



CITY OF SACRAMENTO

CITY MANAGER'S OFFICE
RECEIVED
NOV 5 1980

JOHN P. KEARNS
CHIEF OF POLICE

DEPARTMENT OF POLICE
HALL OF JUSTICE
813 - 6TH STREET
SACRAMENTO, CALIFORNIA 95814
TELEPHONE (916) 449-5121

October 31, 1980

REF: 10-101

City Council
City Hall
Sacramento, California

Honorable Members in Session:

SUBJECT: REQUEST FOR GAMBLING ORDINANCE

APPROVED
BY THE CITY COUNCIL
NOV 12 1980
OFFICE OF THE
CITY CLERK

SUMMARY

The Police Department is requesting the adoption of an ordinance prohibiting "street corner" gambling. This report outlines the need for the ordinance.

BACKGROUND

For many years, the Police Department has been plagued with problems associated with so-called "street corner" gambling. Such gambling frequently occurs in the vicinity of schools, parks, and liquor stores. Complaints are continually made by neighborhood residents regarding loud and abusive language, profanity, drinking, and littering.

These gambling activities frequently lead to violent crimes when arguments develop over gambling debts. Numerous fights, stabbings, and shootings have occurred.

In one incident, a man was beaten on the head with a hammer and his car windshield was shattered because of a gambling debt.

Another incident, three years ago, involved the shooting of a uniformed police officer. The officer was attempting to break up a dice game when a participant suddenly shot the officer in the face. Fortunately, the injury was not serious but death or serious injury could have easily occurred.

Another gambling-related shooting occurred during the last week of October, 1980. A man was shot in the head after an argument over a dice game. The victim spent several days under intensive care but subsequently died from the massive head wound.

In addition to these recorded shootings, numerous non-reported assaults, threats, and disturbances are generated because of gambling activities. Because of the clandestine nature of gambling, the participants seldom report assaults to the

police. They usually take matters into their own hands and settle the conflict themselves. This may cause area residents to report disturbances to the police but it is generally impossible for officers to prove that gambling is involved after they arrive at the scene.

The existing state law regulating gambling is inadequate to control "street corner" gambling. If we are to prevent this violence and make Sacramento a safer and more desirable place in which to live, a city ordinance is needed to specifically prohibit gambling in public places and in places open to public view. A copy of the proposed ordinance is attached.

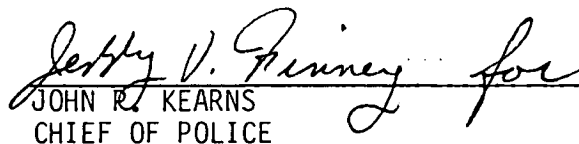
FINANCIAL DATA

None. Request for ordinance only.

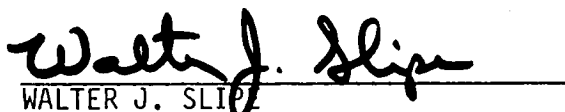
RECOMMENDATION

The City Council adopt the ordinance.

Respectfully submitted,


JOHN R. KEARNS
CHIEF OF POLICE

RECOMMENDATION APPROVED:


WALTER J. SLIPS
CITY MANAGER

JPK:DF:jt

Attachment

ORDINANCE NO. ⁴⁴⁵ FOURTH SERIES

AN ORDINANCE AMENDING CHAPTER 18 OF THE
SACRAMENTO CITY CODE RELATING TO GAMBLING

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

SECTION 1.

The title of Chapter 18 of the Sacramento City Code is hereby amended to read as follows:

CHAPTER 18
GAMBLING

SECTION 2.

Article I (§§18.100 - 18.129 inclusive) of Chapter 18 of the Sacramento City Code is hereby created and entitled as follows:

ARTICLE I. Bingo Games

SECTION 3.

Article II of Chapter 18 of the Sacramento City Code is hereby added to read as follows:

ARTICLE II. Gambling in General

Sec. 18.200. Definitions.

The following words and phrases whenever used in this article shall be construed as defined in this article.

(a) "To gamble" and "gambling" includes the playing at or with a game, device, or contrivance, for money, checks or other representative of value, in which the element of chance is the dominating factor in determining the result of the game, device or contrivance, or betting on the result of any such game, device or contrivance.

APPROVED
BY THE CITY COUNCIL

NOV 12 1980

OFFICE OF THE
CITY CLERK

(b) A "bet" and "betting" includes an agreement, express or implied, between two or more persons that money or some representative of value contributed by those so agreeing shall become the property of one or some of them upon the happening or not happening in the future of an event which, at the time the agreement is reached, is an uncertainty, or upon the ascertainment of the facts in dispute.

(c) "Representative of value" includes money, coin, currency, check, chip, allowance, token, credit, merchandise, property, services, or any other thing of value.

Sec. 18.201. Gambling and betting on public streets, etc., unlawful.

It shall be unlawful for any person to gamble at cards, dice, or any other game, device or contrivance not mentioned in sections 330 and 330(a) of the Penal Code of the State of California:

- (a) On any street, sidewalk, alley, highway, or public court, or;
- (b) On the ground of any park as defined in section 27.30(1) of this Code, or
- (c) On the grounds of any children's playground area as defined in section 27.30(f) of this Code, or
- (d) Upon any property used, or intended to be used as an accessory use, for the parking of motor vehicles for the patrons of any commercial establishment, or
- (e) On any part of a vacant or undeveloped lot which is visible from any street.

Sec. 18.202. Exceptions.

Nothing in this article shall be construed to prohibit any activity authorized by the Business and Professions Code of the State of California.

Nothing in this article shall be construed to make criminal any act or acts which are permitted or prohibited by any law of the State of California.

Nothing in this article shall be construed to prohibit any act or acts which are permitted under Article I of this chapter.

PASSED FOR PUBLICATION

ENACTED

EFFECTIVE

MAYOR

ATTEST:

CITY CLERK



Sacramento City Council

CITY HALL
915 I STREET
SACRAMENTO, CALIFORNIA 95814
PHONE (916) 449-5409

October 20, 1980

**COUNCIL COMMITTEE ON
LAW & LEGISLATION**

BLAINE H. FISHER
Chairman
LLOYD G. CONNELLY
DOUGLAS N. POPE
JOHN ROBERTS

WILLIAM P. CARNAZZO
Legislative Representative
449-5348

City Council
Council Chambers
Sacramento, California

RE: GAMBLING ORDINANCE

Honorable Members in Session:

The Law and Legislation Committee at its meeting on October 16, 1980, recommended to the City Council the adoption of the attached ordinance controlling gambling at certain locations in the City. The Police Department also strongly recommends adoption of the ordinance. A letter from the Police Department explaining the need for the ordinance is attached.

Very truly yours,

BLAINE FISHER, Chairman
LAW & LEGISLATION COMMITTEE

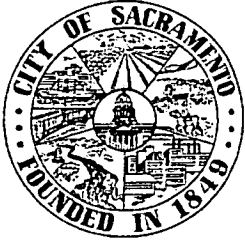
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ATTACHMENT

APPROVED
BY THE CITY COUNCIL

OCT 28 1980

OFFICE OF THE
CITY CLERK

PFP +
cont to
11-12-80



CITY OF SACRAMENTO

DEPARTMENT OF POLICE

HALL OF JUSTICE
813 - 8TH STREET

SACRAMENTO, CALIFORNIA 95814
TELEPHONE (916) 449-5121

JOHN P. KEARNS
CHIEF OF POLICE

October 9, 1980

REF: 10-38

Law and Legislation Committee
City Council
Sacramento, California

Honorable Members in Session:

SUBJECT: REQUEST FOR GAMBLING ORDINANCE

SUMMARY

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BACKGROUND

For many years, the Police Department has been plagued with problems associated with so-called "street corner" gambling. Such gambling frequently occurs in the vicinity of schools, parks, and liquor stores. Complaints are continually made by neighborhood residents regarding loud and abusive language, profanity, drinking, and littering.

These gambling activities frequently lead to violent crimes when arguments develop over gambling debts. Numerous fights, stabbings, and shootings have occurred.

The existing state law regulating gambling is inadequate to control "street corner" gambling. A city ordinance is needed to specifically prohibit gambling in public places and in places open to public view. A copy of the proposed ordinance is attached.

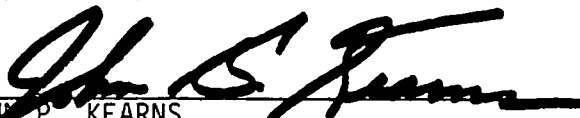
FINANCIAL DATA

None. Request for ordinance only.

RECOMMENDATION

The Law and Legislation Committee approve this request and recommend to the City Council that the ordinance be adopted.

Respectfully submitted,



JOHN P. KEARNS
CHIEF OF POLICE

RECOMMENDATION APPROVED:

WALTER J. SLIPE
CITY MANAGER

JPK:DF:jt

9-30-80 Draft

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(b) A "bet" and "betting" includes an agreement, express or implied, between two or more persons that money or some representative of value contributed by those so agreeing shall become the property of one or some of them upon the happening or not happening in the future of an event which, at the time the agreement is reached, is an uncertainty, or upon the ascertainment of the facts in dispute.

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PASSED FOR PUBLICATION

ENACTED

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MAYOR

ATTEST:

CITY CLERK