ORDINANCE NO. 392/2

AN ORDINANCE PROVIDING FOR THE REGULATION AND LICENSING OF CARD ROOMS

THE BOARD OF SUPERVISORS OF THE COUNTY OF SOLANO DO ORDAIN AS FOLLOWS:

SECTION 1. CARD ROOMS - REGULATION AND LICENSING. It shall be unlawful for any person, firm or corporation, whether as principal, servant, agent or employee, to engage or carry on, or operate, or to maintain or conduct, or cause to be engaged in, carried on, maintained or conducted, any card room in Solano County, State of California, without first having obtained a permit so to do from the Board of Supervisors of the County of Solano, and a license from the Tax Collector of the County of Solano, as hereinafter provided.

SECTION 2. PERMIT AND/OR LICENSE NOT EXEMPT FROM ANY OTHER PROVISIONS OF CODE. The issuance of a permit and/or license under the provisions of this ordinance shall not exempt the permittee or licensee from any ordinance of the County of Solano requiring a permit or license, or any law of the State of California pertaining to the operation or the conduct of the businesses herein enumerated.

SECTION 3. DEFINITIONS.
(a) "Card Room" means any place, or room wherein any game with cards is played for money, checks, credit or other representative of value;
(b) "Board" means the Board of Supervisors of the County of Solano, State of California;
(c) "Clerk" means any person or officer who is or acts as Clerk of the Board of Supervisors, County of Solano, State of California;
(d) "Sheriff" means the Sheriff of the County of Solano, State of California;
(e) "Table" means a table at which not more than six (6) persons may be seated at any one time;
(f) "Person" means any person, firm, company, corporation or association.

SECTION 4. APPLICATION FOR PERMIT - FILING FEE. Every person, firm, or corporation requiring a permit as provided in this ordinance shall make written application for the same, in duplicate, to the Clerk, and shall at the time of making such application pay to the Clerk a filing fee of Thirty-five Dollars ($35.00), which fee shall not be returned, or applied on the license fee, if a license is granted. Said application shall be verified and shall contain:

a. The true names and resident addresses of the applicants and all persons financially interested in such business;
b. The past criminal record, if any, of all such persons;
c. Fingerprints and photographs of all applicants and persons financially interested in such business;
d. The number of card tables proposed to be operated in a card room;
e. Citizenship of applicant or applicants; and
f. Other additional information deemed relevant by the Board.

SECTION 5. FIXATION OF TIME FOR HEARING - INVESTIGATION AND REPORT. Upon receipt of said application, the Clerk shall set the same for hearing before a regular meeting of the Board and the application shall be referred immediately to the Sheriff and the District Attorney of the County of Solano for such -2-
investigation as they deem proper as to the character and morals of the applicant and persons financially interested therein, and the character of the business to be conducted. The Sheriff and the District Attorney shall each file a written report and recommendation with the Clerk of the Board of Supervisors on or before the date set for the hearing of said application.

SECTION 6. NOTICE OF HEARING. The Clerk shall cause a notice of the filing and hearing of the application to be posted at least ten (10) days before the hearing in a conspicuous place at the entrance to the premises for which the permit is requested. The notice herein specified shall be in such form as the Board shall prescribe. The Clerk shall also cause a notice of the filing and hearing of the said application to be published at least once a week for two (2) consecutive weeks, in a newspaper selected by the Clerk, which is of general circulation in the township in which the premises described in said application are located. The last publication shall be made at least seven (7) days before the date set for the hearing of the application. The Clerk shall also give notice of said hearing to the applicant.

SECTION 7. RIGHT TO FILE PROTEST. Any person interested who objects to the granting of the said application may file a written protest, setting forth his objections, with the Clerk at or before the time set for the hearing of the application. The Clerk shall endorse on each protest the date of its filing with him and at the time appointed for the hearing shall present all protests so filed with him to the Board of Supervisors.

SECTION 8. HEARING. The Board of Supervisors shall hear and pass upon the application and protests at the time appointed or any any time to which the hearing thereof shall be adjourned. The Board may deny said application when in its
opinion good cause exists therefor. Its decision thereon shall be final and conclusive. No permit shall be granted to one not a citizen of the United States. All permits and licenses issued hereunder shall expire on the last day of the calendar year in which issued. No person shall be granted a permit to conduct more than one (1) card room premises, and not more than one permit shall be issued for each premises. When any permit is issued under the provisions of this ordinance, the Board shall cause said permit to be forwarded to the Office of the Tax Collector for delivery to the permittee. No person to whom a permit or license is granted as herein provided/maintain more than four (4) card tables on said premises.

SECTION 9. EMPLOYEE'S WORK PERMIT AND LICENSE REQUIRED. It shall be unlawful for any person to be employed in a card room having a valid permit and license, as provided for in this ordinance, without first having obtained a work permit from the Sheriff, as hereinafter provided.

SECTION 10. APPLICATION FOR EMPLOYEE WORK PERMIT. Every person requiring a work permit, as provided for in this ordinance, shall make written application for same to the Sheriff. Said application shall contain:

a. The true name and resident address of the applicant;
b. Fingerprints and photographs of such applicant;
c. Citizenship of applicant;
d. Additional information deemed relevant by the Sheriff; and
e. Approval in writing by the prospective employer of such applicant.

SECTION 11. INVESTIGATION. Upon receipt of said application, the Sheriff shall conduct such investigation of the applicant as he may deem proper. The Sheriff may deny said application when, in his opinion, good cause exists therefor.
No work permit shall be issued to any person who is not a citizen of the United States of America. If the Sheriff approves the granting of said permit, he may issue a work permit to said applicant, which permit shall be serially numbered and shall expire on the last day of the calendar year in which issued. The work permit shall not be valid for any premises other than that for which it is issued.

SECTION 12. PAYMENT OF LICENSE TAX. Every holder of a permit as herein provided shall pay to the Tax Collector a license tax in connection with Card Rooms, as follows:

1. Where one (1) card table is maintained . . . $ 25.00
2. Where two (2) card tables are maintained . . 150.00
3. Where three (3) card tables are maintained . . 300.00
4. Where four (4) card tables are maintained . . 750.00

All license taxes are payable upon the issuance of the permit by the Board. License taxes paid under the provisions of this section shall not be prorated or refunded. A separate license shall be required for each type business provided herein.

SECTION 13. REVOCATION OF PERMIT - PERMIT AND LICENSE NOT TRANSFERRABLE. The Board may revoke any permit issued hereunder when the permittee is violating or attempting to violate any law of the State of California, any ordinance of the County of Solano, or any provision of this ordinance. Written notice of such revocation shall be forwarded by the Clerk to the Tax Collector and to the permittee at the address given in the application. No permit or license granted under the provisions of this ordinance shall be transferrable or removable to another location.

SECTION 14. POSTING OF PERMIT AND LICENSE. Every current permit and license issued under the provisions of this ordinance shall be plainly posted by the permittee in a conspicuous place on the premises for which the permit and license
SECTION 15. EXEMPTION. No permit or license shall be required of a non-profit, civic, patriotic, religious or fraternal organization having regularly adopted by-laws, duly elected officials, and duly elected members, when the facilities of the said organization are for the exclusive use of the members thereof; provided, however, said facilities shall be inspected by any authorized deputy of the Sheriff's Office, upon demand.

SECTION 16. INSPECTION. At all times during the period of each day when said premises are permitted under this ordinance to be kept open and during all business hours of said club or business, all exterior doors of the building in which said club or business shall be conducted, and all doors leading to any interior rooms of said premises, shall be kept unlocked, and the applicant, upon applying for a permit hereunder, agrees and stipulates that said doors shall be kept unlocked during all business hours, and agrees and stipulates further that any sheriff, or deputy sheriff, peace officer, or any constable, or any person acting under the immediate direction of any sheriff, deputy sheriff, peace officer or constable, may, at all times during business hours, in an orderly way, pass through and inspect any portion of said business or any side room or any room used by said applicant in connection with said business, and after closing hours, said premises shall be subject to inspection by the Sheriff or his authorized deputies upon demand therefor being made, and every person receiving a permit and license under this ordinance shall be deemed to have consented to such inspection by the Sheriff or his authorized deputies, as a condition to the receipt of such permit and/or license.

SECTION 17. CLOSING TIME - MINORS PROHIBITED.

No card room licensed hereunder shall be kept open between the hours of one (1) o'clock a.m. and four (4) o'clock p.m. of the same day. No persons under the age of twenty-one (21) years shall be permitted upon any premises for which a
card room license has been issued. All permits and licenses issued pursuant to this ordinance shall be deemed privileges extended, and not a right to be granted.

SECTION 18. VIOLATION, A MISDEMEANOR. The congregation of two or more persons behind barricaded or locked doors of a licensed card room, or any other room or place, in the presence of gambling equipment, which term expressly includes, but is not limited to, playing cards, shall be unlawful. Any person violating any of the provisions of this ordinance shall be guilty of a misdemeanor, and shall upon conviction thereof, be punished by a fine of not more than $300.00, or by imprisonment in the County Jail for a period not exceeding six (6) months, or by both such fine and imprisonment. Each day's continuance of a violation of any of the provisions of this ordinance shall be deemed a separate offense.

SECTION 19. COMPLIANCE WITH LAW. The Board of Supervisors of the County of Solano hereby declares that it is not intended by this ordinance to permit or license any card room for the playing of any game prohibited by the laws of the State of California, or the ordinances of the County of Solano.

SECTION 20. SEPARABILITY. If any provision of this ordinance or the application thereof to any persons or circumstances, is held invalid, the remainder thereof and the application of such provisions to other persons or circumstances, shall not be affected thereby.

SECTION 21. EFFECT. This ordinance shall take effect and be in force at the expiration of thirty (30) days from and after its passage, and before the expiration of fifteen (15)
days after the passage of this ordinance it shall be published with the names of the members voting for and against the same, for at least one time in the Solano Republican, a newspaper of general circulation, published in said County of Solano.

WILLIAM H. GOHEEN
Chairman of the Board of Supervisors of Solano County, State of California

Attest: Clerk of said Board

I, LEWIS MORRILL, County Clerk of Solano County, and ex-officio Clerk of the Board of Supervisors of said County, do hereby certify that the above and foregoing Ordinance was regularly introduced, passed and adopted by said Board at a regular meeting thereof held March 5, 1956, by the following vote:

AYES: Supervisors Church, Kilby, Mowers and Goheen

NOES: Supervisors None

ABSENT: Supervisors None

WITNESS my hand and the Seal of said Board this 5th day of March, 1956.

LEWIS MORRILL
Clerk