

Chapter 5.16

CARD ROOMS

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5.16.010 Definitions.

"Card room" means any establishment open to the public wherein games of any kind are played with cards for which a fee of whatever nature is charged. (Prior code § 3-51)

5.16.020 Permits required.

A. Any person conducting, carrying on or managing a card room, shall obtain a permit from the police chief prior to conducting, carrying on, or managing such business. No new permits for a card room shall be issued under this chapter.

B. No person shall be employed by any card room as an employee, nor serve as an independent agent or contractor for the card room, unless he or she has a valid work permit issued by the chief of police pursuant to this section. Copies of such work permits shall be available for inspection by the City's law enforcement officials during the card room's hours of operation. In addition to any other restrictions provided by law, no work permit shall be issued to anyone who is disqualified from holding a state gambling license for any of the reasons specified in Business and Professions Code Section 19850. Any application for a work permit shall be subject to objection by the state division of gambling control. If the division objects to the issuance of a work permit, it shall be denied. Such a denial may be reviewed in accordance with the Gambling Control Act, Business and Professions Code Section 19801, et seq.

C. The application for each permit shall be accompanied by fingerprints of the applicant and shall contain all information deemed relevant by the police chief.

1. For each applicant, partner, corporate board of director and chief executive officer listed and all others determined to have a financial interest in the card room under application, there shall be an application fee as set by resolution.

2. For each dealer or employee involved in the operations of the card room facility, there shall be an application fee as set by resolution. This fee includes the first year license, if approved.

E. Each person managing, conducting or carrying on a card room must pay the license fees required by Chapter 5.04 of this title. In addition, each dealer or employee of a card room shall be required to have an annually renewable license to be employed by the card room facility. This license shall be a form prescribed by the city and shall include a standard size colored photograph provided by the applicant, and shall be displayed in a prominent place at the entrance of the card room facility at all times. License shall expire on December 31st of each year and may be renewed by the applicant. The annual license fee shall be set by resolution. License fee may

be prorated to no less than one-half the annual fee after July 1st, of each year. (Prior code § 3-52, Ord. No. O1999 30, Amended, 11/02/1999)

5.16.030 Permits--Transferability.

Permits previously issued under this chapter may be transferred subject to the transferee complying with Section 5.16.020 of this chapter in its entirety. Transferees are subject to the payment of a transfer fee in the amount of one thousand dollars per individual, partner, stockholder or officer. Said transfer fee shall be paid at the time of application. In addition, the applicant shall pay the appropriate investigation fee. (Prior code § 3-53)

5.16.040 Permit revocation.

Permits under this chapter may be suspended or revoked by the council upon conviction for a violation of any of the provisions of this chapter or when in the opinion of the council, the continued operation of such place or establishment will be injurious to the public health, safety, welfare or morals of the people of the city. (Prior code § 3-54)

5.16.050 Number of tables.

It shall be unlawful for any person to maintain at any time in any card room a greater number of tables than set forth in the application for a permit. (Prior code § 3-56)

5.16.060 Intoxicants prohibited.

A. It shall be unlawful for the owner, operator, tenant or person in control of any room or enclosure where a card table or tables are maintained, or while any game is being played, or for any person within any room or enclosure where any such table or tables are maintained or used, whether or not a participant at such table or in any game placed there at, to consume any intoxicating liquor or alcoholic beverage.

B. It shall be unlawful for any owner, operator, tenant, or other person to permit any person to consume any intoxicating liquor or alcoholic beverage within any card room or enclosure where any card tables are maintained, used or played at. It shall be unlawful for any such owner, tenant, operator or other such person or other such person in charge or control of any such room, enclosure, game or tables, to knowingly permit any person while under the influence of intoxicating liquor or alcoholic beverage to participate either directly or indirectly in any game played at any such table or within such room or enclosure. (Prior code § 3-57)

5.16.070 Minors prohibited.

No proprietor or person having charge of any card room shall suffer or permit any person under the age of eighteen years to enter, be in, remain in or visit such establishment. (Prior code § 3-58)

5.16.080 Doors to be unlocked--Premises to be open to inspectors.

No bagatelle table, card table, or devices at or upon which card games may be played by the general public, shall be maintained behind any closed, locked or barred door at any place or business in this city. The main entrance of any card room shall at all times remain unlocked and unbarred while any games are being played upon the said premises; and at all times all card room games are being played shall be kept in such condition as to be accessible for inspection to all police officers. No permit for the conduct of any card game shall be issued for any portion of any premises unless such portion is in close proximity to and readily accessible by all police officers from the main entrance of said premises. (Prior code § 3-59)

5.16.090 Zoning compliance required.

The permit approved pursuant to this chapter may not be used unless and until the holder of the permit complies with any and all regulations of Title 17 of this code. (Prior code § 3-60)

5.16.100 Games prohibited by state law.

Nothing in this chapter shall be interpreted as authorizing, allowing, permitting, or granting authority, either directly or indirectly, to any person to carry on, conduct or cause to be carried on or conducted, any game or games prohibited by state Penal Code Section 330 as of the effective date of this chapter, or as it may be amended. (Prior code § 3-61)

5.16.110 Hours of operation.

Before any card room shall be allowed to operate, each card room, and each owner, manager, and operator of a card room, shall adopt a schedule of hours of operation, which such schedule shall first be approved by the police chief. Each card room shall conspicuously post schedules of its hours of operation at all entrances and exits of the premises in which the card room is operating in order to give law enforcement officials and patrons adequate notice of the hours during which the card room will be opened for business. Card rooms which comply with all requirements of this chapter shall be authorized to operate 24 hours each day. (Ord. No. O1999 30, Added, 11/02/1999)

5.16.120 Disorderly conduct; Patron security and safety.

No person or entity owning, managing, operating or controlling a card room shall allow, suffer or cause disorderly conduct or a breach of the peace in or around the premises at which a card room is operated. Each card room, and each owner, manager and operator of a card room, shall be responsible for and liable for the security and safety of its patrons' safety and security in and around the premises in which the card room is operating. Before it shall be allowed to operate, each card room, and each owner, manager and operator of a card room, shall adopt a plan to provide for the safety and security of patrons, which such plan shall be submitted to the police chief for review and approval prior to the operation of each card room. Each card room, and each owner, manager and operator of a card room, shall conspicuously post inside the premises in which the card room is operating the approved patron security and safety plan, in order to give law enforcement officials and patrons adequate notice of such plan. (Ord. No. O1999 30, Added, 11/02/1999)

5.16.130 Wagering limits.

Each card room, and each owner, manager and operator of a card room, shall adopt and enforce wagering limits for each controlled game. Each card room, and each owner, manager and operator of a card room, shall submit such rules to the police chief for approval prior to operation of each card room. Such rules for wagering limits shall be conspicuously posted at or near each card table in order to give patrons adequate notice of the applicable wagering limits. (Ord. No. O1999 30, Added, 11/02/1999)

5.16.140 Limitations on authorized tables.

No more than five (5) card tables shall be permitted in each card room. No more than five (5) card tables shall be permitted in the City of Napa. No card table shall accommodate in excess of ten (10) patrons at one time. (Ord. No. O1999 30, Added, 11/02/1999)