

ORDINANCE NO. 1829, FOURTH SERIES

AN ORDINANCE AMENDING SUBSECTION 100 OF SECTION 27 OF ORDINANCE NO. 1169, FOURTH SERIES, PASSED JUNE 7, 1946, AND ENTITLED: "AN ORDINANCE PROVIDING FOR LICENSING AND REGULATING THE CARRYING ON OF CERTAIN PROFESSIONS, TRADES, CALLINGS AND OCCUPATIONS; PROVIDING A PENALTY FOR THE VIOLATION OF THIS ORDINANCE AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH," BY PROHIBITING THE LICENSING OF CERTAIN MECHANICAL AMUSEMENT DEVICES, INCLUDING ONE BALL GAMES; GAMES ADAPTED TO INSERTION OF MORE THAN ONE COIN FOR SINGLE GAME; FOR THE INSERTION OF ADDITIONAL COINS BEFORE COMPLETION OF ORIGINAL GAME; GAMES WHERE MORE THAN TEN CENTS IS REQUIRED TO PLAY; PROVIDING FOR EXAMINATION OF MACHINES BEFORE ISSUANCE OF LICENSE, LICENSING OF PREMISES, AND SUSPENSION OF LICENSES; PROVIDING THAT THE VIOLATION OF ANY OF THE PROVISIONS SO ADDED SHALL BE SUBJECT TO THE PENALTY PROVIDED IN SECTION 7 OF SAID ORDINANCE ABOVE MENTIONED, AND MAKING THIS ORDINANCE AN EMERGENCY MEASURE TO TAKE EFFECT IMMEDIATELY.

BE IT ENACTED BY THE COUNCIL OF THE CITY OF  
SACRAMENTO:

SECTION 1: Subsection 100 of Section 27 of Ordinance No. 1169, Fourth Series, passed June 7, 1946, shall be amended to read as follows:

(100) Game machines, ball games, ray-o-lites, skee-ball and similar devices:

(a) Each skee-ball, bowlette or similar device, \$10.00 per quarter.

(a-1) Each shuffleboard \$5.00 per quarter.

(b) Each ray-o-lite, or similar machine, with electrical attachment operated solely for amusement and not licensed elsewhere, \$12.00 per year per machine.

(c) Each ball game machine using 10 or more balls, \$3.00 per quarter.

(d) Each ball game machine using 5 to 9 balls, \$10.00 per quarter.

(e) Each iron claw, crane or similar device, \$10.00 per quarter.

(f) The Assessor-Collector shall issue one label for each machine operated by licensee which shall bear the name and address of the licensee, and which shall be affixed thereto to

indicate that the regular fee has been paid for the current year. The Assessor-Collector shall seal the opening or slot on each machine not bearing such a label. It shall be unlawful for any person to break any seal affixed hereunder without authority to do so by the Assessor-Collector.

(g) No person, firm or corporation shall place such machine or games in such a manner that they may be operated within two (2) blocks of public school grounds.

(h) No person, firm or corporation shall within the limits of the City of Sacramento, possess any such machine which automatically discharges or pays, or is capable of discharging or paying counters, slugs, money, checks, coupons and/or tickets whether in a sealed compartment or not.

(i) This license fee shall in no way license nor permit the operation of a machine or game which is unlawful under the state law or local ordinances, nor license, nor permit the operation of a lawful machine or game in an unlawful manner, nor permit the operation of any machine or game in which the element of chance predominates.

(j) License fees which are provided shall be in addition to any other license paid to the city.

(k) CERTAIN MECHANICAL AMUSEMENT DEVICES WILL BE PROHIBITED. No license shall be issued to any applicant relating to any mechanical amusement device, which for each coin, slug or token inserted makes available to the player, for actual play, only one ball; nor shall any license be issued to any applicant relating to any mechanical amusement device which permits or is adapted to the insertion of more than one coin, slug or token, for the playing of a single complete game; or which permits or is adapted to the insertion of additional coins, slugs or tokens during the playing of or before the completion of the game for which the original coin, slug or token was inserted in said mechanical amusement device; or which permits or is adapted to the insertion of any coin in excess of the denomination of ten cents. Such device shall be so constructed, operated and designated as to only permit automatically the playing of additional games.

(1) IDENTIFICATION OF OPERATOR AND OWNER. The name and address of the operator and owner of each device shall be indelibly printed, painted or stamped or impressed upon each machine.

(m) THE ASSESSOR-COLLECTOR WILL HAVE THE RIGHT TO EXAMINE ALL MACHINES AND EQUIPMENT PRIOR TO THEIR INSTALLATION AND PRIOR TO ISSUING LICENSES. Applications for licenses hereunder shall be made to the Assessor-Collector accompanied by a receipt showing that the applicant has paid the required fee for the license and shall be made on forms prescribed

by the Assessor-Collector. If the Assessor-Collector finds that the license applied for is for the sale, lease or display of a device or machine which may be legally licensed, sold, displayed and operated under the provisions of and according to the standards laid down by this ordinance, he shall issue to the applicant the license applied for and shall notify the City Treasurer and the latter shall thereupon pay into the general fund of the City Treasury the fee received from the applicant; otherwise, the application shall be rejected by the Assessor-Collector and the fee refunded.

(n) LICENSING OF PREMISES. No person shall at his place of business permit to be used, played or operated any such machine unless he has a location license for said machines to be issued by the Assessor-Collector upon application. A separate location license is required for each place of business and shall at all times be conspicuously posted and maintained in each place of business. The Assessor-Collector shall prescribe the form of the location license and shall designate a number therefor. For each location license there shall be paid the sum of Five Dollars (\$5.00) per quarter in addition to any other license fees herein prescribed.

The Assessor-Collector shall have the right, subject to appeal to the City Council, of refusing to issue any license that in his opinion would be detrimental to good public practice.

(o) SUSPENSION OF LICENSES. If the Assessor-Collector shall find that any licensee has violated any provision of this Ordinance, or any other City Ordinance, or any State Law, he shall make a written record of such findings, shall specify therein the particulars in which the Ordinance has been violated and shall, either revoke the license or suspend it for a period to be fixed by him, in which event, the license shall be surrendered to the Assessor-Collector and cancelled by him in case of revocation, or returned to the licensee on expiration of the period of suspension. Any licensee whose license is revoked or suspended shall have the right to appeal to the City Council from such revocation or suspension by filing with the Assessor-Collector a written notice thereof within five (5) days after the entry of the order of revocation or suspension. The notice of appeal shall specify an address at which the licensee may be given notice of hearing on the appeal. The City Council shall hear the appeal. At the hearing, the licensee shall be entitled to appear in person and offer evidence pertinent to the revocation or suspension and the Assessor-Collector shall likewise be entitled to be heard at the hearing and offer evidence in support of his order of revocation or suspension. The City Council shall determine by recommendation whether the revocation or suspension shall be sustained and its action in that respect shall be final and conclusive.

SECTION 2: That the violation of any of the above provisions as added by this Ordinance, shall be subject to all of the penalty provisions set forth in Section 7 of the license ordinance.

SECTION 3: This ordinance shall be an emergency measure and shall take effect immediately; such emergency being the necessity of prohibiting the licensing of one ball games and amusement games which allow the insertion of more than one coin for a single game, or are adapted to insertions of additional coins before the completion of the game, or which permit the insertion of any coin in excess of 10 cents, in order to prevent the use of such mechanical amusement devices for gambling purposes.

SECTION 4: That this ordinance shall be published once in the official newspaper of said City of Sacramento.

PASSED: March 25, 1954

EFFECTIVE: March 25, 1954

*H. A. Hicks*

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Mayor.

ATTEST:

*Paul H. Manby*  
Paul H. Manby  
Chief Deputy City Clerk.