

ORDINANCE NO. 1592

A Bill for AN ORDINANCE providing for the licensing and regulation of card rooms and/ or places in the City of Albany wherein any form of card games are played or conducted, establishing the license fee to be paid and providing penalty for violation hereof.

THE PEOPLE OF THE CITY OF ALBANY DO 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 Albany, Oregon, wherein any card games are played or conducted or any place 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 Albany 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 Albany 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 in the sum of \$2000.00 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 Albany 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 said bond to pay to the City of Albany the amount therein provided, and thereafter upon the approval of such bond and the payment to the City of Albany 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 Albany by each licensee under the provisions of this Ordinance shall be \$100.00 and in addition thereto such licensee shall pay the further sum of \$10.00 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 December 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 1945 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 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. All places licensed under the provisions of this Ordinance shall be closed every hour of the day on holidays and Sundays and from twelve o'clock midnight until eight o'clock A.M. on all other days.

Section 10. 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 11. The provisions of this Ordinance shall not apply to card games played and operated in regularly and lawfully recognized Fraternal organization club rooms.

Section 12. Any and all peace officers of the State of Oregon or County of Linn and City of Albany are hereby authorized to enter any and all premises

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within the City of Albany for the purpose of enforcing the provisions of this Ordinance, except as hereinabove provided.

Section 13. 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 such conviction the license of such person may be revoked at the discretion of the Court.

Passed by the Council February 28, 1945.

Approved by the Mayor March 3, 1945.

G.C. Knodell
Mayor

Attest:
C.R. ASHTON
Recorder

I, C. R. Ashton, Recorder of the City of Albany, Linn County, Oregon, do hereby certify that the above copy of Ordinance No. 1592 has been by me carefully compared with the original Ordinance Bill No. 1713, as passed by the Council February 28, 1945, and approved by the Mayor on the 3rd day of March 1945.

Witness my hand and official signature and seal of the City of Albany, Oregon, on this 3rd day of March 1945.

C. R. Ashton
Recorder of the City of Albany, Oregon.