

**ORDINANCE NO. 1131**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CAMARILLO ADDING CHAPTER 5.49 TO THE CAMARILLO MUNICIPAL CODE AUTHORIZING AND ESTABLISHING REGULATIONS FOR REMOTE CALLER BINGO**

The City Council of the City of Camarillo ordains as follows:

**SECTION 1:** The City Council of the City of Camarillo finds as follows:

A. The Camarillo Municipal Code currently does not allow Remove Caller Bingo.

B. State of California allows Remote Caller Bingo because Remote Caller Bingo provides non-profit organizations the ability to increase their fundraising capability by allowing bingo games to be broadcasted to multiple locations.

C. The City desires to authorize Remote Caller Bingo and establish regulations consistent with State law.

**SECTION 2:** Chapter 5.49 entitled Remote Caller Bingo Games is hereby added to the Camarillo Municipal Code as follows:

**“Chapter 5.49 – REMOTE CALLER BINGO GAMES**

**5.49.010 – Legislative authorization of remote caller bingo games.**

**5.49.020 – Remote caller bingo authorized.**

**5.49.030 – Qualified applicants - applicants for licensure.**

**5.49.040 – License application - verification.**

**5.49.050 – Annual licenses.**

**5.49.060 – Conditions of licensure.**

**5.49.010 – Legislative authorization of remote caller bingo games.**

This chapter is adopted pursuant to the California Constitution, Article IV, Section 19, as implemented by Penal Code Sections 326.3 and 326.4.

**5.49.020 – Remote caller bingo authorized.**

Remote Caller Bingo may be lawfully played in the city pursuant to the provisions of Sections 326.3 and 326.4 of the Penal Code and this chapter.

**5.49.030 – Qualified applicants - applicants for licensure.**

A. The following organizations are qualified to apply to the city for a license to operate a bingo game if the receipts of those games are used only for charitable purposes:

1. An organization exempt from the payment of the taxes imposed under the Corporation Tax Law by Section 23701a, 23701b, 23701d, 23701e, 23701f, 23701g, 23701k, 23701l, or 23701w of the Revenue and Taxation Code.

2. A mobile home park association of a mobile home park that is situated in the city.

3. Senior citizen organizations.
  4. Charitable organizations affiliated with a school district.
- B. The application must be in a form prescribed by the license official and must be accompanied by a nonrefundable filing fee in an amount determined by resolution of the city council. The following documentation must be attached to the application, as applicable:
1. A certificate issued by the Franchise Tax Board certifying that the applicant is exempt from the payment of the taxes imposed under the Corporation Tax Law pursuant to Section 23701a, 23701b, 23701d, 23701e, 23701f, 23701g, 23701k, 23701l, or 23701w of the Revenue and Taxation Code. In lieu of a certificate issued by the Franchise Tax Board, the license official may refer to the Franchise Tax Board's Internet Web site to verify that the applicant is exempt from the payment of the taxes imposed under the Corporation Tax Law.
  2. Other evidence as the license official determines is necessary to verify that the applicant is a duly organized mobile home park association of a mobile home park situated in the City.

**5.49.040 – License application - verification.**

The license may not be issued until the license official has verified the facts stated in the application and determined that the applicant is qualified.

**5.49.050 – Annual licenses.**

A license issued pursuant to this chapter will be valid until the end of the calendar year, at which time the license will expire. A new license may only be obtained upon filing a new application and payment of the applicable license fee. The fact that a license has been issued to an applicant creates no vested right on the part of the licensee to continue to offer bingo for play. The city expressly reserves the right to amend or repeal this chapter at any time. If this chapter is repealed, all licenses issued pursuant to this chapter will cease to be effective for any purpose on the effective date of the repealing ordinance.

**5.49.060 – Conditions of licensure.**

- A. Any license issued pursuant to this chapter is subject to the conditions contained in Sections 326.3 and 326.4 of the Penal Code, and each licensee must comply with the requirements of those provisions.
- B. Each license issued pursuant to this chapter is subject to the following additional conditions:
  1. Bingo games may not be conducted by any licensee on more than two days during any week, except that a licensee may hold one additional game, at its election, in each calendar quarter.
  2. The licensed organization is responsible for ensuring that the conditions of this chapter and Sections 326.3 and 326.4 of the Penal Code are complied with by the organization and its officers and members.

3. A violation of any conditions of the license or the applicable provisions of the Penal Code will constitute cause for the revocation of the organization's license. Upon notice to a licensed organization of a proposed license revocation, if requested by the licensee, the city council will hold a public hearing before revoking any license issued pursuant to this chapter."

**SECTION 3:** Environmental Review. The City Council exercises its independent judgment and finds that this ordinance is not subject to the California Environmental Quality Act (CEQA), pursuant to Section 15061(b)(3) of Title 14, Section 15000, et sec. (CEQA Guidelines), because the subject regulation will have no potential for resulting in any significant physical change to the environment, directly or indirectly.

**SECTION 4.** Severability. If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

**SECTION 5.** Publication. The City Clerk is directed to certify this ordinance and cause it to be published in the manner required by law.

PASSED, APPROVED, AND ADOPTED November 16, 2016.

  
Mayor

Attested to on 11/17/16  
  
City Clerk

I, Jeffrie Madland, City Clerk of the City of Camarillo, certify Ordinance No. 1131 was introduced by the City Council at a meeting held October 26, 2016, and subsequently passed and adopted by the City Council at an adjourned regular meeting held November 16, 2016, by the following vote:

AYES: Councilmembers: Craven, Kildee, Little, McDonald, Mayor Morgan  
NOES: Councilmembers: None  
ABSENT: Councilmembers: None

  
City Clerk

