

ORDINANCE NO. 7

AN ORDINANCE PROVIDING FOR THE LICENSING AND REGULATION OF CARD ROOMS AND/OR PLACES IN THE CITY OF GARIBALDI WHEREIN ANY FORM OF CARD GAMES ARE PLAYED OR CONDUCTED, ESTABLISHING THE LICENSE FEE TO BE PAID AND PROVIDING FOR VIOLATION HEREOF AND DECLARING AN EMERGENCY.

THE CITY OF GARIBALDI DOES ORDAIN AS FOLLOWS:

Section 1. It shall be unlawful for any person or persons, firm or corporation to operate, maintain or control any room or place within the City of Garibaldi, Oregon, wherein any card games are played or conducted or any places commonly known as a card room without first having obtained a license therefor as provided in this ordinance.

Section 2. Any person, firm or corporation who may desire to operate, maintain or control any room or place within the City of Garibaldi wherein card games are played or conducted, or any place or room commonly known as a card room, before commencing to so operate, maintain or control the same shall first apply to and receive from the City of Garibaldi a license therefor in the manner as herein required.

Section 3. Every applicant for a license required by this ordinance shall make written application therefor, directed to the Mayor and Council and file the same with the City Recorder who shall refer such application to the Council at its next regular meeting. The application shall state the name of the applicant, the place where such business is to be located, the name of the person or persons to be in charge thereof and whether such applicant or any of such persons to be in charge thereof have ever been convicted of any felony or of any law or ordinance pertaining to gambling, games of chance or intoxicating liquor. The Mayor and Council may at their discretion approve or reject such application. In the event the application be approved the applicant shall then file a bond to be approved by the Mayor and

in the sum of \$250.00 with two or more persons or a Surety Company as surety thereon, conditioned that such licensee shall, during the term of such license, faithfully observe the laws of the United States, the State of Oregon, and the ordinances of the City of Garibaldi pertaining to gambling, games of chance and/or intoxicating liquor, and upon such violation of any of such laws the licensee shall become liable on his bond to pay the City of Garibaldi the amount therein provided, and thereafter upon approval of such bond and the payment to the City of Garibaldi by such applicant of the licensee fees as herein provided, the Recorder shall issue and deliver a license to such applicant as provided herein. All renewals of such licenses, if any, shall be applied for and shall be acted upon in the same manner as though such application had never before been approved.

Section 4. The annual license fee to be paid to the City of Garibaldi by each licensee under the provisions of this ordinance shall be \$25.00 and in addition thereto such license shall pay the further sum of \$5.00 per annum for each card table or card playing surface in such licensed place.

Section 5. All licenses provided for by this ordinance shall expire Dec. 31, of the year in which issued and shall not be issued for any license fee less than the annual fee herein set forth; provided that such fees shall be pro-rated on licenses issued for that portion of the year 1946 subsequent to the effective date hereof. No license fee paid under the terms of this ordinance shall be remitted for any reason.

Section 6. It shall be unlawful for any person under the age of twenty-one years to loiter in any place licensed under this ordinance and it shall also be unlawful for any licensee or person in control or management of any such place to permit any minor to play at any game therein or to loiter in such place.

Section 7. No license shall be granted for the operation of any place under the terms of this ordinance in any building

unless the same be on the first or street level floor of such building.

Section 8. No person under the influence of intoxicating liquor shall be permitted to play at any game or to enter or remain in such place.

Section 9. Should any licensee hereunder be found guilty of violation of any of the terms of this ordinance the Council may, at its discretion, revoke the license of such person.

Section 10. The provisions of this ordinance shall not apply to card games played and operated in regularly and lawfully recognized Fraternal organization club rooms.

Section 11. Any and all peace officers of the State of Oregon or County of Tillamook and City of Garibaldi are hereby authorized to enter any and all premises within the City of Garibaldi for the purpose of enforcing the provisions of this ordinance, except as hereinabove provided.

Section 12. Any person who violates any of the provisions of this ordinance, on conviction thereof in the Recorder's Court shall be punished by a fine of not less than \$25.00, nor more than \$200.00 and by imprisonment in the City Jail for a period of not less than ten days or more than ninety days and upon conviction the license of such person may be revoked at the discretion of the Court.

Section 13. WHEREAS, the peace, health, and safety of the people of the City of Garibaldi is involved;

THEREFORE, an emergency is hereby declared to exist and this ordinance shall be in full force and effect from and after its passage by the Council and approval by the Mayor.

Passed by the Common Council this
9th day of ~~August~~, 1946.

September

Attest:

B. J. Spencer
City Recorder

Approved by the Mayor this
9th day of ~~August~~, 1946.

Sept.

E. S. Tessler
Mayor