

LAW AND LEGISLATION COMMITTEE AGENDA

Tuesday, November 10, 1992

1:00 p.m.

City Council Chamber
915 "I" Street
Sacramento, California

1. An ordinance amending Section 5.3-12 of the Sacramento City Code, relating to cardrooms operated by fraternal organizations. (D-All)

RECOMMENDATION OF STAFF: Support and forward to Council.

2. An ordinance amending sections 60.142 and 60.143, and adding section 60.146 to the Sacramento City Code, relating to membership, powers and duties, and operations of the Sacramento Sports Commission. (D-All)

RECOMMENDATION OF STAFF: Support and forward to Council.

3. An ordinance amending the title, sections 42.4-1, 42.6, 42.9, 42.12, 42.14, 42.15, 42.18, 42.20, 42.21, and Article IV (sections 42.50 through 42.68) of Chapter 42 of the Sacramento City Code, relating to the operation of taxicabs and tow trucks. (D-All)

RECOMMENDATION OF STAFF: Support and forward to Council.

4. An ordinance amending Article IV of Chapter 19 of the Sacramento City Code, relating to lawn and garden service. (D-All)

RECOMMENDATION OF STAFF: Support and forward to Council.

5. An ordinance amending Article I of Chapter 45 of the Sacramento City Code, relating to trees. (D-All)

RECOMMENDATION OF STAFF: Support and forward to Council.

6. An ordinance amending Article XII and adding Article XIII of Chapter 38 of the Sacramento City Code, relating to temporary closure of streets to combat drug, gang and similar crime problems. (D-All)

RECOMMENDATION OF STAFF: Support and forward to Council.

COMMITTEE MEMBERS: Robie (Chair), Chinn, Pane and Serna.

July 24, 1992

Chief Jerry Finney
Chief of Police
City of Sacramento
813 6th St.
Sacramento, CA 95814

Dear Chief Finney:

The undersigned represents a non-profit Mutual Benefit corporation which is a fraternal organization not open to the general public and whose membership is restricted to those persons regularly and formally elected to membership therein and paying regular dues to such organization.

This fraternal organization proposes to allow its members to allow card games and other games where betting is allowed wherein said games are not in violation of the California Penal Code. We understand that such a fraternal organization is exempt from the City of Sacramento cardroom ordinance pursuant to Sacramento City Code Section 5.3-12.

This fraternal organization proposes to play Pai Gow where it is neither a "banking" game nor a "percentage" game. As your staff and the City Attorney's staff are aware, the courts have taken a position that Pai Gow, when not played as a "banking" or "percentage" game, is not in violation of the California Penal Code. City of Bell Gardens vs. County of Los Angeles (1991), 231 Cal.App.3d 1563, 283 Cal.Rptr.91.

This fraternal organization also proposes to allow its members to play "Double Hand Poker."

My client needs to know if your department views the allowing by my client of the playing of card games and other games, not in violation of the Penal Code, to be in violation of any other law, including any City Ordinance.