

CHAPTER 22.

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Article I. In General.Sec. 22-1. Prohibited generally; exception.

Every person who deals, plays, carries on, opens, or causes to be opened or conducts any game of chance played with cards, dice or any other device, for money, checks, credits or other thing of value, and every person who bets at any of such prohibited games, is guilty of a misdemeanor. This chapter does not prohibit any act either positively permitted or prohibited by state law. (Mun. Code, Sec. 5200)

Sec. 22-2. Liability of owner, lessee, etc., of property generally.

No person shall knowingly permit any game prohibited by this chapter to be played, conducted or dealt in any house or other premises owned by, rented by or in the lawful possession of such person. (Mun. Code, Sec. 5201)

¹For state law as to lotteries, see Pen. C., Sec. 319 et seq. As to gaming generally, see Pen. C., Sec. 330 et seq. As to horse racing, see Pen. C., Sec. 337.1 et seq.

Article II. Games of Chance.

Sec. 22-3. Certain games prohibited.

It shall be unlawful in the city for any person, either as owner, lessee, manager, employee, agent or servant, to conduct, manage, carry on, maintain, operate, open, deal or deal in, or to cause or permit to be conducted, managed, carried on, maintained, operated, opened, dealt or dealt in, any game, operation or transaction wherein any prize, gift, rebate, compensation, reward, award, payment or gratuity, consisting of any money, check, token, credit, goods, wares, merchandise, property or thing of value is to be given, awarded or delivered, either directly or indirectly, and wherein chance is a determining factor or is any determining factor of the result of such game, operation or transaction, which game, operation or transaction is conducted, carried on, maintained, operated or played by the throwing, tossing, dropping, depositing or placing of any ball, marker, object, thing or substance into any perforation, hole or indentation in or upon any surface, receptacle, container, object or thing having marked, designated or identified thereon by or with any figure, number, character, symbol, letter, design or mark of any kind, or by the selecting, designating, turning, indicating, choosing or projecting of any such figure, number, character, symbol, letter, design or mark of any device, apparatus or equipment, or by any means or in any manner, or by the drawing, selecting, choosing or removing from any receptacle or container of any ball, disk, object, substance or material, marked, designated or identified by or with any figure, number, character, symbol, letter, design or mark, any such figure, number, character, symbol, letter, design or mark hereinabove referred to, corresponding to, duplicating, referring to or relating to, in whole or in part, directly or indirectly, any figure, number, character, symbol, letter, design or mark, upon any card, paper, board, fabric, surface, object, substance or thing, held, used, operated or maintained by any player or participant therein or by any person, where, by any predetermined or prearranged, or by any rule, method, scheme, design or procedure any person is found, declared or determined to be, or is, or is to be, the winner, donee, recipient or taker of such prize, gift, rebate, compensation, reward, award, payment or gratuity in the event that any such player or participant pays, deposits, expends, gives or pledges, either directly or indirectly, or agrees, promises or intends to pay, deposit, expend, give or pledge, either directly or indirectly, any money, check, credit, property or thing of value, or makes or agrees to make any purchase for the privilege of playing or participating therein or of gaining admission to the place or premises where such game, operation or transaction is or is to be played, conducted, carried on, maintained or operated, or to any place or premises; provided, that no provision of this article shall be deemed or construed as prohibiting any act made unlawful by the provisions of Section 320, Section 320a or Section 330 of the Penal Code, or of any other code Section or general law of the state, it being the intent of the city council to prohibit by this article all games, operations or transactions herein described, not prohibited by the provisions of any general law of this state, including all games, operations or transactions herein described, not prohibited by the provisions of any general law of this state, including all games, operations or transactions for profit commonly known as Keno, Tango, Movie Tango, Bingo, Beano, Sill Ball, Fortune, Quintain, Fascination or Inspiration, and all games, operations or transactions similar thereto under whatever name they may be designated. (Mun. Code, Sec. 5210)

Sec. 22-4. Participation prohibited.

It shall be unlawful in the city for any person to participate in play, play in or engage in, either directly or indirectly, any game, operation or transaction prohibited by the provisions of Section 22-3. (Mun. Code, Sec. 5211)

Sec. 22-5. Liability of owner, lessee, etc., of property.

It shall be unlawful for any person owning, leasing, managing, controlling or having any interest in any property or premises lying within the city to cause or permit the maintenance or operation in or on such property or premises, having knowledge, or after reasonable notice, of the existence thereof, of any game, operation or transaction declared by the provisions of Section 22-3 to be unlawful. (Mun. Code, Sec. 5212)

Article III. Pinball Machines.

Sec. 22-6. Defined.

As used in this article, "pinball machine" means any punchboard or any table game or device commonly known as a "pinball" or "marble game" or any claw, scoop or grab machine, or any "horse racing" machine or game, or any device similar thereto, the operation, use or play of which is controlled by placing therein any coin, plate, disk, plug, key or other device, or by the payment of any fee, or upon the payment or delivery of anything of value, or upon the making of any purchase. (Mun. Code, Sec. 5220)

Sec. 22-7. Possession, maintenance, etc., prohibited.

No person shall keep, maintain, possess or have under his control, either as owner, lessee, agent, employee, mortgagee or otherwise, in any place except a building designed for and used exclusively for residence purposes or a part of a building where such part was designated for and is used exclusively for residence purposes and any yards or courts used exclusively appurtenant thereto, any pinball machine. (Mun. Code, Sec. 5221)

Sec. 22-8. Destruction of machines.

The sheriff shall destroy any pinball machine which is used, kept, placed or maintained in violation of any statute, or of this article after any person, owning, possessing or having control of such machine has pleaded guilty to, or has been convicted of such violation and such violation has become final. (Mun. Code, Sec. 5222)

Sec. 22-9. Disposition of funds in confiscated machines.

The sheriff shall deposit in the city treasury to the credit of the general fund all money contained in any pinball machine, which machine he destroys pursuant to the provisions of Section 22-8. He shall destroy all other contents of any such machine. (Mun. Code, Sec. 5223)

Sec. 22-10. Court order releasing machines to sheriff.

The sheriff shall apply to the judge of any court which has custody of any machine subject to destruction under the terms of Section 22-8 for an order releasing such machines to him for the purpose of complying with this article. (Mun. Code, Sec. 5224)

Article IV. Gambling Information.

Sec. 22-11. "Pool room" defined.

For the purpose of this article, a "pool room" is defined to be a room or place where betting or laying of wagers upon the result of races or contests is carried on as a business. (Mun. Code, Sec. 5230)

Sec. 22-12. Transmission prohibited.

No person, either as principal, agent, employee or otherwise, shall let or lease any telegraph or telephone line or wire knowing that it is to be used for the purpose of conducting or carrying on a pool room, or for the purpose of conducting the business of making books or selling pools on races or other contests, or of betting or laying of wagers upon the result of any race or contest. No person shall transmit any message over any telephone or telegraph line or wire owned, controlled or leased by any person engaged in conducting or carrying on a pool room or in conducting the business of making books or selling pools on races or other contests of any race or contest, knowing that such message is to be used in conducting or carrying on such pool room or business. (Mun. Code, Sec. 5231)

Sec. 22-13. Possession prohibited.

It shall be unlawful for any person to have in his possession in the city any written or printed form, chart, table, list, sheet, circular or publication of any kind, giving or purporting to give, or represented as giving any list, or probable or possible list of entries for any horse race or other contest thereafter anywhere to take place, or which is anywhere taking place, if there is written or printed or published as part thereof, or in connection therewith, or in any other publication, printing or writing accompanying the same or referring thereto or connected therewith, any tip, information, prediction or selection of, or advice as to, or any key, cipher or cryptogram indicating, containing or giving any tip information, publication or selection of, or advice as to the winner, or probable winner, or a loser or probable loser, or the result or probable result of any such race or other contest or the standing or probable standing of any horse or other contestant therein, or any statement as to, or comment upon, or reference to the form, condition or standing of any horse or other contestant, or the actual, probable or possible result of any race or contest, or the actual, probable or possible state, past, present or future, of the betting, wagering or odds upon or against any horse or other contestant named in such list, or probable or possible list of entries unless the names of such horses or other contestants shall be arranged in such list, or probable list, in alphabetical order, and shall all be printed in type of the same size and face and of identical appearance, and shall all be printed flush with the left side of the column in which the same are printed, or all an equal distance therefrom. (Mun. Code, Sec. 5232)

(Mun. Code, Secs. 5200, 5201, 5210, 5211, 5212, 5220, 5221, 5222, 5223, 5224, 5230, 5231, 5232)