

ORDINANCE BILL NO. 2 FOR 1941

ORDINANCE NO. 521

VOID

A BILL FOR AN ORDINANCE PROHIBITING IN THE CITY OF LEBANON, OREGON, THE PLAYING OR CONDUCTING OF CERTAIN GAMES FOR MONEY OR REPRESENTATIVES OF VALUE, PROVIDING FOR THE LICENSING, OPERATION AND REGULATION OF CARD-ROOMS THEREIN, FOR PROVIDING A PUNISHMENT FOR THE VIOLATION HEREOF, AND REPEALING SUCH PARTS OF OTHER ORDINANCES AS MAY BE IN CONFLICT HEREWITH.

THE PEOPLE OF THE CITY OF LEBANON DO ORDAIN AS FOLLOWS:

Section 1. Within the meaning of this ordinance, the term "person" shall be deemed to mean and include any natural person, firm, copartnership, association or corporation. The term "card-room" shall be deemed to mean and include every place where card games of any kind are played and the general public admitted; but shall not mean or include fraternal, benevolent or military societies, clubs or associations or private incorporated clubs where card playing is permitted only by members, and the main or a major purpose of which organization is not card playing, nor shall the term "card-room" include such places where card functions are given solely by such organizations for the benefit of charity.

Section 2. It shall be unlawful in the City of Lebanon, Oregon, for any person to deal, play, or carry on, open or cause to be opened, or to conduct either as owner, proprietor, or employee, whether for hire or not, any game of faro, monte, roulette, rouge et noir, lanquenet, rondo, vingtun (or twenty-one), poker, drawpoker, brag, bluff, thaw, or any banking or any other game played with cards, dice, or any other device, whether the same be played for money, check, credits, or any other representative of value, or for any person to participate in or play at any such game, or to bet at or upon any such game.

Section 3. It shall be unlawful for any person to have, maintain or operate within the said City of Lebanon any

card-room without first having obtained a license therefor as provided in this ordinance.

Section 4. Any person desiring to have, maintain or operate a card-room within the said City of Lebanon shall submit to the City Recorder a written application therefor, which application shall set forth the names of all persons interested in the proposed card-room, the addresses of such persons, the location of the premises where it is proposed that such card-room be maintained and operated, the number of card tables the applicant desires, any and all other businesses, trades or occupations being or contemplated being or conducted upon said premises, the name of the person in charge of said premises, and whether the applicant or any interested person or any person in charge or to be in charge of said premises has ever been convicted of any violation of the laws of the United States or of the State of Oregon or any other state, or of any ordinance of any city or town, and if there has been any such conviction, said application shall state the date and nature of such conviction; and said application shall be signed by the applicant. The City Recorder shall transmit said application to the Common Council of said City at its next regular meeting. The said Council shall duly consider such application and may require the City Marshal to make such investigation thereof as it may see fit. If the City Council is satisfied that the applicant is a person of good moral character, and that the public health, peace, safety or morals would not be adversely affected by the issuance of such a license, it may authorize the issuance thereof, except that the City Council shall in no case issue any license to any person who has been convicted of a felony.

Section 5. Upon the approval of the application by the said Council, the applicant shall file with the said City

Recorder a surety bond executed by a surety company authorized to transact business in the State of Oregon in the penal sum of \$1000.00, conditioned upon the lawful maintainance and operation of the proposed card-room. The applicant shall also pay unto the City Recorder the full amount of the license fee as herein provided. The City recorder shall thereupon issue unto such applicant a license in accordance with the orders of the said Council.

Section 6. All licenses issued for card-rooms shall be issued quarterly, and shall expire upon the 31st day of March, the 30th day of June, the 30th day of September, and the 31st day of December, of each year. The license fee for each card-room shall be the sum of \$5.00 for each and every card table therein, for each quarter or part thereof.

Section 7. The license to be issued under this ordinance shall be signed by the Mayor and the Recorder of the City of Lebanon and shall state the name of the licensee, the dates of issuance and of expiration, the location of the premises to which the license relates, and the number of card tables which the licensee may maintain and operate. The licensee shall post said license in a conspicuous place in the card-room to which it relates.

Section 8. It shall be unlawful for any licensee to employ in any card-room licensed under this ordinance, any person who has been convicted of a felony.

Section 9. It shall be unlawful for any licensee under this ordinance, his agents, employees, or persons in charge of any card-room, to permit, suffer or allow any minor under the age of 21 years, or any female person, to go into, visit or to remain in such card-room, nor to employ such a minor or female person in or about any card-room or in any manner connected with the maintainance or operation thereof. It shall be unlawful for

any minor under the age of 21 years, or for any female person, to go into, visit or remain in any card-room. This shall not be construed, however, to prohibit the employment of such minors or female persons solely in an eating establishment operated adjacent to such card-room, nor to prohibit their going into, visiting or remaining in such eating establishment. The licensee shall post within his card-room conspicuous signs reading: "No Minors or Women Allowed". All cardrooms shall be closed between the hours of midnight and 6 A. M. of each day.

Section 10. All card-rooms within the said City of Lebanon shall be so maintained and operated that the interior thereof and all card games allowed or conducted therein shall be easily visible to the passerby.

Section 11. It shall be unlawful for any licensee or his agents, or employees, to serve any beer, wine or intoxicating liquor, or allow the same to be served, or to allow the same to be consumed, at any card table within such card-room, or to permit or allow any person who is under the influence of intoxicating liquor to engage in any card game in any card-room. It shall be unlawful for any person to consume any beer, wine or intoxicating liquor at any card table within any card-room, or for any person under the influence of intoxicating liquor to engage in any game of cards in any card-room.

Section 12. It shall be unlawful for any licensee under this ordinance, his agents or employees, to allow or permit to play any cards within such card-room, any person who is receiving any grant of relief funds from any federal, state or local agency, or for such person to play any cards within such card-room.

Section 13. Any person who shall suffer or permit any of the acts or things forbidden by this ordinance to be done or carried on in any house, room, shop or other building

whatsoever, or any booth, garden or other place of which he is the owner, or to the possession of which he is entitled, shall be a violation of this ordinance.

Section 14. Any officer of the City of Lebanon or duly constituted peace officer of the State of Oregon or of the United States shall have the right to enter at any time upon the licensed premises for the purpose of inspection thereof or of investigation of the manner of conducting or maintaining such card-room.

Section 15. No license issued under this ordinance shall be assignable or transferable, nor shall it authorize any person other than the named licensee to conduct a card-room, nor shall any licensee conduct any card-room at any other place, or in any other manner, than as specified and permitted in said license.

Section 16. Any license issued under the provisions of this ordinance may be revoked by the said Council, upon the conviction of the licensee of any violation of this ordinance, or for any other ground which in the opinion of the said Council would be sufficient reason for denying the original issuance of such license. Before such revocation, however, except in case of such conviction, notice shall be given to the licensee, who may within three days thereafter demand a hearing before said Council, which shall then set a time for and hold such hearing.

Section 17. Any person violating any provision of this ordinance shall, upon conviction thereof before the Recorder's Court of the said City of Lebanon, be punished by a fine of not less than \$10.00 nor more than \$100.00, or by imprisonment in the jail of the said City of Lebanon of not less than five days noremore than 50 days, or by both such fine and imprisonment. In addition to the foregoing punishment, if a licensee under this ordinance be convicted of any violation hereof, then at the option

of the said Council his license may be revoked and cancelled, as hereinabove provided, without any right for any refund of the fee paid, and all or any portion of his surety bond may be declared forfeited.

Section 18. All parts of ordinances that may not be in conflict herewith are hereby declared to be in force, and only such parts of ordinances as may be in conflict herewith are hereby repealed.

Read the first time this 18th day of February, 1941.

~~Read the second time this 18th day of February, 1941.~~

~~Read the third time~~