONSTRUCTION IN PORTIONS OF THE UPTOWN COMMUNITY PLAN AREA.
This ordinance amends Ordinance No. O-16855 (New Series) by changing the density calculations incorporated in said ordinance and makes the provisions of said ordinance inapplicable to projects for which building permit applications were submitted prior to May 9, 1988.
A complete copy of the ordinance is available for inspection in the office of the City Clerk of the City of San Diego, 2nd floor, City Administration Building, 202 "C" Street, San Diego, CA 92101.
Produced on DEC 7 1987
Passed and adopted by the Council of The City of San Diego on JAN 1 1988.
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
By JUNE A. BLACKNELL, Deputy
FEB. February 1 1988