

CHANGES TO CARDROOM ORDINANCE
SUBMITTED TO THE DEPARTMENT OF JUSTICE FOR REVIEW

9.08.020 - Cardrooms.

- A. Cardrooms in the City of Merced may only be located in areas zoned as follows:
1. Central Commercial (C-C);
 2. Commercial Thoroughfare (C-T);
 3. General Commercial (C-G).
- B. It is unlawful and a misdemeanor, subject to punishment in accordance with Chapter 1.12 of this ~~Codecode~~, for any person, either as principal, agent, employee, or otherwise, to play, conduct, or deal any game of cards in any cardroom, or in any other public place or place resorted to generally by the public, between the hours of two a.m. and six a.m. of any day, ~~with the exception of a~~except that any duly licensed cardroom operating in a Commercial Thoroughfare (C-T) zone or Central Commercial (C-C) zone ~~pursuant to a conditional use permit which regulates the hours of operation~~is permitted to operate 24 hours per day.
- C. Any person operating a cardroom shall be responsible and liable for patron security and safety in and around the gaming establishment. Security guards shall be provided in such number and at such times as directed by the ~~chief of police~~Chief of Police, or as may otherwise be required by conditional use permit.
- D. As of April 18, 2016, there are two cardrooms authorized to operate within the City of Merced, each of which ~~had~~may operate four (4) card tables. There shall be no increase in the existing number of cardrooms without the approval of a majority of the voters of the ~~city~~City.
- E. The ~~city~~City of Merced hereby increases the number of authorized card tables to be operated within the ~~city~~City from eight (8) card tables to ~~sixteen (16)~~twelve (12) card tables. There shall be no increase in the number of card tables ~~beyond sixteen (16) card tables to be operated beyond twelve (12) card tables~~ without the approval of a majority of the voters of the ~~city~~City.
- F. In order for a cardroom to increase the number of card tables to be operated from the four (4) card tables that existed as of April 18, 2016, the operator must first obtain a conditional use permit to ~~add~~operate additional card tables. A cardroom operator may apply for up to ~~eight (8)~~two (2) additional card tables subject to the overall limit of ~~sixteen~~

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~~(16) twelve (12)~~ card tables within the ~~city~~City; provided, however, that under no circumstances shall a cardroom have more than ~~twelve (12)~~six (6) card tables in operation at any one time. All card tables not in operation shall be completely covered and shall display a sign on the table, with not less than six (6") inch lettering, stating that 'This table is not in operation.' The cover and sign shall be approved in advance by the City.

G. As of the date of the final adoption of this Ordinance No. _____, Conditional Use Permit #1216 approved by Resolution #3077 on February 2017 related to the 'Merced Poker Room,' and Conditional Use Permit #1219, approved by Resolution #3079 on February 22, 2017, related to the 'Poker Flats Casino' are hereby amended to allow a maximum of six (6) card tables to be operated per cardroom in accordance with this Ordinance and State law. All other conditions of Conditional Use Permit #1216, Resolution #3077 and Conditional Use Permit #1219, Resolution #3079 remain in full force and effect, except that if there are any conflicts between said Conditional Use Permits and this Ordinance, the provisions of this Ordinance control.

H. If a cardroom operator obtains a conditional use permit operate ~~to add~~ additional card tables, the new card tables must be added within one (1) year from the date of approval of the conditional use permit. Otherwise, the right to add the additional card tables shall automatically expire and the number of card tables allowed in that cardroom shall revert back to the number of card tables that existed prior to the approval of the conditional use permit.

I. There shall be a no-limits wager amount in a cardroom located within the City. ~~no city-imposed limits on bets and wagers in a cardroom located within the city. Individual cardroom operators may set their own limits on bets and wagers.~~ The rules of each game and wagering limits shall be clearly posted at the gaming tables where the games are offered to provide the patrons adequate notice of such rules and limits.

(Ord. 2297 § 1, 2007; Ord. 2087 § 1, 2002; Ord. 2005 § 1, 1998; Ord. 1508 § 2, 1983; prior code § 17.13).

(Ord. No. 2457, § 1, 5-2-2016)

Editor's note— Ord. No. 2457, § 1, adopted May 2, 2016, changed the title of § 9.08.020 from "Cards" to read as set out herein.