

ORDINANCE 1120

CITY OF LACEY

AN ORDINANCE OF THE CITY OF LACEY, WASHINGTON, PROHIBITING THE ESTABLISHMENT OF ADDITIONAL LOCATIONS FOR THE CONDUCT OF SOCIAL CARD GAMES WITHIN THE CITY, ADDING A NEW CHAPTER 5.06 TO THE LACEY MUNICIPAL CODE AND ADOPTING A SUMMARY FOR PUBLICATION.

WHEREAS, one non-profit organization and one commercial establishment, prior to the passage of this ordinance, conducted social card games within the City, and

WHEREAS, one additional commercial establishment has filed a completed land use application and secured appropriate state licenses for the conduct of social card games within the City, and

WHEREAS, the City Council does not wish to jeopardize any vested rights that may exist by virtue of such prior operation or the filing of such completed application but has determined that if additional locations for the conduct of social card games are allowed to be established in the City of Lacey, such cumulative impact could be detrimental to City residents,

NOW, THEREFORE

BE IT ORDAINED by the City Council of the City of Lacey, Washington at follows:

Section 1. There is hereby added to the Lacey Municipal Code a new section 5.06.010 entitled "Social Card Games Prohibited" to read as follows:

5.06.010 Social Card Games Prohibited. No person or persons, firm or corporation, shall conduct or allow any premises or facilities owned by or under the control of such person, persons, firm or corporation to be used for the conduct of any social card game as defined in RCW 9.46.0282.

Section 2. There is hereby added to the Lacey Municipal Code a new section 5.06.020 entitled "Exception - Vested Rights" to read as follows:

5.06.020 Exception - Vested Rights. Nothing in section 5.06.010 hereof shall be construed to prohibit the conduct of social card games at those locations within the City vested with such right

at the time of passage of this ordinance. All vested rights held by virtue of having previously operated a social card game within the City or by having filed a completed application for the conduct of such social card games shall end and be null and void if such location is not used for the conduct of social card games for a period of 18 months, regardless of whether the owner or person, persons, firm or corporation in control of such location intends to abandon such use or not. The period of 18 months shall commence to run from the date of passage of this ordinance for any location which claims vested rights but is not presently operating an establishment for the conduct of social card games. The period of 18 months for any establishment operating social card games on the date of passage of this ordinance shall commence on the date such conduct ceases.

Section 3. The City Attorney is authorized and directed to take such action as is necessary to abate as a nuisance any social card room operated in violation of this ordinance.

Section 4. The summary attached hereto is hereby approved for publication.

PASSED BY THE CITY COUNCIL OF THE CITY OF LACEY, WASHINGTON, this 2nd day of December, 1999.

CITY COUNCIL

By: Nancy Peterson  
Mayor

Attest:

Charlotte S. Taylor  
City Clerk

Approved as to form:

[Signature]  
City Attorney

Published: December 6, 1999

SUMMARY FOR PUBLICATION

ORDINANCE 1120

CITY OF LACEY

The City Council of the City of Lacey, Washington, passed on ~~November 2nd~~ <sup>December</sup> 2nd, 1999, Ordinance No. 1120 entitled "AN ORDINANCE OF THE CITY OF LACEY, WASHINGTON, PROHIBITING THE ESTABLISHMENT OF ADDITIONAL LOCATIONS FOR THE CONDUCT OF SOCIAL CARD GAMES WITHIN THE CITY, ADDING A NEW CHAPTER 5.06 TO THE LACEY MUNICIPAL CODE AND ADOPTING A SUMMARY FOR PUBLICATION."

The main points of the ordinance are as follows:

1. The ordinance prohibits the conduct of social card games within the City of Lacey as that term is defined in the State Gambling Regulations being RCW 9.46.0282.

2. The ordinance makes an exception for those establishments having gained vested rights by virtue of their operation or the filing of a completed application by a state licensee.

3. The ordinance authorizes and directs the City Attorney to take such action as is necessary to abate as a nuisance the operation of social card games which are in violation of the ordinance.

A copy of the full text of this Ordinance will be mailed without charge to any person requesting the same from the City of Lacey.

Published: December 6, 1999, 1999.