

J. Counsel

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR KLAMATH COUNTY, OREGON

IN THE MATTER OF AN ORDINANCE)	
AUTHORIZING SOCIAL GAMES IN)	
PRIVATE CLUBS OR IN PLACES OF)	ORDINANCE 21.1
PUBLIC ACCOMMODATION AND TO)	AMENDMENT
AMEND ORDINANCE 21.1.)	
)	
)	
)	

WHEREAS, on September 11, 1974, the Klamath County Board of Commissioners duly adopted Ordinance No. 21 authorizing social games in private clubs and places of public accommodation; and

WHEREAS, on February 22, 1977, the City of Klamath Falls duly adopted an ordinance regulating gambling and social games within the City of Klamath Falls; and

WHEREAS, on December 24, 1980, the Klamath County Board of Commissioners duly adopted Ordinance No. 21.1 authorizing social games in private clubs or in places of public accommodation and repealing Ordinance No. 21; and

WHEREAS, the Board of County Commissioners deems it necessary for the two ordinances to be similar; and

WHEREAS, to do so it is necessary to amend Ordinance 21.1; and

WHEREAS, after due notice having been given, the Board of County Commissioners did hold public hearings on the proposals at regular meetings on September 1, 1981, at 9:30 a.m. and September 23, 1981, at 9:00 a.m., in the Commissioners Hearing Room at the Klamath County Courthouse; and after due

consideration:

THE BOARD OF COMMISSIONERS OF KLAMATH COUNTY, OREGON,
ORDAINS AS FOLLOWS:

Section 2.

Which formerly read as follows:

"Card Table Licenses:

"(a) From and after January 1, 1981, it shall be unlawful for any person, firm, or corporation 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 or any space, room or enclosure where social games are conducted as defined in this ordinance without having a valid license from said County.

"(b) There shall be collected for each card table licensed hereunder, except as provided in Section 7 of this ordinance, a fee of \$100.00 per year. The annual fee is payable on or before January 1 of each year. For new applicants of the period from July 1 to December 31, the annual fee shall be reduced by one-half for the first annual license.

"(c) Such card table license shall be issued in the name of the owner, proprietor or lessee of the premises for which the permit is sought, and is applicable only to those premises.

"(d) Such licenses shall be granted only upon the approval of the Board of Commissioners of Klamath County.

"(e) Such license shall not be granted if:

"(1) Any person financially interested in the business has been previously convicted of a felony within the last ten years;

"(2) Any person financially interested in the business has been convicted of or forfeited bail for any crime involving gambling within the last five years;

"(3) The applicant has knowingly or willfully supplied false or misleading information in the application;

"(4) Any person financially interested in the business has had a license, which was in his name, revoked or suspended three or more times by the Oregon Liquor Commission, the last of which was in the last three years;

"(5) Any person financially interested in the business who has violated any section of this ordinance;

"(6) Any person financially interested in the business who has been convicted of any offense involving moral turpitude within the last five years.

"(f) No license issued pursuant to this section shall be assignable or transferable. The addition or the substitution of a person financially interested in a licensed business shall be reported immediately to the Board of Commissioners of Klamath County.

"(g) Licenses may only be granted to individuals, firms or corporations who have successfully applied and received a license from the Oregon Liquor Control Commission to sell alcoholic beverages on the premises, as long as said license

remains unrevoked."

Shall be amended to read as follows:

(e) Such license shall not be granted if:

(1) Any person financially interested in the business has been previously convicted of a felony within the last ten years; or

(2) Any person financially interested in the business has been convicted of or forfeited bail for any crime involving gambling within the last five years; or

(3) The applicant has knowingly or willfully supplied false or misleading information in the application; or

(4) Any person financially interested in the business has had a license, which was in his name, revoked or suspended three or more times by the Oregon Liquor Commission, the last of which was in the last three years; or

(5) Any person financially interested in the business who has violated any section of this ordinance; or

(6) Any person financially interested in the business who has been convicted of any offense involving moral turpitude within the last five years.

(g) Licenses may only be granted to individuals, firms or corporations who have successfully applied and received a license from the Oregon Liquor Control Commission to sell alcoholic beverages on the premises, as long as said license remains unrevoked or not suspended.

(h) The County Commissioners may, in their

discretion, obtain and consider the recommendations of the Sheriff of Klamath County, Oregon, with respect to the granting or denial of licenses.

Section 3.

Which formerly read as follows:

"Dealer Licenses:

"(a) Dealers of the game known as "Blackjack" or "21" as well as permanent dealers for poker games shall be required to:

"(1) Register with the Sheriff's Office.

"(2) Pay an annual license fee of \$25.00 which shall not be prorated.

"(b) These licenses shall not be issued if the individual has been convicted of a felony or three misdemeanors within the three previous years.

"(c) A permanent dealer for poker games may not participate in the betting or play and may derive income only from voluntary tips from winning pots, not to exceed what is agreeable to the majority of the players."

Is hereby repealed in its entirety.

Section 6.

Which formerly read as follows:

"Regulations:

"(a) All card rooms and all areas where social games are played shall be open to police inspection during all hours of operation. Doors leading into card rooms must remain unlocked

during all hours of operation. Card room and dealer licenses shall be posted in a conspicuous place during all hours of operation.

"(b) The playing of all card games, except those conducted in organizations as defined in Section 5 herein, shall be so arranged as to provide equal access and visibility to any interested party.

"(c) No person under the age of 21 shall be permitted to participate in any card game.

"(d) No charge shall be collected from any player for the privilege of participating in any game.

"(e) In games of "Blackjack" or "21" there shall be a maximum limit of two dollars (\$2.00) for each bet.

"(f) In games of poker, there shall be a limit on any bet of one dollar (\$1.00) and a three raise limit on any social game.

"(g) No participant in any social game shall be charged a price for any consumer goods which is higher or lower than the price charged nonparticipants.

"(h) A copy of the regulations and rules set out in this ordinance shall be posted in a conspicuous place by the card room licensee in all areas where social games are played."

Shall be amended to read as follows:

(a) All card rooms and all areas where social games are played shall be open to police inspection during all hours of operation. Doors leading into card rooms must remain unlocked

during all hours of operation. Card room licenses shall be posted in a conspicuous place during all hours of operation.

(e) Is hereby, in its entirety, repealed.

(f) Shall be amended to read:

In all card games, there shall be a limit on any bet of one dollar (\$1.00) and a three-raise limit on any social game.

Section 7.

Section (a) and subparagraphs (1) and (2) of which formerly read as follows:

"Suspension and Revocation of Licenses:

"(a) The Board of County Commissioners shall temporarily suspend or permanently revoke any card room license or dealer license issued hereunder if:

"(1) Any person granted a license hereunder shall violate any of the requirements of licensees as listed in Section 2 of this ordinance.

"(2) Any person granted a license hereunder violates the provisions of this ordinance.

Shall be amended to read as follows:

(a) The Sheriff of Klamath County shall temporarily suspend any card room license issued hereunder if:

(1) Any person granted a license hereunder shall violate any of the requirements of licensees as listed in Section 2 of this ordinance.

(2) Any person granted a license hereunder

violates the provisions of this ordinance.

Section 9.

Which formerly read as follows:

"Penalty: Violation of, or failure to comply with, any provision of this ordinance is punishable upon conviction by fine not to exceed Two hundred Fifty dollars (\$250.00) or imprisonment in jail not to exceed one year, or both such fine and imprisonment."

Shall be amended to read as follows:

Penalty:

(a) Violation of, or failure to comply with, any provision of this ordinance is punishable upon conviction by fine not to exceed \$500.00.

(b) The Board of County Commissioners shall have the discretion to recommend disapproval of any Oregon Liquor Control Commission license renewal if the licensee under this ordinance is guilty of two violations of this ordinance in any calendar year.

This ordinance shall be in full force and effect from and after January 1, 1982.

* * *

* * *

* * *

* * *

* * *

* * *

ENACTED by the Board of County Commissioners of
Klamath County, Oregon, this 23rd day of September, 1981.

Nell Kuonen
Nell Kuonen, Chairman

Floyd L. Wynne, Commissioner

Alvin A. Cheyne
Alvin A. Cheyne, Commissioner

Virginia Beckey
Recording Secretary