

URGENCY ORDINANCE NO. 447

**AN ORDINANCE OF THE CITY OF HAWAIIAN GARDENS AMENDING
CHAPTER 5.92 OF THE CITY OF HAWAIIAN GARDENS MUNICIPAL
CODE GOVERNING CARD CLUBS, AND DECLARING THE URGENCY
THEREOF**

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

Section 1. Urgency Ordinance. This Ordinance is declared to be an ordinance for the immediate preservation of the public peace, health, and safety of the residents of the City of Hawaiian Gardens (the "City"). The facts constituting the urgency are as follows: Unless this Ordinance is adopted immediately, the City will not have the ability to have a much needed Card Club operational within its jurisdiction as quickly as possible.

Section 2. Card Clubs Allowed. The People of the City of Hawaiian Gardens, California, voting in a special election on November 21, 1995, by a majority, have, pursuant to California Business and Professions Code Section 19819, ordained and agreed that:

"Card clubs, in which any games permitted by law, such as draw poker, low-ball poker, and panguingue (pan) are played, shall be allowed in the City of Hawaiian Gardens."

Section 3. Card Club Overlay District Created and Ordinance Adopted Which Allows for the Establishment and Regulation of Card Clubs. The City Council acknowledges that the People of the City of Hawaiian Gardens have, by a majority of voters in a special election on November 21, 1995, adopted an ordinance Amending the General Plan and Zoning Ordinance to Create a Card Club Overlay District and Designating an Area to be Included in the Card Club District, and Amending the Municipal Code to Allow for the Establishment and Regulation of Card Clubs, in its entirety (the "Ordinance").

Section 4. Emergency Findings and Statement of Urgency.

A. This City Council finds and determines the public peace, health, safety, and general welfare of the residents of the City will be endangered if the City does not have a Card Club operational within its jurisdiction as soon as possible. The City is experiencing and continues to experience a fiscal crisis. The City Council has determined that a Card Club operation will

provide much needed revenues to the City for general fund purposes. Senate Bill 8 (the "Gambling Control Act") adopted the Legislature of the State of California sets forth rules and regulations governing Card Clubs within the State of California and specifically provides that a gambling license will be denied by the Division of Gambling Control in the Department of Justice in the event that a city does not adopt an ordinance providing for certain matters delineated therein.

B. This City Council further finds and determines that the quality of life for City residents and the delivery of municipal services will continue to deteriorate if the operation of a Card Club within the City's jurisdiction is prolonged any longer. The amendments proposed in this Ordinance are required to become operative prior to the commencement of the operation of a Card Club in the City. It is anticipated that a Card Club will commence operation in the City in the month of December 1997. This Ordinance shall take effect prior to the 30-day effective day period generally provided for in the California Government Code, and in order to maintain and for the immediate preservation of the public peace, health, safety, and general welfare of the residents of the City, this Ordinance is presently enacted and shall be effective immediately upon its adoption.

Section 5. Chapter 5.92 of Title 5 of the Municipal Code of the City of Hawaiian Gardens, known as "Hawaiian Gardens Card Club Ordinance" is hereby amended by adding the following provisions to the Hawaiian Gardens Card Club Ordinance:

"5.92.020 (M). City Manager or City Administrator. The term 'City Manager,' as used in this Chapter, shall mean and include the City Manager or the City Administrator, as applicable to the City, and the term 'City Administrator,' as used in this Chapter, shall mean and include the City Administrator or the City Manager, as applicable to the City.

5.92.020 (N). Chief of Police. The term 'Chief of Police,' as used in this Chapter, shall mean and include the designated representative of the Los Angeles County Sheriff's Department or other local authorized law enforcement agency, as applicable.

5.92.201 Notice and Opportunity to Cure Violations of this Chapter; Fine In Lieu of Revocation or Suspension. In the event of any violation described in Section 5.92.200, or of any violation described in any other section of this Chapter, the City Administrator shall promptly notify the Licensee in writing of all of the facts upon which the violation is based, detailing with specificity the nature and extent of the facts that relate to the alleged violation, and the Licensee shall have a reasonable time,

as set forth in such notice, but in no event less than ten (10) business days from the date of the notice, to cure such violation. The City Administrator shall, under appropriate circumstances on good cause, upon the written request of Licensee, extend the time within which the violation shall be cured, and written notice of such extension of time shall be delivered to Licensee. If the violation has been cured within the time set forth in the written notice, there shall not be any fine, penalty or other sanction. If the violation has not been cured within such reasonable time set forth in the written notice, in lieu of revocation or suspension of a License, or in the event of any minor violation of this Chapter, the City Administrator shall recommend to the Council that a fine, not to exceed Ten Thousand Dollars (\$10,000.00) for each violation, be assessed against Licensee. If the City Administrator recommends a fine, such fine may be imposed by the Council after a hearing pursuant to Section 5.92.210, which hearing shall be held not less than ten (10) business days after expiration of the cure period.

5.92.261 Employee Work Permits.

A. In lieu of the registration card described in Section 5.92.260, a person who desires to be employed by the Card Club shall obtain an Employee Work Permit. It is unlawful for any licensed Card Club in the City to employ any person who does not have a valid, unsuspended and unrevoked registration card issued by the Chief of Police, or an Employee Work Permit issued by the City or by the Division of Gambling Control in the State of California Department of Justice (the 'Division').

B. Employee Work Permits may not be transferred or assigned.

C. Any person wishing to obtain an Employee Work Permit from the City shall file an application with the local law enforcement agency governing this jurisdiction. The law enforcement agency shall process and review all applications for Employee Work Permits in accordance with such rules and regulations as may be promulgated by the City in accordance with this Chapter. The application shall be completed and applicant will be required to provide photographs and fingerprints, in addition to such other information as the application may require. No more than twenty-four (24) hours after a completed application is filed with the City, the City shall issue to a prospective employee a temporary Employee Work Permit which shall be valid pending the completion of the background investigation of such prospective employee and the final determination to deny, approve or conditionally approve an Employee Work Permit for such prospective employee. The investigation and permitting fee for each said employee shall be determined in the reasonable discretion of the City, which in no event may exceed the out-of-pocket cost paid to third parties for the processing of such

background investigation, with said fee payable by the employer of said employee. If an employee is issued an Employee Work Permit, whether temporary or otherwise, the City shall immediately notify the Licensee, in writing, of such issuance.

D. The local law enforcement agency shall, on behalf of the City, promptly upon receipt of such application, submit the completed application to the California State Department of Justice. The State Department of Justice shall provide summary criminal history information to the local law enforcement agency for the purpose of issuing Employee Work Permits for the employees of a Card Club located within the City. Upon the receipt by the City of such criminal history information, provided the criminal history information does not reveal any of the grounds set forth in Section 5.92.261(E) for denial of an application, the City shall approve such application.

E. The City shall consider denying an application for an Employee Work Permit in any of the following cases:

(1) If the applicant has been convicted of any crime punishable as a felony;

(2) If the applicant has been convicted of any misdemeanor involving dishonesty or moral turpitude within the 10-year period immediately preceding the submission of the application, unless the applicant has been granted relief pursuant to Section 1203.4, 1203.4a, or 1203.45 of the California Penal Code;

(3) If the applicant is associated with criminal profiteering activity or organized crime, as defined in Section 186.2 of the California Penal Code;

(4) If the applicant has knowingly and willfully made any false statement in the application, or if any other information presented as part of the application process is knowingly and willfully false;

(5) If the applicant is less than 21 years of age;
or

(6) If required to do so by the laws of the State of California or by the Division.

F. An Employee Work Permit may be suspended or revoked under any of the following circumstances:

(1) The commission of any act which would have been grounds for denial of an Employee Work Permit pursuant to Section 5.92.261(E);

(2) The violation of any condition imposed in issuing such Employee Work Permit;

(3) If the employee has acted in such a way so as to cause an immediate threat to the public welfare. In such event, the suspension may be immediate. Such immediate suspension shall remain in effect for ten (10) days, or until a final decision is rendered by a hearing officer appointed by the City Administrator, whichever occurs first; or

(4) If required by the Division.

G. If the application is denied, suspended or revoked (for a reason other than objection by the Division), the applicant may appeal such denial, suspension or revocation, as applicable, by written notice to the City Administrator, who shall cause a hearing to be held before a hearing officer within thirty (30) days after receiving such notice. The hearing officer shall be unrelated to the City, and to any of its officers or employees. The hearing officer shall be an attorney, qualified arbitrator or retired judge. The hearing officer shall schedule and conduct such hearing in accordance with the rules and regulations promulgated by the Council and approved by the local law enforcement agency. At the conclusion of such hearing, the hearing officer shall issue its decision in writing which shall reflect either the hearing officer's approval, conditional approval, or denial of the application. The hearing officer's decision shall be final and conclusive. The cost of such hearing shall be borne by the applicant. If the application is denied, suspended or revoked because of any objection by the Division, the applicant may apply to the Division for an evidentiary hearing in accordance with such regulations as may be promulgated by the Division. The determination by the Division after such evidentiary hearing shall be final and conclusive.

H. All appeals for denial, suspension or revocation of an Employee Work Permit will be deemed waived, unless a request for a hearing is made, in writing, to the City Administrator within thirty-five (35) days from the date of the receipt by Licensee and the applicant of notice of such denial, suspension or revocation, as applicable.

I. When the application for an Employee Work Permit is approved or conditionally approved, whether by the City, the hearing officer, or by the Division, the City shall immediately issue an Employee Work Permit to such employee and shall immediately so advise the Card Club employer in writing. The employee shall be required to carry the Employee Work Permit on his or her person at all times while working on the Card Club premises. The Employee Work Permit, or such other evidence of employment of each employee by the Card Club, shall be displayed on the person of such employee in accordance with the rules established by the Licensee.

J. When employment of an employee of a Card Club is terminated for any reason whatsoever, the holder of the Employee

Work Permit shall immediately surrender his or her Employee Work Permit to the Card Club employer who shall then remit the same to the City.

K. When all appeals of the denial, suspension or revocation of an Employee Work Permit have concluded, upon final and conclusive action by the hearing officer or by the Division, or in the absence of any appeal, the holder of the Employee Work Permit shall immediately surrender his or her Employee Work Permit to the Card Club employer who shall then remit the same to the City. Upon the Card Club employer being advised in writing of the conclusion of such appeals upon such final and conclusive action by the hearing officer or by the Division, or in the absence of any appeal, the Licensee shall immediately discharge such employee.

L. It shall be the responsibility and duty of the City and the local law enforcement agency to establish the necessary procedures to implement and administer the provisions of this Section 5.92.261. All information received by the City and the local law enforcement agency shall be treated as confidential and shall be accessible only to the City Administrator and/or designee, the local law enforcement agency, and, if determined appropriate by the local law enforcement agency, to the Licensee.

5.92.271 Access to Records and Facilities. The Licensee shall allow the City Administrator or his designee unrestricted access to all books, records, and facilities of the Card Club, including but not limited to cash counting rooms and vault. It shall be the duty of the City Administrator to preserve and keep such statements so that the contents thereof shall not become known except to the persons charged by law with the administration of the provisions of this Chapter or pursuant to the order of any court of competent jurisdiction. All information obtained pursuant to this Chapter, or any statement or other information filed by Licensee, shall be treated as confidential and shall not be subject to public inspection. Notwithstanding, such information may be used in connection with the enforcement of this Chapter.

5.92.290 Minimum Age Requirements. The language of former Section 5.92.290 is hereby deleted in its entirety and is hereby replaced with the following:

5.92.290 Minimum Age Requirements. No Licensee or holder of an Employee Work Permit shall knowingly and willfully permit or allow any person under the age of eighteen (18) years to enter upon the premises of a Card Club, or any part thereof, or nor shall any Licensee knowingly and willfully permit or allow any person under the age of twenty-one (21) to play any of the games

authorized by the License. Notwithstanding, persons under the age of twenty-one (21) shall be permitted in the following areas:

A. An area, physically separated from any gambling area, for the exclusive purpose of dining. For purposes of this Section, any place wherein food or beverages are dispensed primarily by vending machines shall not constitute a place for dining.

B. Restrooms.

C. A supervised room that is physically separated from any gambling area and used exclusively for the purpose of entertainment or recreation.'

5.92.370 Hours of Operation. A Card Club shall be permitted to operate twenty four (24) hours each day, three hundred and sixty five (365) days of the year.

5.92.380 Games Authorized to be Played in a Card Club. Section 5.92.020 (G) permits the playing in a Licensed Card Club of all games (whether or not involving the use of cards) so long as they may be lawfully played in the City. No holder of an Employee Work Permit shall knowingly and willfully permit or allow the playing of any card games other than those specifically authorized by the Licensee, nor shall a Licensee or a holder of an Employee Work Permit knowingly and willfully permit or allow the playing of any Games that may not lawfully be played in the City pursuant to any applicable statute of the State of California.

5.92.390 Wagering Limits. There shall be no limit on the size of any single bet except as may be determined by Licensee.

5.92.400 Number of Licensed Tables Allowed in City. There shall be no more than six hundred (600) licensed gaming tables in the City. The maximum number of gaming tables permitted in any one Card Club shall be three hundred (300).

5.92.410 Cheating Defined.

A. For the purposes of this Chapter, the words and phrases hereinafter set forth shall have the following meanings ascribed to them unless the context clearly requires to the contrary::

(1) 'Blind cut' or 'false cut' shall mean a maneuver which appears to cut the deck, but does not in fact do so.

(2) 'Blind shuffle' shall mean to falsely shuffle or to give the deceptive impression of intermixing playing cards, while actually retaining that same sequence of all or a group of cards.

(3) 'Burn' is a discard in accordance with the rules of the game, made before the draw when playing draw poker.

(4) 'Capping the deck' shall mean to place cards onto the top of the deck.

(5) 'Cheating' shall mean and include, in addition to each and all of those acts defined or described in this Section 5.92.410, any and all undefined acts of fraud, misrepresentation, dishonesty, false pretense, use of device or manipulation of card or cards, done with the purpose of defrauding or gaining an unfair advantage over another player whether or not an actual advantage is actually gained.

(6) 'Cooler' shall mean a deck of cards, secretly prearranged in a known sequence or marked to be substituted for the deck in play.

(7) 'Daubing' shall mean to mark cards by applying a faintly visible substance to the back of the cards.

(8) 'Second dealing' or 'seconds' shall mean to deal a card which is second from the top of the deck.

(9) 'Hand mucking' shall mean the surreptitious switching of cards from those that are dealt to a player.

(10) 'Hold-out' shall mean a mechanical device used for the purpose of surreptitiously switching or retaining cards.

(11) 'Hopping the cut' shall mean to surreptitiously nullify the cutting of the deck.

(12) 'Middle dealing' shall mean to deal a card from the center of the deck.

(13) 'Playing partners' shall mean any scheme or action in which two or more players act in concert to communicate information or to otherwise act for the purpose of defrauding or gaining an unfair advantage over another player, whether or not an actual advantage is gained.

(14) 'Punching' shall mean to mark the back of the cards by crating a dimple or indentation thereon.

(15) 'Roughing fluid' shall mean a liquid chemical applied to the back of the cards for the purpose of marking them by roughening the surface.

(16) 'Run-up' or 'stacking' or 'stocking' shall mean to shuffle the cards in such a fashion as to surreptitiously arrange the sequence to known cards.

(17) 'Sanding' shall mean to mark cards by applying an abrasive substance to the cards.

(18) 'Shiner' shall mean a mirror or other reflecting device used for the purpose of enabling a player to see cards which the player is not entitled to see under the rules of the game being played.

(19) 'Slick sleeve' or 'mohair sleeve' shall mean a hidden sleeve in or on a clothing garment to assist in holding out playing cards.

(20) 'Slug' shall mean a group of cards.

(21) 'Transmitter' shall mean an electronic or radio device used for the purpose of transmitting signals information to another player, who receives such signals or information by use of a 'receiver.'

(22) 'White flash' shall mean a form of daubing whereby a chemical is used to create a 'white on white' marking on the back of the cards.

(23) 'Capping' or 'pinching' shall mean increasing or reducing a wager during the course of a hand.

(24) 'Individual,' as such term is used in this Section 5.92.410, includes, but is not limited to, any person, player, dealer, employee or agent, or any group thereof.

B. It shall be unlawful for any Individual to commit any act of Cheating in, on or about the premises of a Card Club. No Cheating shall knowingly and willfully be permitted or tolerated by any Licensee or holder of an Employee Work Permit. Any Individual suspected of Cheating shall be reported to the appropriate law enforcement authorities by Licensee, and Licensee shall fully cooperate with the investigation of the Individual or Individuals of any such alleged Cheating. If said Individual or Individuals are criminally charged with any violation of this Section 5.92.410, or under any Federal or State law, Licensee shall fully cooperate (at no cost, expense or liability to Licensee) in the prosecution of said Individual or Individuals.

C. Any cheating devices found on or around any Individual in, on or about a Card Club, shall be confiscated and shall not be returned to the Individual using or bringing such devices in, on or about the premises of a Card Club, whether or not the alleged offender is arrested or prosecuted. Knowingly and willfully permitting or tolerating Cheating by the Licensee shall

be grounds for immediate suspension or revocation of a License, or imposition of additional fines and conditions.

D. It shall be unlawful for any Individual to deal, draw, distribute or burn any playing cards other than the top card of the deck. The 'top card' is defined as the uppermost face down card of a face down deck. It shall be unlawful to deal or cause to be dealt what is known as a second, bottom or to engage in Greek dealing or middle dealing.

E. It shall be unlawful for any Individual to shuffle or cause to be shuffled any playing cards that are to be used or are being used in a licensed card game, other than in a random manner. It shall be unlawful to predetermine, or to prearrange the sequence of playing cards by value or suit, or to retain or hold back a card or cards either individually, or as a group or slug as an effort to circumvent a random mixing of the playing cards. Any blind shuffle, run-up, stacking or stocking of the deck to gain an unfair advantage in play, whether or not an advantage is gained, is unlawful.

F. It shall be unlawful for any Individual not authorized by a Licensee to bring any gaming equipment, including but not limited to, playing cards, into a Card Club. It shall be unlawful for any Individual in a Card Club, other than on-duty employees with an Employee Work Permit, to have gaming equipment, including but not limited to, playing cards, in his or her possession outside of a designated card playing area. Nothing herein shall apply to destroyed or mutilated cards or any souvenir or designer decks that could not be misconstrued as playing cards used in the card playing area.

G. It shall be unlawful for any Individual not authorized by Licensee to remove any gaming equipment, including but not limited to playing cards, from the premises of a Card Club.

H. It shall be unlawful for any Individual to palm, hold-out or conceal any card or cards during a card game whether by sleight of hand, mechanical apparatus, or by clothing such as a slick sleeve. It shall be unlawful for any Individual to switch, exchange or cause to be exchanged any playing card, or cards, as a means of deception. The deceptive practices known as hand mucking, capping the deck, introducing additional cards into a game, or switching the deck with a 'cooler' are unlawful.

I. It shall be unlawful for any Individual to use any technique in a card game designed to accomplish a 'blind' or false cut, or to use a fraudulent technique to nullify a cut once performed by a player, or to influence or indicate to another Individual to cut the deck at a specific location.

J. It shall be unlawful for any Individual to deliberately mark or alter any card or cards when there is a

likelihood that such cards will be used in a licensed game, or when such cards are in play. It shall be unlawful to knowingly use any altered or marked cards in a card game. 'Marking and altering,' as used herein, includes, but is not limited to, sanding, daubing, white flash, white on white, punching, adding to, removing from or blocking out, the existing design whether on the face, backside or edge of any card or cards. Any deliberate crimping, warping, bending, cutting trimming, shaving or alteration by any means that would or may cause an advantage for any player over other players, whether or not such advantage is gained, is unlawful.

K. It shall be unlawful for any Individual to use any mechanical, electrical, or electronic apparatus or other device so as to gain any advantage or to gain information that would enable a player or dealer to deceive others. Such devices include, but are not limited to, hold-outs, table bugs, shiners, transmitters, receivers, punches, chemical solutions, shading, roughing fluids, inks or dyes.

L. It shall be unlawful for any Individual to play partners or to knowingly aid or abet another in any Cheating action prohibited by this Section 5.92.410.

M. It shall be unlawful for any Individual to use any of the cheating techniques prohibited by this Section 5.92.410, or to engage in Cheating of any kind or description whatsoever, whether or not such techniques are specifically defined or are successful. The Licensee shall immediately notify the authorized law enforcement agency upon the detention of any Individual suspected of Cheating.

N. Licensee shall fully cooperate with card game surveillance and protection personnel in the detection, apprehension and identification of those Individuals involved in Cheating or other fraudulent practices. Licensee shall retain and deliver to the authorized law enforcement agency, as evidence in arrests or detention all playing cards and implements suspected of involvement in Cheating. Licensee shall confiscate any and all gaming equipment found on the person or in the possession and/or control of all Individuals involved in Cheating or fraudulent practices, including accomplices in or about the premises of a Card Club. Licensee shall cooperate with Card Club surveillance personnel, whether provided by a governmental policing agency, a City-contracted service, City-administered, or Licensee-assigned.

O. The local law enforcement agency, upon being notified by Card Club personnel, or by game surveillance personnel, that an Individual is being detained for Cheating, shall immediately respond to the Card Club, and shall ascertain the identity of those involved in the Cheating, the circumstances involved and decide what legal action, if any, is deemed appropriate, and shall assist as legally required in any citizen's arrest. The local law enforcement agency shall immediately freeze

any in-house account of any person arrested for Cheating under this Section 5.92.410, and such account shall continue to be frozen until further order of a Court of competent jurisdiction.

P. Licensee shall at all times keep a current copy of this Section 5.92.410 in its administrative office in the premises of the Card Club. Licensee shall also post on the premises of the Card Club, and in a location where it is easily accessible to be read by all persons, a notice stating that this Section 5.92.410 is available for inspection, upon request, in the administrative office of the Card Club, during all hours of card club operations.

5.92.420 Removal of Persons from Card Club Premises.

A. A Licensee may remove any person from in, on or about any Card Club premises licensed for use as a Card Club if, in, on or about the premises of the Card Club, that person:

(1) Appears to or otherwise engages or has engaged in disorderly conduct, as defined in Section 647 of the California Penal Code;

(2) Appears to or otherwise interferes or has interfered with a lawful gambling operation;

(3) Appears to or otherwise solicits or has solicited or engages or has engaged in any act of prostitution;

(4) Appears to or otherwise is or has been under the influence of any intoxicating liquor or drug;

(5) Appears to or otherwise has been mentally incapacitated to the extent that such person cannot care for himself/herself or control his/her actions;

(6) Appears to or otherwise is or has been overly loud, panhandles, is boisterous, or is otherwise disturbing or offensive to other persons in, on or about the Card Club;

(7) Appears to or otherwise commits or has committed any public offense; or

(8) Is or was a person, who the Division, by regulation, has determined should be excluded from licensed gambling establishments in the public interest.

B. Except as provided in Section 5.92.421(4), removal of a person from the premises of a Card Club pursuant to this Section 5.92.420 carries no presumption that the person is within the class of persons defined as 'Undesirable Persons' in Section 5.92.421.

5.92.421 Exclusion of Undesirable Persons from Card Club Premises.

A. A Licensee may exclude from all or any portion of the premises of a Card Club any person who is determined to be 'Undesirable' within the meaning of this Section 5.92.421. For the purposes of this Section 5.92.421, the following persons shall be deemed to be 'Undesirable:'

(1) Persons who have engaged in any act of, or who have been convicted of, Bookmaking or Illegal Wagering;

(2) Persons who have been engaged in acts prohibited in Section 5.92.410;

(3) Persons who have been convicted of a violation of Section 5.92.410;

(4) Persons who have been removed from the premises pursuant to Section 5.92.420 on more than one occasion; or

(5) Persons whose presence is inimical to the interests of the Licensee as determined by Licensee in its sole discretion.

B. For purposes of this Section 5.92.421:

(1) 'Bookmaking' includes, but is not limited to, any act prohibited by Section 337(a) of the California Penal Code, or by Section 19595 of the California Business & Professions Code;

(2) 'Illegal wagering' includes, but is not limited to, any act prohibited by Sections 319 through 336, inclusive, of the California Penal Code.

5.92.422 Notice and Order of Exclusion.

A. Licensee shall inform any person excluded from the premises of a Card Club of the reason for the exclusion and shall notify such person of the provisions of Sections 5.92.420 through 5.92.424. Notification shall be made by delivery to the person excluded of an Order of Exclusion issued by Licensee, to which shall be attached a copy of this Sections 5.92.420 through 5.92.424.

B. Licensee shall immediately notify the Sheriff's Department or other authorized local law enforcement agency of the name of the person so excluded, the reason for the exclusion, and provide such other information required by the Sheriff's Department or other authorized local law enforcement agency.

5.92.423 Enforcement of Order of Exclusion--Civil Remedy.

No person named in an Order of Exclusion shall fail to comply with the terms of such Order. An Order of Exclusion shall be enforceable by Licensee by any lawful means, including a civil injunction proceeding or other appropriate remedy, in the Los Angeles Superior Court or other court of competent jurisdiction, or by local law enforcement.

5.92.424 Designation of Agent. Each Licensee shall designate an agent who shall be authorized to act for Licensee pursuant to the provisions of Sections 5.92.420 through 5.92.424.

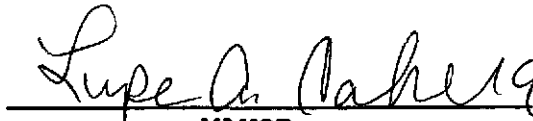
5.92.430 Patron Security And Safety In And Around A Card Club. Licensee shall take all steps reasonably required to protect and preserve the security and safety of its patrons in and around the Card Club. In order to protect and preserve the security and safety of its patrons as well as its employees, Licensee shall be permitted to use video and/or audio surveillance equipment in its Card Club, as determined by Licensee in its sole discretion, provided that Licensee posts notice near the entrance of the Card Club informing patrons of the use of such equipment. Nothing in this Chapter, including but not limited to this Section 5.92.430, is intended to impose liability or responsibility on Licensee or on any of Licensee's employees or agents, if any individual, person, player, dealer, employee agent, licensee, or any other person or entity, is injured or suffers damages or losses in, on or about a Card Club."

Section 6. Severability. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held to be invalid or unenforceable by a court of competent jurisdiction, the remaining portions of this Ordinance shall nonetheless remain in full force and effect. The City Council declares that it would have adopted each section, subsection,

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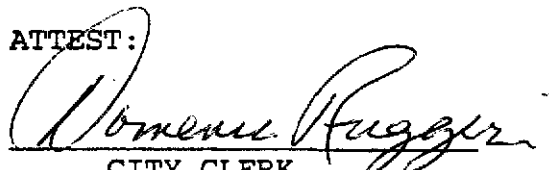
sentence, clause, phrase, or portion of this Ordinance irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or portions of this Ordinance be declared invalid or unenforceable.

PASSED, APPROVED AND ADOPTED THIS 25th day of November, 1997.


MAYOR

LUPE A. CABRERA

ATTEST:


CITY CLERK

DOMENIC RUGGERI

APPROVED AS TO FORM:

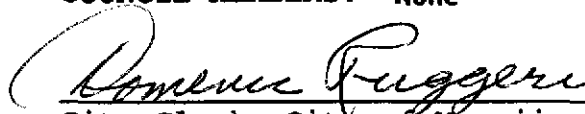

CITY ATTORNEY

JULIA E. SYLVA

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss.
CITY OF HAWAIIAN GARDENS)

I, Domenic Ruggeri, City Clerk of the City of Hawaiian Gardens, California, do hereby certify that the whole number of the members of the City Council of said City is five; that the foregoing ordinance, being Ordinance No. 447 was duly and regularly adopted by the City Council of said City on an urgency basis at a regular meeting of said Council, duly held on the 25th day of November, 1997, and that the same was passed and adopted by the following roll call vote:

AYES:	COUNCIL MEMBERS:	Alvarez, Schultze, Cesena, Cabrera
NOES:	COUNCIL MEMBERS:	Calcote
ABSTAIN:	COUNCIL MEMBERS:	None
ABSENT:	COUNCIL MEMBERS:	None


City Clerk, City of Hawaiian Gardens, California
DOMENIC RUGGERI