



CITY OF SACRAMENTO

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CITY MANAGER'S OFFICE  
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July 22, 1982

Hon. City Council  
City Hall  
Sacramento, CA 95814

Re: AN ORDINANCE AMENDING SECTION 5.70 OF ARTICLE VII OF CHAPTER 5 OF THE SACRAMENTO CITY CODE RELATING TO AMUSEMENT ARCADES

Members in Session:

SUMMARY

This item is presented at this time for approval of publication of title pursuant to City Charter Section 38.

BACKGROUND

The proposed amendment to Section 5.70 removes mechanical amusement devices which show films or photographs from those devices which are regulated as amusement arcades under Article VII of Chapter 5.

The change is necessary because the broad discretion conferred upon the Chief of Police by Article VII cannot constitutionally be applied to activities falling within First Amendment protections, including the showing of films and photographs.

Adult arcades, including mechanical film or photograph machines, are regulated under Section 22-A-55 of the Zoning Ordinance. This amendment does not reduce the legally-enforceable controls which the City has over adult arcades.

RECOMMENDATION

It is recommended that this ordinance be passed for publication and continued to August 10, 1982.

**APPROVED**  
BY THE CITY COUNCIL

AUG 10 1982

DBB/p

OFFICE OF THE  
CITY CLERK

RECOMMENDATION APPROVED:

*Walt J. Slise*  
City Manager

Respectfully submitted,

*Diane B. Balter*

DIANE B. BALTER  
Deputy City Attorney

PASSED FOR  
PUBLICATION  
& CONTINUED  
TO 8-10-82



ORDINANCE NO. 82-065

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

AN ORDINANCE AMENDING SECTION 5.70 OF ARTICLE VII OF CHAPTER 5 OF THE SACRAMENTO CITY CODE RELATING TO AMUSEMENT ARCADES

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

SECTION 1.

Section 5.70 of the Sacramento City Code is hereby amended to read as follows:

Sec. 5.70 Definition of amusement arcade.

For the purposes of this article, the term "amusement arcade" shall be deemed to mean and include any public place of amusement or public place of business in which more than three (3) amusement machines are installed. An amusement machine is any mechanical amusement device by which games are played, or tests of strength and skill offered through the playing of such machines, but shall not include any coin-operated phonographic record player.

PASSED FOR PUBLICATION:

ENACTED:

EFFECTIVE:

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

**APPROVED**  
BY THE CITY COUNCIL

AUG 10 1982

OFFICE OF THE  
CITY CLERK



# ORDINANCE NO.

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PASSED FOR PUBLICATION:

ENACTED:

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\_\_\_\_\_  
MAYOR

ATTEST:

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CITY CLERK

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