ORDINANCE NO. 1000
AN ORDINANCE AMENDING CHAPTER 14.5
OF THE SOLANO COUNTY CODE
ESTABLISHING AND REGULATING BINGO GAMES

The Board of Supervisors of the County of Solano, State of California, does ordain as follows:

SECTION I.
Section 14.5-200, Chapter 14.5, Bingo Games, Solano County Code, is amended to read as follows:

Section 14.5-200. Definitions.
Whenever, in this Chapter the following terms are used, they shall have the meanings respectively ascribed to them in this section.

Bingo. Bingo is a game of chance in which prizes are awarded on the basis of designated numbers or symbols on a card which conform to numbers or symbols selected at random.

Nonprofit, Charitable Organization. A nonprofit, charitable organization is an organization exempted from the payment of the bank and corporation tax by Section 23701 (a), (b), (d), (e), (f), (g) and (l) of the California Revenue and Taxation Code.

Minor. A minor is any person under the age of eighteen (18) years.

SECTION II.
Section 14.5-300, Chapter 14.5, Bingo Games, Solano County Code, is amended to read as follows:

Section 14.5-300. License; Necessity for.
It shall be unlawful for any person or organization to conduct any bingo games in the unincorporated areas of Solano County unless such person or organization is a member of or is a nonprofit, charitable organization acting on behalf of such nonprofit, charitable organization, or is a mobilehome park association or senior citizen organization, and has
been issued a license as provided below.

SECTION III.

Section 14.5-305, Chapter 14.5, Bingo Games, Solano County Code, is amended to read as follows:

Section 14.5-305. License; Application for.

An application for a license to conduct a bingo game in accordance with the provisions of this ordinance shall be filed with the Sheriff of Solano County, on forms approved by the Board of Supervisors. The application for such a license shall be signed and verified by the applicant and shall set forth the following information, as a minimum:

A. The name and address of the organization to which the license will be issued.

B. The name, address and telephone number of the applicant, who shall be a duly authorized representative of the sponsoring organization.

C. The name, address and telephone number of the president or chief officer of the organization which intends to conduct any bingo games under this license.

D. The name, address and telephone number of the person who has custody of the financial records of the bingo games, which records are required by the provisions of this Chapter, and the location of said records.

E. A list of those persons who are members of the authorized organization, and who will operate or staff the bingo games.

F. The location where the bingo games are intended to be held.

G. The day or days of the week, and/or specific dates upon which the bingo games are to be conducted and the hours thereof.

H. A schedule of fees or charges to be collected
from players for each bingo game, or for different varieties of bingo games to be conducted.

I. A statement that the place where the bingo games are to be conducted is property which is owned or leased by the organization conducting said games, and that such organization uses said property for an office or for performance of the purposes for which the organization is formed. Nothing herein shall require that the property owned or leased by the organization be used or leased exclusively by such organization.

J. Each application for a bingo license shall be accompanied by a written resolution of the governing board or body of the organization which is to conduct such games, said resolution being signed by the president or presiding officer of said organization and its secretary, authorizing the application for a bingo license.

K. Each application for a bingo license filed by a nonprofit charitable organization shall be accompanied by a certificate issued by the Franchise Tax Board of the State of California, certifying the tax-exempt status of the organization applying for said license.

L. Each application for a bingo license filed by a mobilehome park association or a senior citizens organization shall be accompanied by a copy of the articles of association and by-laws of the organization applying for said license.

SECTION IV.

Section 14.5-310, Chapter 14.5, Bingo Games, Solano County Code, is amended to read as follows:

Section 14.5-310. License; Application fees.

All applications for bingo licenses shall be accompanied by an application fee of FIFTY ($50.00) Dollars,
one-half of which shall be refundable if the application for license is denied. This fee shall be used to help defray the costs incurred in the investigation for issuance of the license.

SECTION V.

Section 14.5-315, Chapter 14.5, Bingo Games, Solano County Code, is amended to read as follows:

**Section 14.5-315. License; Application Investigation.**

Upon receipt of an application for a license, the Sheriff may send copies of such application to any individual, office, or department which the Sheriff deems essential in order to carry out a proper investigation of the applicant. As a minimum, the applications shall be reviewed by the Planning Department, Environmental Health Department and the Fire Marshal. County Counsel shall review each application for legal sufficiency prior to issuance of the license.

The Sheriff shall verify the eligibility of the applicant organization and shall verify that the bingo games will be conducted where the applicant organization owns or leases property, which property is used for an office, or performance of its business, and shall verify that the staff conducting the bingo games are members of the organization.

The Sheriff shall also investigate, for the purpose of determining that:

A. The conduct of such bingo games at the times and at the place indicated will not disturb the peace of the neighborhood, create a nuisance, and will not create substantial traffic or parking problems; and

B. Neither the application organization, nor any person listed on the application, has violated any laws and regulations of the County regarding building, fire, health,
or safety, and that the applicant has not knowingly and with any intent to deceive, made any false, misleading, or fraudulent statement of facts in the application, or any other documents required by the County to be submitted in conjunction with the application.

SECTION VI.

Section 14.5-320, Chapter 14.5, Bingo Games, Solano County Code is amended to read as follows:

Section 14.5-320. License; Issuance or Denial.

Licenses shall be issued by the Board of Supervisors, upon the recommendation of the Sheriff, to organizations exempted from the payment of the bank and corporation tax by Section 23701(a), (b), (d), (e), (f), (g) and (I) of the California Revenue and Taxation Code, or to mobilehome park associations or senior citizen organizations.

The Board of Supervisors will not issue a license to any applicant if the Board, or any reviewing County Agency, cannot favorably verify any one of the findings required by Section 14.5-315 above, or if it appears from the application that the conduct of such games would be in violation of any of the terms, conditions, and requirements of this Ordinance.

SECTION VII.

Section 14.5-325, Chapter 14.5, Bingo Games, Solano County Code, is amended to read as follows:

Section 14.5-325. License; Transferability.

Each license issued hereunder shall be issued to a specific person on behalf of a specific organization to conduct a bingo game, or games, at a specific location, and shall in no event be transferable from one person to another, from one organization to another, or from one location to another.
SECTION VIII.

Section 14.5-330, Chapter 14.5, Bingo Games, Solano County Code, is amended to read as follows:

Section 14.5-330. License; Term.

Each license issued hereunder shall be issued for a period of one (1) year, and the license may be renewed for additional one-year periods upon payment of the license renewal fee of Fifty Dollars ($50.00) and filing a supplemental application statement with the Sheriff on forms to be provided by the Sheriff's Department.

SECTION IX.

Section 14.5-500, Chapter 14.5, Bingo Games, Solano County Code, is amended to read as follows:

Section 14.5-500. Conduct of Bingo Games.

A. It is a misdemeanor, punishable by a fine not to exceed Ten Thousand Dollars ($10,000), as authorized by Penal Code Section 326.5(c), for any person to receive a profit, wage or salary from any bingo game. Such fines, when collected shall be deposited in the General Fund of the County. Any violation of any other provision of this Chapter is punishable as a misdemeanor.

B. No minors shall be allowed to participate in any bingo game.

C. A licensee shall conduct bingo games only on property owned or leased by it, and which property is used by such organization for an office or for performance of the purpose for which the organization is organized. Nothing herein shall be construed to require that the property owned or leased by the organization be used or leased exclusively by such organization.

D. All bingo games shall be open to the public and shall not be restricted to the members of the nonprofit,
charitable organization.

E. A bingo game shall be operated and staffed only by members of the licensee organization. Such members shall not receive a profit, wage or salary from any bingo game. Only the licensee organization shall operate such game or participate in the promotion, supervision, or any other phase of such game.

F. No individual corporation, partnership, or other legal entity, except the licensee organization, shall hold a financial interest in the conduct of any bingo game.

G. With respect to organizations exempt from payment of the bank and corporation tax by Section 23701(d) of the Revenue and Taxation Code, which includes religious, charitable, scientific, literary, educational and humanitarian corporations, all profits derived from a bingo game shall be kept in a special fund or account and shall not be commingled with any other fund or account. Such profits shall be used only for charitable purposes. With respect to other organizations authorized to conduct bingo games pursuant to this section, all proceeds derived from a bingo game shall be kept in a special fund or account and shall not be commingled with any other fund or account. Such proceeds shall be used only for charitable purposes, except as follows:

(1) Such proceeds may be used for prizes.

(2) A portion of such proceeds, not to exceed 10 percent of the proceeds after the deduction for prizes, or Five Hundred Dollars ($500) per month, whichever is less, may be used for rental of property, overhead, and administrative expenses.

H. No person shall be allowed to participate in a bingo game unless the person is physically present at the time and place in which the bingo game is being conducted.
I. The total value of prizes awarded during the conduct of any bingo game shall not exceed Two Hundred Fifty Dollars ($250) in cash or kind, or both, for each separate game held.

SECTION X.

This Ordinance shall be published once before the expiration of FIFTEEN (15) DAYS after its final passage in the _______, a newspaper of general circulation, printed and published in the County of Solano, State of California, and shall be in full force and effect THIRTY (30) DAYS after its passage.

ATTEST: THOMAS HANNIGAN, Chairman of the Solano County Board of Supervisors
NEIL CRAWFORD, County Clerk and ex officio Clerk of the Board of Supervisors,

By ____________________ Deputy Clerk

I, NEIL CRAWFORD, County Clerk and ex officio Clerk of the Board of Supervisors of the County of Solano, State of California, do hereby certify that the above and foregoing Ordinance was introduced at a regular meeting thereof held on the 27th day of September, 1977.

On the motion of Supervisor ________, and the second of Supervisor ________, this Ordinance was adopted at a regular meeting of said Board on the 14th day of October, 1977, by the following vote:

AYES: SUPERVISORS: ________

NOES: SUPERVISORS: ________

ABSENT: SUPERVISORS: ________

WITNESS my hand and the Seal of said Board this ______ day of ______, 1977.

NEIL CRAWFORD, County Clerk

By/_________ Deputy Clerk