

ORDINANCE NO. 329

AN ORDINANCE OF THE CITY OF HAWAIIAN GARDENS AMENDING CHAPTER 9.64 OF THE HAWAIIAN GARDENS MUNICIPAL CODE BY ADDING SECTIONS DEALING WITH THE ISSUANCE OF BINGO PERMITS.

THE CITY COUNCIL OF THE CITY OF HAWAIIAN GARDENS DOES ORDAIN AS FOLLOWS:

SECTION 1. Chapter 9.64 is hereby amended by addition Sections to read as follows:

Section 9.64.070.1. Development Standards. An application for a permit, on any premises which has heretofore not been issued a permit, shall be required to meet the following criteria:

(a) The property shall be in a C-4 (Commercial) zoning district.

(b) The property shall not abut a residentially zoned district.

(c) The parking requirements for bingo operations shall be calculated for an "assembly" use as required in the zoning ordinance, i.e., one parking space for each 3 seats allowed for bingo. A shared parking arrangement, satisfactory to the City, may be considered when little, if any, overlap in hours of operation would occur.

(d) The hours of operation of bingo games shall be 10:00 A.M. to 12:00 midnight on Sunday through Thursday; and 10:00 A.M. to 2:00 A.M. on Friday and Saturday.

(e) Permittee shall annually, prior to the anniversary date of permit, file with the City, an annual financial statement prepared and certified by a Certified Public Accountant. Permittee shall provide city access to their financial records for purposes of verification during normal working hours.

Section 9.64.090. Issuance and Contents of Permit. Upon being satisfied that the applicant is fully qualified, under the law, to conduct bingo games in the City, the City Council shall issue a permit to said applicant, which shall contain the following information:

(a) The name and nature of the organization to whom the permit is issued.

(b) The address where bingo games are authorized to be conducted.

(c) The occupancy capacity of the room in which bingo

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games are to be conducted.

(d) The date of the expiration of such permit.

(e) Such other information including conditions as may be necessary and desirable for the enforcement of the provisions of this Chapter.

Section 9.64.100. Notice of Intent to revoke permit.

(a) Whenever it appears to the City Administrator that the permittee is conducting a bingo game in violation of any of the provisions of this Chapter, the City Administrator shall so notify the permittee with a Notice of Intent to revoke such permit. The intent to revoke shall be set for public hearing for the City Council in the manner hereinafter set forth. Said notice shall state grounds advanced as the basis of the revocation.

Section 9.64.110. Revocation of Permit.

(a) Whenever it appears to the City Administrator that the permittee is conducting bingo games in violation of any of the provisions of this Chapter, or that the permit was obtained by fraudulent representation or that the manner in which the bingo games are being operated interferes with the use and enjoyment of adjacent or nearby properties, the permit may be revoked; provided, however, the permittee may appear at a public hearing before the City Council at the time fixed by a Notice of Intent to revoke pursuant to Section 9.64.100 for the purpose of presenting evidence why the permit should not be revoked. No permit shall be revoked under this section unless written notice shall have first been given at least 10 days before the hearing thereof by depositing in the United States mail a notice directed to said permittee at the address given in the application. At the time and place of said hearing, the City Council shall afford the permittee and any interested persons an opportunity to present evidence to the City Council. Following the conclusion of the hearing, the City Council shall render its decision within thirty days. The decision of the City Council shall be final.

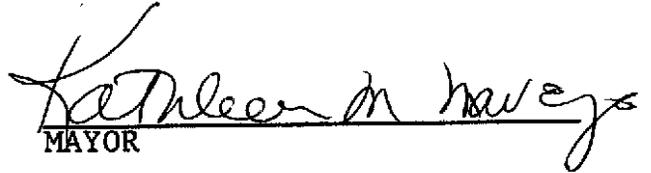
Section 2: Section 9.64.120 is hereby repealed.

Section 3. Severability. If any section, subsection, subdivision, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or otherwise invalid, such decision shall 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 section, subsection, subdivision, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses or phrases be declared unconstitutional.

Section 4. Effective Immediately. Pursuant to Government Code

Sections 36934 and 36937 and by reasons of the foregoing, this Ordinance shall take effect immediately upon its adoption. The City Clerk shall certify to the adoption of this Ordinance and shall cause same to be published as required by law.

PASSED, APPROVED AND ADOPTED this 12th day of July 1988.

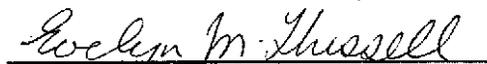

MAYOR

ATTEST:


CITY CLERK
CITY OF HAWAIIAN GARDENS

I, Evelyn M. Thissell, Deputy City Clerk of the City of Hawaiian Gardens, do hereby certify that Ordinance No.329 was duly and regularly passed and adopted by the City Council of the City of Hawaiian Gardens on the 12th day of July, 1988 by the following roll call vote, as the same appears on file and of record in the office of the City Clerk.

AYES: Furgeson, Schultze, Wagner, Sher, Navejas
NOES: None
ABSENT: None
ABSTAIN: None


Deputy City Clerk

PROOF OF PUBLICATION

(2015.5 C.C.P.)

STATE OF CALIFORNIA,
County of Los Angeles,

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the printer of the Long Beach Press-Telegram, a newspaper of general circulation, printed and published 7 times each week in the City of Long Beach, County of Los Angeles, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Los Angeles, State of California, under the date of March 21, 1934.

Case Number 370512; that the notice, of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

July 21

all in the year 19 88

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Dated at Long Beach, California, this _____

21st

day of

July

, 19 88

Donald E. Davies
Signature

PRESS-TELEGRAM

Legal Advertising Department
604 Pine Avenue, Long Beach, CA 90844
(213) 499-1236

This space is for the County Clerk's Filing Stamp

\$ 316.80

Proof of Publication of
City of Hawaiian Gardens
Ordinance No. 329

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- (c) The occupancy capacity of the room in which bingo games are to be conducted.
- (d) The date of the expiration of such permit.
- (e) Such other information including conditions as may be necessary and desirable for the enforcement of the provisions of this Chapter.

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PASSED, APPROVED AND ADOPTED this 12th day of July, 1988.

KATHLEEN M. NAVEJAS
Mayor

ATTEST:
CAROL J. DORFMEYER
City Clerk
City of Hawaiian Gardens

I, Evelyn M. Thissell, Deputy City Clerk of the City of Hawaiian Gardens, do hereby certify that Ordinance No. 329 was duly and regularly passed and adopted by the City Council of the City of Hawaiian Gardens on the 12th day of July, 1988, by the following roll call vote, as the same appears on file and of record in the office of the City Clerk.

AYES: Furgeson, Schultze, Wagner, Sher, Navejas
NOES: None
ABSENT: None
ABSTAIN: None

EVELYN M. THISELL
Deputy City Clerk

Pub. July 21, 1988 (1t) PT (498877-Govt.)