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DEPARTMENT OF
POLICE

CITY OF SACRAMENTO
CALIFORNIA

August 27, 1987

HALL OF JUSTICE
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SACRAMENTO, CA
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JOHN P. KEARNS
CHIEF OF POLICE

Law and Legislation Committee
Council Chambers
Sacramento, California 95814

Honorable Members in Session:

SUBJECT: An Ordinance Amending Sections 5.3-4 and
5.3-11 of the Sacramento City Code,
Relating to Cardroom

SUMMARY

The attached report recommends amendments to the City Cardroom Ordinance to allow one cardroom for each 30,000 people in the City instead of 10,000 people as the ordinance now allows. This change is proposed to place Sacramento more in line with other jurisdictions in the State which limit the number of cardrooms. Further, the ordinance adds rules for those games that are authorized for play in the cardrooms.

BACKGROUND

Currently, Section 5.3-4 authorizes one cardroom for each 10,000 City residents based on the last preceding federal census. The last census figure is some 280,000 residents, which authorizes 28 cardrooms in the City. This proposal changes the 10,000 figure to 30,000 and mandates use of the most recent population figures available from the State Department of Finance. The current figure is 327,000, which under the proposal would authorize 10 cardrooms. At present, there are 11 operating cardrooms and one pending application for another cardroom. Existing cardrooms would not be affected by this amendment, but no new cardroom could be approved until the population hits 360,000.

San Diego is the only city with a population greater than Sacramento that even allows cardrooms, and they have fewer establishments than we do. We have more cardrooms than any other City or County in the State and we must make the change to place us more in line with the rest of the State.

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August 27, 1987
Page 2

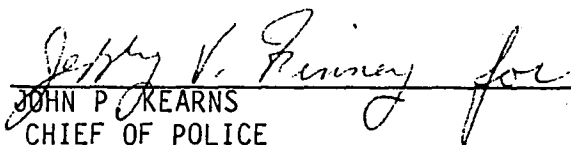
In California, there are 405 cities and 58 counties all of which have the option of allowing cardrooms or not. Of these, 463 jurisdictions, only 171, or 37%, have cardrooms and the remaining 63% do not. Nearly 2/3 of local governments do not have cardrooms.

Throughout the State, the legal games are played with many variations. We have seen games in some communities which we feel are being played illegally. Our ordinance allows only draw poker, Low-ball poker and pan to be played. These games are being played with different variations, even in Sacramento. I propose that the rules for the play of these games be included in the ordinance.

RECOMMENDATION

It is recommended that the Law and Legislation Committee endorse the proposed ordinance and forward it to the full Council.

Sincerely,


JOHN P. KEARNS
CHIEF OF POLICE

JPK:jt

REF: 8-49

ORDINANCE NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

AN ORDINANCE AMENDING SECTIONS 5.3-4 and
5.3-11(12) OF THE SACRAMENTO CITY CODE,
RELATING TO CARDROOMS.

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

SECTION 1.

Section 5.3-4 of the Sacramento City Code is hereby amended to read as follows:

Sec. 5.3-4. Same -- Denial of Application.

An application for a cardroom license shall be investigated by the city manager who shall obtain recommendations and reports from the chief of police concerning the character of the applicant and any law enforcement problems which the issuance of the license might tend to create, from the planning director concerning the compatibility of the proposed use of the premises with existing zoning and neighborhood land uses and from such other sources as the city manager may deem appropriate.

The city manager may deny an application for a cardroom license if, in his opinion, the cardroom is to be located in an area of the city or operated under circumstances where it might tend to cause a police problem or create a public nuisance or where the granting of the license would be contrary to the public interest. No cardroom license shall be granted when the number of cardrooms licensed in the city exceeds the ratio of one cardroom for every 30,000 population of the city according to the latest population figures from the California Department of Finance; provided, that this population limitation shall not prevent the continuance of any cardroom existing and operating at the time of annexation of the premises to the city.

SECTION 2.

Section 5.3-11(12) of the Sacramento City Code is hereby amended to read as follows:

12. The only games permitted to be played in a cardroom are Draw Poker, LoBall and Panguingui ("Pan"). All other games not prohibited by the California Penal Code are prohibited by this section. The permitted games shall be played only according to the rules hereinafter specified.

- a. "Draw Poker" means a game played with a standard 52 card deck, or 53 cards when played with a joker. Draw poker involves the individual receipt of five uninterrupted cards singly dealt, referred to as the deal, prior to any betting or action by participating players. After receiving five cards, players determine whether to stop playing that hand ("fold") or whether to take appropriate betting action to continue on to a situation referred to as the draw. Draw cards are then received by the remaining players as requested from the remainder of the deck. Players achieve the playing hands by their choice to retain desired cards or to discard undesired cards which are replaced through a draw of additional cards. The total number of cards attainable by each player in a hand of draw poker is a minimum of five and a maximum of ten. At no time do players have more than five cards in their possession to make the best five card hand attainable. Draw poker involves only two betting sequences, one after the deal and one after the draw. The goal in draw poker is to garner the betting pool or common pot with the highest ranking hand attainable.
- b. "Lo-ball" is a form of draw poker defined in paragraph (1) with the following variations:
 - (1) The goal is to garner the betting pool or common pot with the lowest ranking hand attainable.
 - (2) At the showdown when playing hands are exposed to determine the winner, the lowest ranking hand wins the pot. Thus, the lowest possible hand is a 5, 4, 3, 2, ace combination, regardless of the suit. Aces are low card in every case and a pair of aces ranks lower than a pair of deuces.
- c. "Panguingui (pan)" means a variation of corquian, a game of Mexican origin which was a predecessor to the game of rummy. The game is played with 6 to 12 decks of cards which have had tens, nines, eights and jokers removed. Each player is dealt 10 cards and the purpose of the game is to meld sets and sequences of cards with certain cards having special values. Each player, in turn, draws either a card from the top of the remaining deck or from the top of an adjacent discard pile.

This sequence of play continues until one player goes out with a total meld of eleven cards, including the card just drawn.

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MAYOR

ATTEST:

CITY CLERK

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