

47-956
CC 33
CITY COUNCIL MEETING

JUNE 1, 1983

Notice thereof having been published in accordance with law and affidavit of publication being on file in the office of the City Clerk, Mayor Olson called for the Public Hearing to consider the appeal of Jerry Steele, P. O. Box 253, Jackson, CA 95642, of the denial of a Card Room Employee's License pursuant to City Code Section No. 7-4, et seq.

APPEAL OF JERRY
STEELE RE
ISSUANCE OF A
CARD ROOM
EMPLOYEE'S
LICENSE

The matter was introduced by City Attorney Stein. Speaking on behalf of Mr. Steele was Mr. James S. Johnson, Vocational Rehabilitation Counselor. Mr. Steele also addressed the Council on behalf of his appeal.

There being no other persons in the audience wishing to speak on the matter, the public portion of the hearing was closed.

Following discussion, on motion of Mayor Olson, Murphy second, Council directed that the Police Department go forward with their investigation in this matter, and if no problems are encountered in the investigation process, that the requested license be issued to Mr. Steele at the earliest possible date.

F4 6/1

CITY COUNCIL

EVELYN M. OLSON, Mayor
JOHN R. (Randy) SNIDER
Mayor Pro Tempore
ROBERT G. MURPHY
JAMES W. PINKERTON, Jr.
FRED M. REID

CITY OF LODI

CITY HALL, 221 WEST PINE STREET
POST OFFICE BOX 326
LODI, CALIFORNIA 95241
(209) 334-5634

HENRY A. GLAVES, Jr.
City Manager
ALICE M. REIMCHE
City Clerk
RONALD M. STEIN
City Attorney

June 3, 1983

Mr. Jerry Steele
P.O. Box 253
Jackson, Ca. 95642

Subject: Appeal re denial of Card Room Employees License
re City of Lodi Code Section 7-1 et seq

Dear Mr. Steele:

This letter will confirm the actions of the Lodi City Council taken at its regular meeting of 6/1/83 whereby the Council following a public hearing on your here above reference appeal directed the police department to go forward with the investigation as prescribed in Section 7-7 of the City Code. Further, the Council directed that if no problems are encountered in the investigation process, a card room work permit is to be issued to you at the earliest possible date.

Should you have any questions regarding this matter, please do not hesitate to call.

Very truly yours,

Alice M. Reimche
Alice M. Reimche
City Clerk

AMR/af

cc: City Attorney Stein
James Johnson, M.S.
Vocational Rehabilitation Counselor
Chief Yates

111 212

NOTICE OF PUBLIC HEARING TO CONSIDER THE APPEAL
OF JERRY STEELE, P. O. BOX 253, JACKSON, CA 95642,
OF THE DENIAL OF A CARD ROOM EMPLOYEE'S LICENSE
PURSUANT TO CITY CODE SECTION NO. 7-4

NOTICE IS HEREBY GIVEN that on Wednesday, June 1, 1983 at the hour of 8:00 p.m.
or as soon thereafter as the matter may be heard, the Lodi City Council will
conduct a public hearing in the Council Chambers, City Hall, 221 West Pine
Street, Lodi, California to consider the appeal of Jerry Steele, P. O.
Box 253, Jackson, CA 95642, of the denial of a Card Room Employee's
License pursuant to City of Lodi City Code Section No. 7-4.

Information regarding this item may be obtained in the office of the City
Clerk, 221 West Pine Street, Lodi, California. All interested persons are
invited to present their views on the matter. Written statements may be
filed with the City Clerk at any time prior to the hearing scheduled herein
and oral statements may be made at said hearing.

Dated: May 18, 1983

By Order of the Lodi City Council

Alice M. Reimche
City Clerk

RECEIVED

1983 MAY -6 AM 8:56

ALICE REINCHE
CITY CLERK
CITY OF LODI

May 4, 1983

Lodi City Council
221 W. Pine Street
City Hall
Lodi, California 95240
ATTN: Alice Reinche
City Clerk

RE: JERRY STEELE
Denial of Card Room Employee's License

Dear Ms. Reinche:

May this letter serve as a formal appeal of the decision by Chief Yates regarding the denial of my card room employee's license. My vocational rehabilitation counselor, James Johnson, has spoken with the City attorney, Ronald Stein, who indicated my appeal may be heard during the May 18, 1983, City Council meeting. Please take whatever steps are necessary to allow my vocational rehabilitation counselor and/or myself to speak before the City Council so to discuss my appeal.

I was denied my license under Lodi City Code Section 7-4. I have been convicted of a felony in 1960. Since 1960, the only involvement I have had with the police has been a traffic violation in 1963.

Currently, I am in a program of vocational rehabilitation. I have been looking for approximately 4 months for a suitable occupation, though was unable to find any that were within my physical capabilities. My physical condition is such that I must be allowed to sit or stand intermittently. I feel that if I am unable to work as a card room attendant, that I may have to receive supplemental assistance from County or State agencies.

Again, please take whatever steps are necessary so that I may be allowed to speak before the Lodi City Council and appeal Chief Yates' decision regarding my card room attendant's license.

Sincerely,

Jerry Steele

cc: Russell Rost
Jan Schubert
Michael La Roche
Ron Stein, Lodi City Attorney
Henry Gables, Lodi City Manager

RES

Rehabilitation Employment Services

7991 Folsom Blvd.
Suite D, Sacramento, CA 95826
Phone 381-8522

RECORDED

1983 APR 29 AM 7:42

MADE IN THE STATE
CITY CLERK
CITY OF LODI

April 27, 1983

Henry A. Glapes
Lodi City Manager
221 W. Pine Street
City Hall
Lodi, CA 95240

RE: Jerry Steele
Card Room Attendant
Lodi City Code Section 7-4

Dear Mr. Glapes:

As per our conversation this date, April 27, 1983, I sincerely appreciate your assistance in investigating the possibilities for Mr. Steele's reconsideration of his Card Room Operator's license. As you are aware, Chief of Police Gates denied Mr. Steele's license under Lodi City Code Section 7-4 as Mr. Steele had been convicted of a felony. In speaking with Identification Sergeant Flanders of the Lodi City Police, Mr. Steele's record indicated the following:

- 1953 - Convicted of petty theft.
- 1954 - Convicted of burglary.
- 1957 - Convicted of burglary.
- 1958 - Convicted of Second Degree Robbery.
- 1960 - Burglary.
- 1963 - Traffic Violation.

Mr. Steele's record is completely free of any engagements with the law since 1963. Since 1963 through February of 1982, Mr. Steele had been in the employment of American Forest Products in Jackson, California. He had been an honorable citizen without any violations.

Through working at American Forest Products, Mr. Steele sustained an injury to his back which has precluded him from returning to the heavy physical work he was performing at American Forest Products.

I began working with Mr. Steele in his vocational rehabilitation on October 7, 1982. From working with Mr. Steele I have found it extremely

Henry A. Glabes
RE: Jerry Steele
Page 2-

difficult to find him any occupation due to his physical capabilities. Mr. Steele's back problems require that he be allowed either to sit or stand at will due to the pain he experiences from either sitting or standing for extended periods of time. The position of the Card Room Attendant greatly suited Mr. Steele, as the position allows him to work within his physical capabilities.

If Mr. Steele is allowed to obtain his Card Room Attendant's license he shall be guaranteed of a position at the Rendezvous Card Room located at 3058 South Central Avenue, Lodi, California. If Mr. Steele is denied the license, I sincerely doubt if he shall return to any type of gainful employment.

Once again, I sincerely appreciate your investigation of a reconsideration of Mr. Steele's license. Mr. Steele has demonstrated over the past 20 years his worthiness as a productive citizen, and through your assistance I hope we can maintain Mr. Steele's productivity.

Respectfully yours,

REHABILITATION EMPLOYMENT SERVICES


JAMES S. JOHNSON, M.S.
Vocational Rehabilitation Counselor

cc: Russell Rost
Jan Schubert
Michael La Roche

JSJ:sw

CARD ROOMS

§ 7-4

- 7-1. Rules and regulations.
- 7-2. Games prohibited by state law not permitted.

Sec. 7-1. Defined.

For the purpose of this chapter, a "card room" is defined to be any room or enclosure, furnished or equipped with a table used or intended to be used as a card table for the playing of cards and similar games, and the use of which is available to the public, or any portion of the public, provided, however, that this section shall not apply to any bona fide nonprofit society, club, fraternal, labor or other organization. (Ord. No. 522, § 2.)

Sec. 7-2. License—Required.

It shall be unlawful for any person to engage in or carry on, or maintain or conduct, or cause to be engaged in, carried on, maintained or conducted, any card room in the city without first having obtained a license to do so, or without complying with each regulation contained in this chapter pertaining to such card room. (Ord. No. 522, § 1.)

Sec. 7-3. Same—Application.

An applicant for a card room license shall submit his application to the chief of police, which application shall be under oath, and shall include, among other things, the true names and addresses of all persons financially interested in the business. The term "persons financially interested" shall include all persons who share in the profits of the business, on the basis of gross or net revenue. The past criminal record, if any, of the applicant and of all persons financially interested in the business shall be shown on such application. The application shall also be accompanied by fingerprints of the applicant and of persons financially interested in the business. A license may be issued only to citizens of the United States who have resided in the county for at least two years immediately preceding the issuance of such license. (Ord. No. 522, § 3.)

Sec. 7-4. Same—Denial.

The chief of police shall deny any application for a card room license, or a license to operate such card room if

- (a) The applicant has previously been convicted of a felony;

(b) The applicant has previously been convicted of any narcotics violation; or,

(c) The applicant is not in the opinion of the chief of police a person of good moral character. (Ord. No. 522, § 3.)

Sec. 7-5. Same—Appeal from denial.

The action of the chief of police in denying such a license on the basis of the applicant not being a person of good moral character shall be subject to an appeal to a board of appeals consisting of the city council. Notice of such appeal shall be filed with the city clerk within ten days after the denial of the license. Upon failure to file such notice within the ten-day period, the action of the chief of police in denying such license shall be final and conclusive. (Ord. No. 522, § 3.)

Sec. 7-6. Same—Assignment or transfer; only one license to one person.

No person shall be granted a license to conduct more than one card room. No card room license shall be assignable or transferable. (Ord. No. 522, § 6.)

Sec. 7-7. Work permit—Required; application; qualifications of applicant.

Card room employees must obtain a work permit from the chief of police. Card room employees for the purpose of this chapter are defined as dealers, overseers and others directly connected with the operation and supervision of the card tables and excluding waitresses, bartenders, culinary workers and others not connected with such operation and supervision. Applications for such work permits shall be submitted under oath and contain the past criminal record, if any, of the applicant and such information as may be deemed by the chief of police necessary to determine whether the applicant is a proper person to be issued a card room work permit. The application shall also be accompanied by fingerprints of the applicant. A work permit shall be issued only to citizens of the United States who have resided in the county for at least one year immediately preceding the issuance of such work permit. (Ord. No. 522, § 4.)

dence purpose, upon any lot within the city, the family, or head thereof occupying such residence house, may permit any relative or friend of such family to occupy for a term of not to exceed thirty days in the back yard of such lot, but not upon any adjoining or vacant lot, a camp car or trailer for sleeping purposes only, where the same is not prohibited as an auxiliary use under the terms and provisions of the zoning⁶ regulations of the city; provided, that no rent shall be charged for the privilege of so maintaining such camp car, trailer or tent in or upon the back yard. (Ord. No. 243, § 17.)

Sec. 6-18. Register to be kept.

The owner or operator of any such camp ground shall maintain at all times, in an orderly fashion, a register upon which shall be signed or entered the names of persons over the age of eighteen years occupying each camp car or trailer in such camp ground, the license number of each trailer or camp car, and motor number, if possible opposite the names of such occupants and the number of the camping space of such occupant shall also be entered after such names, and such register shall be kept at such camp ground at all times for a period of at least one year after such occupant has left or vacated such camp ground, and such records shall, at all times be open to the inspection of any and all police officers of the city, sheriffs or other peace officers of the state and United States. (Ord. No. 243, § 19.)

CHAPTER 7.

CARD ROOMS.¹

- § 7-1. Defined.
- § 7-2. License—Required.
- § 7-3. Same—Application.
- § 7-4. Same—Denial.
- § 7-5. Same—Appeal from denial.
- § 7-6. Same—Assignment or transfer; only one license to one person.
- § 7-7. Work permit—Required; application; qualifications of applicant.
- § 7-8. Same—Denial of application.
- § 7-9. Same—Same—Appeal from denial.
- § 7-10. Same—Fee; duration.
- § 7-11. Same—Exemptions to nonprofit societies, etc.
- § 7-12. Extension or revocation of licenses and permits; appeal therefrom.

⁶. As to Zoning, see ch. 27 of this Code.

¹. For state law as to gaming, see P. C., §§ 330 to 337(h).

§ 7-13. Rules and regulations.

§ 7-14. Games prohibited by state law not permitted

Sec. 7-1. Defined.

For the purpose of this chapter, a "card room" is defined to be any space, room or enclosure, furnished or equipped with a table used or intended to be used as a card table for the playing of cards and similar games, and the use of which is available to the public, or any portion of the public; provided, however, that this section shall not apply to any bona fide nonprofit society, club, fraternal, labor or other organization. (Ord. No. 522, § 2.)

Sec. 7-2. License—Required.

It shall be unlawful for any person to engage in or carry on, or to maintain or conduct, or cause to be engaged in, carried on, maintained or conducted, any card room in the city without first having secured a license to do so, or without complying with each regulation contained in this chapter pertaining to such card room. (Ord. No. 522, § 1.)

Sec. 7-3. Same—Application.

An applicant for a card room license shall submit his application to the chief of police, which application shall be under oath, and shall include, among other things, the true names and addresses of all persons financially interested in the business. The term "persons financially interested" shall include all persons who share in the profits of the business, on the basis of gross or net revenue. The past criminal record, if any, of the applicant and of all persons financially interested in the business shall be shown on such application. The application shall also be accompanied by fingerprints of the applicant and of persons financially interested in the business. A license may be issued only to citizens of the United States who have resided in the county for at least two years immediately preceding the issuance of such license. (Ord. No. 522, § 3.)

Sec. 7-4. Same—Denial.

The chief of police shall deny any applicant for a card room license, a license to operate such card room if:

- (a) The applicant has previously been convicted of a felony;

(b) The applicant has previously been convicted of any narcotics violation; or,

(c) The applicant is not in the opinion of the chief of police a person of good moral character. (Ord. No. 522, § 3.)

Sec. 7-5. Same—Appeal from denial.

The action of the chief of police in denying such a license on the basis of the applicant not being a person of good moral character shall be subject to an appeal to a board of appeals consisting of the city council. Notice of such appeal shall be filed with the city clerk within ten days after the denial of the license. Upon failure to file such notice within the ten-day period, the action of the chief of police in denying such license shall be final and conclusive. (Ord. No. 522, § 3.)

Sec. 7-6. Same—Assignment or transfer; only one license to one person.

No person shall be granted a license to conduct more than one card room. No card room license shall be assignable or transferable. (Ord. No. 522, § 6.)

Sec. 7-7. Work permit—Required; application; qualifications of applicant.

Card room employees must obtain a work permit from the chief of police. Card room employees for the purpose of this chapter are defined as dealers, overseers and others directly connected with the operation and supervision of the card tables and excluding waitresses, bartenders, culinary workers and others not connected with such operation and supervision. Applications for such work permits shall be submitted under oath and contain the past criminal record, if any, of the applicant and such information as may be deemed by the chief of police necessary to determine whether the applicant is a proper person to be issued a card room work permit. The application shall also be accompanied by fingerprints of the applicant. A work permit shall be issued only to citizens of the United States who have resided in the county for at least one year immediately preceding the issuance of such work permit. (Ord. No. 522, § 4.)

Sec. 7-8. Same—Denial of application.

The chief of police shall deny to an applicant a work permit if:

- (a) The applicant has previously been convicted of a felony;
- (b) The applicant has previously been convicted of any narcotics violation; or,
- (c) The applicant is not in the opinion of the chief of police a person of good moral character. (Ord. No. 522, § 4.)

Sec. 7-9. Same—Same—Appeal from denial.

The action of the chief of police in denying a work permit on the basis of the applicant not being a person of good moral character shall be subject to an appeal to a board of appeals composed of the city council. Notice of such appeal shall be filed with the city clerk within ten days after the denial of the work permit. Upon failure to file such notice within the ten-day period, the action of the chief of police in denying such work permit shall be final and conclusive. (Ord. No. 522, § 4.)

Sec. 7-10. Same—Fee; duration.

Each application for a work permit shall be accompanied by a fee of ten dollars and shall be valid for a period of one year. The ten dollar fee shall not be returned in the event that the work permit is refused, revoked or suspended. Only one such work permit shall be required each year, even though the holder of the work permit may change his place of employment within the city. (Ord. No. 522, § 4.)

Sec. 7-11. Same—Exemptions to nonprofit societies, etc.

A nonprofit society, club, fraternal, labor or other organization having adopted by-laws and duly elected directors and members may be granted a permit without fee by the chief of police, when it appears that the tables are for the exclusive use of members of the society, club, fraternal, labor or other organization, and no charge is made for any of the facilities. (Ord. No. 522, § 8.)

Sec. 7-12. Extension or revocation of licenses and permits; appeal therefrom.

The chief of police shall have the right for cause to revoke or suspend any card room license or card room work permit issued

hereunder and to take possession of such permits. Any of the grounds upon which the chief of police shall be required to refuse to issue an initial card room license or card room work permit shall also constitute grounds for such revocation or suspension. In addition the failure of a holder of a card room license or card room work permit to comply with the provisions of this chapter shall also constitute grounds for revocation or suspension of such license or work permit. The action of the chief of police in this respect shall be subject to an appeal to a board of appeals composed of the city council. Notice of such appeal shall be filed with the city clerk within ten days after the revocation or suspension. Upon failure to file such notice within the ten-day period, the action of the chief of police in revoking or suspending the license or work permit shall be final and conclusive. (Ord. No. 522, § 5.)

Sec. 7-13. Rules and regulations.

It shall be unlawful to operate a card room in violation of any of the following regulations and rules:

(a) Not more than one card room shall be located at any one address.

(b) No game except low-ball, draw poker, without variations as defined by Hoyle, pinochle, pangini, rummy, and contract or auction bridge shall be played in any card room.

(c) Not more than six tables shall be permitted in any card room.

(d) Not more than seven players shall be permitted at any one card table.

(e) Card rooms shall be located on the ground floor, and so arranged that card tables and the players at the tables shall be plainly visible from the front door opening when the door is opened. No wall, partition, screen or similar structure between the front door opening on the street and any card table located in the card room shall be permitted if it interferes with the visibility.

(f) No minor shall be permitted at any card table, or participate in any game played thereat.

(g) All card rooms shall be closed at 2:00 A. M. and shall remain closed until 10:00 A. M. of the following day. Card rooms may be operated seven days a week.

(h) All card rooms shall be open to police inspection during all hours of operation.

(i) Only table stakes shall be permitted.

(j) The cashing of bank checks for players shall not be permitted in any card room.

(k) Each card table shall have assigned to it a person whose duty shall be to supervise the game and to see to it that it is played strictly in accordance with the terms of this chapter, and with the provisions of the Penal Code of the state. This person may have more than one table under his supervision. He shall not, however, participate in the game.

(l) No signs or other insignia advertising or relative to card rooms shall be permitted upon the exterior of any premises occupied as a card room.

(m) There shall be posted in every card room in letters plainly visible from all parts thereof, signs stating that no game except low-ball, draw poker without variations as defined by Hoyle, pinochle, pangini, rummy and contract or auction bridge shall be played in the card room. These signs shall also contain such other information relating to the regulations contained herein as the chief of police may require.

(n) No person who is in a state of intoxication shall be permitted in any card room. (Ord. No. 522, § 7.)

Sec. 7-14. Games prohibited by state law not permitted.

The city council hereby declares that it is not the intention of this chapter to permit the licensing of any card room for the playing of any game prohibited by the laws of the state, including but not limited to those games enumerated in section 330 of the Penal Code of the state, which section includes banking and percentage games. (Ord. No. 522, § 9.)

CHAPTER 8.

EMERGENCY SERVICES.

- § 8-1. "Emergency" defined.
- § 8-2. Purposes of chapter.
- § 8-3. Emergency services council—Created; membership.
- § 8-4. Same—Powers and duties.
- § 8-5. Director and coordinator of emergency services—Offices created.
- § 8-6. Same—Powers and duties.
- § 8-7. Emergency organization.
- § 8-8. Emergency operations plan.
- § 8-9. Expenditures.
- § 8-10. Prohibited acts.

ORDINANCE NO. _____

AN ORDINANCE REPEALING ORDINANCE 522
AND REENACTING A NEW ORDINANCE REGULATING
AND LICENSING CARD ROOMS IN THE CITY OF
LODI, PROVIDING FOR THE REGULATION OF THE
OWNERS AND EMPLOYEES OF SUCH ESTABLISHMENTS;
FIXING A PENALTY FOR VIOLATIONS

Be it Ordained by the City Council of the City of
Lodi.

Section 7-1. Card Room Defined.

For the purpose of this chapter, a "card room" is defined to be any space, room or enclosure, furnished or equipped with a table used or intended to be used as a card table for the playing of cards and similar games, and the use of which is available to the public, or any portion of the public; provided, however, that this section shall not apply to any bona fide religious, nonprofit society, club, fraternal, labor or other organization as defined in Section 7-2 hereof, where the use of the card room tables are for the exclusive use of its members, no charges are made for the use of the facilities, and the operation of the card room is incidental to the main purpose of the religious, society, club, fraternal, labor and other organizations.

Section 7-2. Nonprofit Organization Defined.

A nonprofit religious, society, club, fraternal, labor or other organization shall mean an entity which:

- (a) Has adopted by-laws, and duly elected directors and members; and
- (b) Has received a certificate from the California Franchise Tax Board and the United States Internal Revenue Service recognizing its tax exempt status.

Section 7-3. License-Required.

It shall be unlawful for any person to engage in or carry on, or to maintain or conduct, or cause to be engaged in, carried on, maintained or conducted, any card room in the city without first having secured a license to do so, or without complying with each regulation contained in this chapter pertaining to such card room.

Section 7-4. Compliance with State Law Required.

Any person or persons wishing to apply for any license or permit authorized in this chapter must comply with not only this chapter, but with Sections 330 through 337 of the California Penal Code. In each case where a license is issued, it shall be nontransferable.

Section 7-5. Application for License.

Any applicant for a card room license shall submit his application to the Chief of Police of the City of Lodi which

application shall be under oath, and shall include, among other things, the true names and addresses of all persons financially interested in the business. The term "persons financially interested" shall include all persons who share in the profits of the business, on the basis of gross or net revenue. The past criminal record, if any, of the applicant and of all persons financially interested in the business shall be shown on such application. The application shall also be accompanied by fingerprints of the applicant and of persons financially interested in the business.

The applicant shall pay a fee to the Finance Department of the City of Lodi to defray the cost of investigation in an amount as may be fixed and established from time to time by Resolution of the City Council.

Section 7-6. Chief of Police Shall Approve or Deny License.

The Chief of Police shall deny any applicant for a card room license, a license to operate such room if:

(a) Said applicant has previously been convicted of a felony and a period of five (5) years has not expired from date of termination of confinement, parole and/or probation, or

(b) Said applicant has previously been convicted of one of the following misdemeanor violations and a

period of three (3) years has not elapsed from the date of termination of confinement, parole and/or probation:

- (1) Any theft from a person;
- (2) Any theft involving cheating;
- (3) Any series of petty thefts;
- (4) Any crime involving pimping, pandering or prostitution;
- (5) Any crime involving bookmaking or gaming;
- (6) Any crime involving narcotics or dangerous drugs.

Section 7-7. Appeal From Denial.

The action of the Chief of Police in denying such a license shall be subject to an appeal to the City Council. Notice of such appeal shall be filed with the City Clerk within ten days after the denial of the license. Upon failure to file such notice within the ten-day period, the action of the Chief of Police in denying such license shall be final and conclusive.

Section 7-8. Card Room Employee Work Permits.

Each card room employee must obtain and possess a valid work permit issued by the Chief of Police. Card room employees for the purpose set forth herein, are defined as dealers, overseers, and others directly connected with the operation and supervision of the card tables excluding waitresses, bartenders, culinary workers and others not

connected with such operation and supervision. Applications for such work permits shall be submitted under oath and contain the past criminal record, if any, of the applicant and such information as may be necessary to determine whether the applicant is a proper person to be employed in a card room. The application shall be accompanied by fingerprints of the applicant. A work permit shall be issued only to persons twenty-one (21) years of age or older.

Section 7-9. Chief of Police Shall Approve or Deny Employee Work Permit.

The Chief of Police shall deny to such applicant a work permit if:

(a) Said applicant has previously been convicted of a felony, and a period of five (5) years has not elapsed from the date of termination of confinement, parole and/or probation; or

(b) Said applicant has previously been convicted of one of the following misdemeanor violations and a period of two (2) years has not elapsed from the date of termination of confinement, parole and/or probation:

- (1) Any theft from a person;
- (2) Any theft involving cheating;

- (3) Any series of petty thefts;
- (4) Any crime involving pimping, pandering or prostitution;
- (5) Any crime involving bookmaking or gaming;
- (6) Any crime involving narcotics or dangerous drugs.

Section 7-10. Appeal From Denial of Card Room Employee Work Permit.

The action of the Chief of Police in denying such work permit shall be subject to an appeal to the City Manager. Notice of such appeal shall be filed with the City Clerk within ten (10) days after the denial of said work permit. Upon failure to file such notice within the ten (10) day period, the action of the Chief of Police in denying such work permit shall be final and conclusive.

Section 7-11. Fee for Card Room Employee Work Permits.

Each application for a work permit shall be accompanied by a fee, to be paid to the Finance Department of the City of Lodi in an amount as may be fixed and established from time to time by Resolution of the City Council. Said work permit shall be valid, unless suspended or revoked, for a period of one (1) year from date of issuance. The fee shall not be returned in the event that such work permit is refused, revoked or suspended as herein provided. Said work permit

shall be valid even though the holder of said permit may change his place of employment within the City of Lodi.

Section 7-12. Fee for Investigation.

In order that the Chief of Police may investigate the applicant's qualifications and fitness to receive a Card Room Employee Work Permit, every applicant shall be photographed and fingerprinted. The applicant shall pay to the Finance Department of the City of Lodi a fee to defray the costs of said investigation in an amount as may be fixed and established from time to time by Resolution of the City Council.

Section 7-13. Renewal of Work Permit.

Any person who holds a valid Card Room Employee Work Permit may obtain a new permit for the succeeding year by applying for said new permit during the month preceding the expiration date of the current permit. Cost for said new permit, which shall include the cost of a new identification card, shall be paid to the Finance Department of the City of Lodi, and shall be an amount as fixed and established from time to time by Resolution of the City Council.

Section 7-14. Failure to Obtain New Permit.

If the holder of a Card Room Employee Work Permit fails to renew said permit, his permit shall cease to be valid

and he must make application for a new permit, if desired, as provided above.

Section 7-15. Suspension or Revocation of Card Room License
or Card Room Employee Work Permit.

The Chief of Police shall have the right for cause to revoke or suspend any card room license or card room work permit issued hereunder and to take possession of such permits. Any of the grounds upon which the Chief of Police shall be required to refuse to issue an initial card room license or card room work permit shall also constitute grounds for such revocation or suspension. In addition, the failure of a holder of a card room license or card room work permit to comply with the provisions set forth herein shall also constitute grounds for revocation or suspension of such license or work permit.

Suspension or revocation of a card room work permit shall be made only after a hearing granted to the holder of such permit before the Chief of Police, after five (5) days' notice to said permit holder, setting forth the grounds of the complaint against him and stating the time and place where such hearing will be held. The action of the Chief of Police in this respect shall be subject to an appeal to the City Manager. Notice of such appeal shall be filed with the City Clerk within ten (10) days after the revocation or suspension. Upon failure to file such notice within the ten (10) day

period, the action of the Chief of Police in revoking or suspending the license or work permit shall be final and conclusive.

Section 7-16. Extension or Revocation of Licenses and Permits; Appeal Therefrom.

The Chief of Police shall have the right for cause to revoke or suspend any card room license or card room work permit issued hereunder and to take possession of such permits. Any of the grounds upon which the Chief of Police shall be required to refuse to issue an initial card room license or card room work permit shall also constitute grounds for such revocation or suspension. In addition the failure of a holder of a card room license or card room work permit to comply with the provisions of this chapter shall also constitute grounds for revocation or suspension of such license or work permit. The action of the Chief of Police in this respect shall be subject to an appeal to a board of appeals composed of the City Council. Notice of such appeal shall be filed with the City Clerk within ten (10) days after the revocation or suspension. Upon failure to file such notice within the ten (10) day period, the action of the Chief of Police in revoking or suspending the license or work permit shall be final and conclusive.

Section 7-17. Rules and Regulations.

It shall be unlawful to operate a card room in violation of any of the following regulations and rules:

(a) Not more than one card room shall be located at any one address.

(b) No game except low-ball, draw poker, without variations as defined by Hoyle, pinochle, pangini, rummy, and contract or auction bridge shall be played in any card room.

(c) Not more than six tables shall be permitted in any card room.

(d) Not more than seven players shall be permitted at any one card table.

(e) Card rooms shall be located on the ground floor, and so arranged that card tables and the players at the tables shall be plainly visible from the front door opening when the door is opened. No wall, partition, screen or similar structure between the front door opening on the street and any card table located in the card room shall be permitted if it interferes with the visibility.

(f) No minor shall be permitted at any card table, or participate in any game played thereat.

(g) All card rooms shall be closed at 2:00 A.M. and shall remain closed until 10:00 A.M. of the following day. Card rooms may be operated seven days a week.

(h) All card rooms shall be open to police inspection during all hours of operation.

(i) Only table stakes shall be permitted.

(j) The cashing of bank checks for players shall not be permitted in any card room.

(k) Each card table shall have assigned to it a person whose duty shall be to supervise the game to see to it that it is played strictly in accordance with the terms of this chapter, and with the provisions of the Penal Code of the State. This person may have more than one table under his supervision. He shall not, however, participate in the game.

(l) No signs or other insignia advertising or relative to card rooms shall be permitted upon the exterior of any premises occupied as a card room.

(m) There shall be posted in every card room in letters plainly visible from all parts thereof, signs stating that no game except lowball, draw poker without variations as defined by Hoyle, pinochle, pangini, rummy and contract or auction bridge shall be played in the card room. These signs shall also contain such other information relating to the regulations contained herein as the Chief of Police may require.

(n) No person who is in a state of intoxication shall be permitted in any card room.

(o) The sale, purchase, transfer, assignment, or pledge of any property, or of any document evidencing title to the same is prohibited in any card room.

(p) The operator or his employees shall not extend credit to a player, nor shall he accept IOU's or other notes, loan money to any person on any ring, watch or other article of personal property for the purpose of securing tokens, chips or other representatives of money as an ante.

(q) No shills shall engage in card games. This prohibition shall not apply to house players, provided

they wear a badge in a conspicuous place, which badge identifies them as employees of the licensee.

Section 7-18. Games Prohibited by State Law Not Permitted.

The City Council hereby declares that it is not the intention of this chapter to permit the licensing of any card room for the playing of any game prohibited by the laws of the State, including but not limited to those games enumerated in Section 330 of the Penal Code of the State, which section includes banking and percentage games.

Section 7-19. Operators of card rooms shall be required to obtain a business license pursuant to Chapter 12 of the Lodi City Code.

RECEIVED

1983 MAY -6 AM 8-56

ALICE D. REINCHE
CITY CLERK
CITY OF LODI

May 4, 1983

Lodi City Council
221 W. Pine Street
City Hall
Lodi, California 95240
ATTN: Alice Reinche
City Clerk

RE: JERRY STEELE
Denial of Card Room Employee's License

Dear Ms. Reinche:

May this letter serve as a formal appeal of the decision by Chief Yates regarding the denial of my card room employee's license. My vocational rehabilitation counselor, James Johnson, has spoken with the City attorney, Ronald Stein, who indicated my appeal may be heard during the May 18, 1983, City Council meeting. Please take whatever steps are necessary to allow my vocational rehabilitation counselor and/or myself to speak before the City Council so to discuss my appeal.

I was denied my license under Lodi City Code Section 7-4. I have been convicted of a felony in 1960. Since 1960, the only involvement I have had with the police has been a traffic violation in 1963.

Currently, I am in a program of vocational rehabilitation. I have been looking for approximately 4 months for a suitable occupation, though was unable to find any that were within my physical capabilities. My physical condition is such that I must be allowed to sit or stand intermittently. I feel that if I am unable to work as a card room attendant, that I may have to receive supplemental assistance from County or State agencies.

Again, please take whatever steps are necessary so that I may be allowed to speak before the Lodi City Council and appeal Chief Yates' decision regarding my card room attendant's license.

Sincerely,

Jerry Steele

cc: Russell Rost
Jan Schubert
Michael La Roche
Ron Stein, Lodi City Attorney
Henry Gables, Lodi City Manager

RES

Rehabilitation Employment Services

7991 Folsom Blvd.
Suite D, Sacramento, CA 95826
Phone 381-8522

RECEIVED

MAY 23 AM 9 13

ALICE H. REINCHE
CITY CLERK
CITY OF LODI

May 18, 1983

Lodi City Council
221 W. Pine Street
City Hall
Lodi, CA 95240
ATTN: Alice Reinche
City Clerk

RE: Jerry Steele
Appeal of Cardroom Employee's License

Dear Ms. Reinche:

As per our conversation this date, May 18th, it is my understanding that Mr. Steele's appeal shall be set for public hearing on June 1, 1983.

Please notify Mr. Steele and I of the time, date and place we are to meet so that his appeal may be presented by both he and I.

Mr. Steele's address is as follows:

Jerry Steele
P.O. Box 253
Jackson, CA 95642

My address is as follows:

Rehabilitation Employment Services
7991 Folsom Blvd., Suite D
Sacramento, CA 95826
ATTN: James Johnson

Thank you for your information and assistance regarding Mr. Steele's Appeal.

Respectfully yours,

REHABILITATION EMPLOYMENT SERVICES


JAMES S. JOHNSON, M.S.
Vocational Rehabilitation Counselor

cc: Russell Rost
Jan Schubert
Michael La Roche
Ron Steine, Lodi City Attorney
Henry Gables, Lodi City Manager

CITY OF LODI

POLICE DEPARTMENT
230 WEST ELA
LODI, CALIFORNIA 95240

RECEIVED

JUN 13 AM 4:59

ALICE M. REIMCHE
CITY CLERK
CITY OF LODI

June 13, 1983



MARC YATES
Chief of Police

HENRY A. GLAVES
City Manager

To: Henry A. Glaves, City Manager
From: Marc Yates, Chief of Police
Subject: Cardroom Dealer License

As required by Lodi City Code, a background investigation was started for clearance of Jerry R. Steele.

It was determined that Mr. Steele had several felony arrests in his background. As the City Code states no one who has been convicted of a felony shall be considered, the investigation was terminated and Mr. Steele was advised.

At its last meeting, City Council directed the investigation be continued and, should no other felony arrests be determined, clearance should be made. As indicated, Mr. Steele's last arrest was for burglary on 7-25-60.

We have found nothing since that time and recommend police clearance for this applicant.

Respectfully submitted,


MARC YATES
Chief of Police

MY:jkm

cc: Robert H. Holm, Finance Director