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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,

[Signature]
BLAINE FISHER, Chairman
LAW & LEGISLATION COMMITTEE

BF:KMF
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 - 6TH 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

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.

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

ORDINANCE NO. 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.

(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