

ORDINANCE NO. 311**AN ORDINANCE ADOPTING STATE LAWS RELATING TO GAMBLING PERMITTING CERTAIN SOCIAL GAMES BY NON-PROFIT ORGANIZATIONS REPEALING ORDINANCE NO. 41 AND SETTING FORTH PENALTIES.**

The city of Aumsville does hereby ordain as follows:

Section 1. Adoption of State Law.

- (A) Sections 167.100 - 167.167 are hereby adopted by reference and made a part of this chapter.
- (B) All acts which are made unlawful by the above sections of ORS shall be considered as offenses against the city when committed within its boundaries and shall be punished as set forth in Section 3 of this ordinance.
- (C) Monies found in any gambling device or used in gambling or other prohibited conduct under this ordinance shall be confiscated and paid into the general fund of the city.

[Section 1 amended by Ord. No. 497, sec. 1, passed October 25, 2001.]

Section 2. Social Games Permitted. Social games as defined in ORS 167.117 are hereby totally prohibited in the city of Aumsville except as set forth below:

- (1) People who gather in private homes at the invitation of the home owner may engage in social games as defined in ORS 167.117 so long as no house player, house bank or house odds exist and there is no house income from the operation of the social games.
- (2) Charitable, fraternal, religious organizations, other non-profit organizations, and private businesses conducting social games for charity, must apply to the city council of the city of Aumsville for a permit or license to conduct said games. Each day shall constitute a separate event and a license shall be required for each event.
 - (a) Each organization shall apply to the city council of the city of Aumsville at least 30 days prior to the planned event. The license or permit application shall be accompanied by a fee of \$25.00 and shall provide the council with sufficient information to determine the status of the organization and for what purposes any funds derived from the social games will be used. Information required may include but not be limited to a Department of Justice license, proof of non-profit status by Oregon Department of Revenue and/or the Department of Internal Revenue, Articles of Incorporation, Charters, Bylaws and other such documents as may be required by the council.
 - (b) No charitable, fraternal, religious or non-profit organization or private business may be granted more than three (3) license or licenses or permit or permits per calendar year.

[Section 2 amended by Ord. No. 497, passed October 25, 2001; Sect. 2.2 by Ord. No. 620 passed July 23, 2012.]

Section 3. Penalties. Any person violating any provision of this ordinance shall be subject to a fine of not more than \$2,500.00, as determined by a court of competent jurisdiction. The chief of police shall have jurisdiction to enforce this ordinance by citation. It is the responsibility of the city attorney to cause a person cited under this ordinance to appear before a court of competent jurisdiction for determination of appropriate fine. [Section 3 amended by Ord. No. 497, sec. 3, passed October 25, 2001.]

Section 4. [Repeal.] Ordinance No. 41, enacted on January 30, 1913, is hereby repealed.

PASSED and unanimously adopted by the council and signed by the mayor March 11, 1985.

CITY OF AUMSVILLE
595 Main Street
Aumsville, Oregon 97325
Phone 749-2030

SOCIAL GAMING APPLICATION

Name of Non-Profit Organization _____

Proof of Non-Profit Status _____

Date of Event _____

Funds to be used for _____

This is the _____ application for a social gaming license this organization has applied for since January 1, _____.

Representative

Date

\$10.00 application fee received _____ Receipt No. _____

To be set before the Aumsville City Council at their regularly scheduled meeting to be held on _____, 7:00 p.m., Community Center.

Representative will attend meeting YES _____

NO _____

City Administrator

APPROVED _____

DISAPPROVED _____

Council action dated _____

Mayor