

TITLE 2 LICENSES, BUSINESS REGULATIONS AND BUSINESS TAXES*

DIVISION 1. BUSINESS REGULATIONS*

CHAPTER 4. CASINO PARTIES*

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***Note**--Chapter 4 repealed and new Chapter 4 added by Ord. No. 2044 (N.S.), effective 6-9-60; Chapter 4 repealed by Ord. No. 5200 (N.S.), effective 8-10-78; new Chapter 4, CASINO PARTIES, added by Ord. No. 7309 (N.S.), effective 7-2-87.

SEC. 21.401. PURPOSE AND AUTHORITY.

California Business and Professions Code sections 19985 et seq. were adopted to regulate nonprofit organizations fundraising events that involve games of chance. These sections also provide that local governments have authority to regulate these events. This chapter supplements State law and provides a system to license nonprofit organizations conducting casino parties for fundraising in San Diego County.

(Added by Ord. No. 9889 (N.S.), effective 10-26-07)

SEC. 21.402. DEFINITIONS.

For the purpose of this chapter the following definitions shall apply:

(a) "Advertisement" means a public promotion of a "casino party" by written material, media broadcast or any other method.

(b) "Casino Party" means a fundraising event conducted by a nonprofit organization in which members of the public play controlled games.

(c) "Casino Manager" means the individual listed on the license application who will be present at the event and be responsible for the operation of the casino party. A casino manager shall be a member of the charitable organization sponsoring the casino party.

(d) "Chips or scrip" means the tokens or simulated paper currency, respectively, used to play the casino games at the party.

(e) "Controlled games" has the same meaning as the term "controlled games" in Penal Code section 337j (e).

(f) "Donation" means a contribution of any tangible item, including merchandise, money, services or any other thing having pecuniary value for which the donor received no consideration.

(g) "Minor" means any person under the age of 21 years.

(h) "Nonprofit organization" has the same meaning as the term "nonprofit organization" in Business and Professions Code section 19986(h).

(i) "Prize" means any property or merchandise designated by the sponsoring organization to be distributed or awarded to a person selected by a raffle or other lottery.

(j) "Raffle or lottery" means any scheme for the disposal or distribution of property of merchandise by chance for no consideration.

(Amended by Ord. No. 9889 (N.S.), effective 10-26-07)

Cross reference(s)--Definitions, § [12.101](#) et seq.

State law reference(s)--Games of chance, etc., Penal Code, § 330; exemptions from paying bank and corporation tax, Revenue and Taxation Code, §§ 12701(e), 23701(d), 23701(f).

SEC. 21.403. LICENSE REQUIRED.

(a) It shall be unlawful for any person to conduct a casino party in the unincorporated area of the County without a license issued by the Issuing Officer. The Sheriff shall be the Issuing Officer for a license under this chapter. Only a "nonprofit organization" as defined in section (h) is eligible to apply for a license to conduct a casino party. No license to conduct an event under this chapter shall be issued unless the State Division of Gambling Control has pre-approved the event.

(b) The license required by this chapter shall be obtained pursuant to sections [21.101-21.117](#) of this code and the procedures described below.

(c) Operating a casino party without the license required by this chapter or contrary to the terms of the license shall be grounds for the Issuing Officer to seize all controlled gaming equipment being used. The Issuing Officer shall give notice in writing pursuant to section [11.112](#) to the person the Issuing Officer believes to be the owner of the equipment that the equipment has been seized and that the owner has the right to request a hearing to contest the seizure to the Appellate Hearing Board by filing a request for appeal with the Clerk of the Board of Supervisors within 15 days of the notice. The notice shall also state the equipment will be destroyed if no request for hearing is filed. If the Issuing Officer does not know who owns the equipment, the Issuing Officer shall advertise the seizure for three consecutive days in a

newspaper of general circulation providing the same information as required by the notice. If no appeal is filed or if after a hearing the Appellate Hearing Board finds the equipment was used illegally, the Issuing Officer may destroy the equipment.

(d) All casino party licenses shall be issued for a maximum of five consecutive hours and will expire no later than two o'clock a.m. of the following day. Casino licenses are not renewable.

(Amended by Ord. No. 8049 (N.S.), effective 5-7-92; amended by Ord. No. 9889 (N.S.), effective 10-26-07)

SEC. 21.404. APPLICATION.

(a) The applicant shall follow sections [21.104](#) to [21.117](#) of this code and the additional terms below.

(b) The completed application for a casino party license shall be submitted to the Issuing Officer at least 30 days before the event for which the license is requested.

(c) With the application the applicant shall submit:

(1) Proof of registration and approval with the State Division of Gambling Control.

(2) A complete list of prizes containing the fair market value of each prize that will be awarded. Once the license is approved the licensee shall award all prizes listed in the application and shall not make any additions or substitutions to the prize list.

(3) A statement that the person signing the application has read and is familiar with this chapter in its entirety and agrees to make a copy of this chapter available to all the organization's members who will be volunteering at the event.

(4) A copy of the agreement with the person who is supplying the gaming equipment.

(Amended by Ord. No. 7428 (N.S.), effective 2-4-88; amended by Ord. No. 9889 (N.S.), effective 10-26-07)

SEC. 21.405. CASINO PARTY REGULATIONS.

(a) During the casino party the licensee shall have available for inspection by the Issuing Officer and all code compliance officials:

(1) A list containing the full names of each person from the organization to whom the license has been issued who are volunteering at the casino party, and

(2) A list containing the full names of each person employed by the company furnishing the casino equipment who are working at the event.

- (b) No minors shall be allowed to participate in any casino party.
- (c) No casino party shall be conducted between the hours of 2:00 a.m. and 6:00 a.m.
- (d) All chips or scrip provided to attendees shall be dispensed free of charge and unrelated to any donation made by or that might be made by an attendee.
- (e) No currency, cash or checks may be used or displayed at any gaming table or device.
- (f) No chips or scrip may be redeemed for anything of value or for chances on a raffle or lottery for prizes. All prizes advertised must be awarded at the event and the participants must be present to win.
- (g) All drawing tickets shall have the words "Free Drawing" printed on the tickets. The letters "Free Drawing" must be the same size or larger than any other letters printed on the ticket.
- (h) Each person working at the casino party either on behalf of the licensee or the company furnishing the casino equipment shall wear on the outside of his clothing at chest height, an identification tag displaying the person's full name and title.
- (i) The casino managers listed in the application must be present at all times during the operation of the casino party.

(Amended by Ord. No. 7591 (N.S.), effective 3-23-89; amended by Ord. No. 9889 (N.S.), effective 10-26-07)

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