

ORDINANCE NO. 3648

AN ORDINANCE AMENDING CHAPTER 17 OF PART VI OF THE ORDINANCE CODE OF TULARE COUNTY, PERTAINING TO LAWFUL GAMBLING ESTABLISHMENTS, CONTROLLED GAMING, AND GAMBLING ENTERPRISE EMPLOYEES.

THE BOARD OF SUPERVISORS OF THE COUNTY OF TULARE ORDAINS AS FOLLOWS:

Section 1. Chapter 17 of Part VI of the Ordinance Code of Tulare County, pertaining to lawful gambling establishments, controlled gaming, and gambling enterprise employees, is hereby amended to read in its entirety as follows:

CHAPTER 17. LAWFUL GAMBLING ESTABLISHMENTS, CONTROLLED GAMING, AND GAMBLING ENTERPRISE EMPLOYEES

ARTICLE 1. GENERAL PROVISIONS

6-17-1000 APPLICATION OF GENERAL PROVISIONS:

Unless the provisions of this Chapter provide otherwise, all of the provisions of Chapter 1 of this Part are applicable to the licenses referred to in this Chapter.

6-17-1010 DEFINITIONS:

As used in this Chapter, the following definitions shall apply:

- (a) "Applicant" means any person who has applied for, or is about to apply for, a County gambling license, or approval of any act or transaction for which County approval is required or permitted under this Chapter.
- (b) "Controlled game" means any controlled game, which is played with cards, dominoes, playing tiles, tokens, or any device representing any numbered, spotted or faced playing card or domino.
- (c) "Expansion" means an increase of 25 percent or more in the number of authorized gambling tables in a gambling establishment, based on the number of gambling tables for which a license initially was issued.

- (d) "Finding of suitability" means a finding that a person meets the qualification criteria described in Business and Professions Code section 19857, and that the person would not be disqualified from holding a state gambling license on any of the grounds specified in Business and Professions Code section 19859.
- (e) "Game" and "gambling game" means any controlled game.
- (f) "Gambling" means to deal, operate, carry on, conduct, maintain, or expose for play any controlled game.
- (g) "Gambling enterprise employee" means the same as provided in Business and Professions Code section 19805, subdivision (n).
- (h) "Gambling establishment" or "establishment" (including "card room" or "gaming club") means one or more rooms where any controlled gambling occurs.
- (i) "Gambling license" (including "card room license" or "gaming club license") means any license issued by the County, unless otherwise specified, that authorizes the person named therein to conduct a gambling operation.
- (j) "Gambling operation" means one or more controlled games that are dealt, operated, carried on, conducted, maintained, or exposed for play for commercial gain.
- (k) "Key employee" means any natural person employed in the operation of a gambling enterprise in a supervisory capacity or empowered to make discretionary decisions that regulate gambling operations, including, without limitation, pit bosses, shift bosses, credit executives, cashier operations supervisors, gambling operation managers and assistant managers, managers or supervisors of security employees, or any other natural person designated as a key employee by the division for reasons consistent with the policies of this Chapter.
- (l) "Licensed gambling establishment" means the gambling premises encompassed by a County gambling license.
- (m) "Owner licensee" means an owner of a gambling enterprise who holds a County gambling license.
- (n) "Person" unless otherwise indicated includes a natural person, corporation, partnership, limited partnership, trust, joint venture, association, or any other business organization.
- (o) "Work permit" means any card, certificate, or permit issued by the California Gambling Control Commission or by the County, whether denominated as a work permit, registration card, or otherwise, authorizing the holder to be employed as a gambling enterprise employee (as

defined in Bus. & Prof. Code, § 19805).

6-17-1020 INTENT OF THE COUNTY: REQUIREMENTS OF GAMBLING CONTROL ACT OF 1997:

By adopting this Chapter, it is the intent of the County to comply with the mandates of the Gambling Control Act (Bus. & Prof. Code, § 19800 et seq.), as adopted and as amended from time to time. The Gambling Control Act provides for uniform, minimum standards of regulation of permissible gambling activities and the operation of lawful gambling establishments (Bus. & Prof. Code, § 19802, subd. (a)).

6-17-1030 PERMITTED SUBJECT MATTER OF REGULATION BY LOCAL ORDINANCE:

Under Business and Professions Code section 19964, the issuance of a state gambling license to a person imposes no requirements upon the County to issue a license to the person. Nothing in the Gambling Control Act shall be construed to preclude the County from:

- (a) Prohibiting any gambling activity;
- (b) Imposing more stringent local controls or conditions upon gambling;
- (c) Inspecting gambling premises to enforce applicable state and local laws; or
- (d) Imposing any local tax or license fee; if the prohibition, control, condition, inspection, or fee is not inconsistent with the Gambling Control Act.

6-17-1040

SEVERABILITY:

If any clause, sentence, paragraph, or part of this Chapter, for any reason, is adjudged by a court of competent jurisdiction to be invalid, that judgment shall not affect, impair, or invalidate the remainder of this Chapter and the application thereof to other persons or circumstances, but shall be confined to the operation of the clause, sentence, paragraph, or part thereof directly involved in the controversy in which the judgment was rendered and to the person or circumstances involved.

6-17-1050

LIBERAL

CONSTRUCTION:

This Chapter is an exercise of the police power of the County for the protection of the health, safety, and welfare of the people of the County and shall be liberally construed to effectuate those purposes.

6-17-1060 GAMING ESTABLISHMENT: LICENSE REQUIRED:

Any person who operates a gambling establishment within the County shall have a valid license to engage in such business issued by the State of California pursuant to the Gambling Control Act and also a valid license issued by the County. A copy of the state license application and the license shall be filed with the license collector prior to the operation of any gambling establishment. A gambling establishment license does not authorize the licensee to engage in the business of a gambling enterprise employee.

6-17-1070 GAMBLING ENTERPRISE EMPLOYEE: LICENSE OR PERMIT REQUIRED:

Any person that is a gambling enterprise employee within the County shall have a valid work permit or license to engage in such business issued by the County or California Gambling Control Commission.

ARTICLE 2. APPLICATION; FEE

6-17-2000 GAMBLING ESTABLISHMENT LICENSE APPLICATION FORM:

In addition to compliance with the requirements set out in Article 1 of this Chapter, and the Gambling Control Act as amended from time to time, the applicant shall specify in the license application the number of controlled gaming tables that will be available for use and the seating capacity of each table. The application shall include the following to ensure patron security and safety:

- (a) Detailed floor plans of the interior of the proposed gambling establishment specifying at a minimum:
 - (1) The location of all controlled game playing areas:
 - (2) The manner in which the controlled game playing areas shall be separated from other areas.
 - (3) The location of any and all other proposed businesses and facilities on the gambling establishment premises.
 - (4) The means for excluding persons under 21 years of age from controlled game playing areas.

- (b) Detailed plans of the parking facilities including a lighting and security plan.
- (c) A detailed statement of all proposed security measures, both physical and operational.
- (d) A detailed statement and description of all plans, both physical and operational, for the handling of money, including but not limited to provisions, if applicable, for the following:
 - (1) Purchase of chips and protection against counterfeit chips;
 - (2) Check-cashing or ATM card-cashing procedure;
 - (3) Procedures for bringing money to or removing money from the premises.
 - (4) Procedures for determining and depositing daily gross receipts.

6-17-2010 NOTICE OF APPLICATION:

Within three (3) days after an application for a County gambling establishment license has been filed with him or her, the license collector shall cause a notice of such application to be posted and maintained for a period of ten (10) days outside of, and in proximity to, the main entrance of the proposed business premises. The license collector shall not issue a County gambling establishment license until after the expiration of said ten (10) day period. This section shall not apply to an application for renewal of a valid license.

6-17-2020 LICENSE FEES: TERM:

- (a) The annual fee for a County license to operate a gambling establishment shall be set from time to time by resolution of the Board of Supervisors. A separate fee shall be charged for each table that will be available on the business premises for the playing of any controlled game.
- (b) The annual fee for a County license to perform the services of a gambling enterprise employee shall be set from time to time by resolution of the Board of Supervisors.
- (c) The term of a County gambling establishment license shall be the period of time specified in Section 6-01-1100.

6-17-2030 GAMBLING ESTABLISHMENT: INCREASE IN NUMBER OF TABLES:

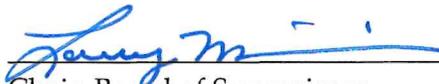
- (a) Any person who has a valid County gambling establishment (gaming club or card room) license as of January 1, 1996, may file a supplemental written application with the license collector requesting that his or her license be amended to increase the number of tables that will be

Section 2. The foregoing ordinance shall take effect thirty (30) days from the date of the passage hereof, and prior to the expiration of fifteen (15) days from the passage hereof a summary shall be published once in the *Sun-Gazette*, a newspaper printed and published in the County of Tulare, State of California, together with the names of the members of the Board of Supervisors voting for and against the same.

THE FOREGOING ORDINANCE was passed and adopted by the Board of Supervisors of the County of Tulare, State of California, on the 27th day of August, 2024, at a regular meeting of said Board duly and regularly convened on said day by the following vote:

AYES: SUPERVISORS MICARI, VANDER POEL, SHUKLIAN, VALERO AND TOWNSEND
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

COUNTY OF TULARE

By: 
Chair, Board of Supervisors

ATTEST: JASON T. BRITT
County Administrative Officer/
Clerk of the Board of Supervisors

By: 
Deputy Clerk



Approved as to Form:
County Counsel

By: 
Deputy

Matter # 2023254