


FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

  
City Attorney

2009 JUL 16 PM 5:37 **OAKLAND CITY COUNCIL**  
ORDINANCE NO. 12968 C.M.S.

**AN ORDINANCE AMENDING ORDINANCE NUMBER 12809 C.M.S. (MASTER FEE SCHEDULE), AS AMENDED, TO MOVE THE ANNUAL BINGO HALL FEE FROM CHAPTER 5.10 TO THE MASTER FEE SCHEDULE, TO ESTABLISH A MONTHLY FEE FOR BINGO GAME OPERATORS TO OFFSET THE CITY'S COSTS OF LAW ENFORCEMENT AND PUBLIC SAFETY, AND TO ~~INCLUDE IN THE ANNUAL BINGO HALL PERMIT FEE THAT PORTION OF LAW ENFORCEMENT AND PUBLIC SAFETY COSTS ATTRIBUTABLE TO BINGO HALLS~~ ESTABLISH A FEE TO COVER THE COST OF THE CITY'S REVIEW OF A BINGO HALL AUDIT, SHOULD THE BINGO HALL NOT VOLUNTARILY DISCLOSE ITS BINGO-RELATED FINANCIAL INFORMATION**

**WHEREAS**, the City charges an annual fee to permit the operation of bingo halls in Oakland; and

**WHEREAS**, that fee may increase with inflation and may vary with other factors; and

**WHEREAS**, the appropriate ordinance for variable fees is the Master Fee Schedule, which the City of Oakland periodically updates to account for cost of living increases and program changes or other costs; and

**WHEREAS**, the City incurs law enforcement and public safety costs due to the operation of bingo; and

**WHEREAS**, those costs include the administrative costs of conducting complaint hearings and of reviewing, compiling, and auditing the financial information submitted by the bingo operators to ensure compliance with the law; and

**WHEREAS**, Penal Code section 326.5(1)(2) authorizes cities to impose and collect a monthly fee from bingo game operators for law enforcement and public safety costs incurred by the City that are directly related to bingo activities; and

**WHEREAS**, the bingo-related financial transactions of bingo hall operators is also subject to review by the City to ensure transparency of the City's permitted bingo activities and compliance with state and local laws, now, therefore

**THE COUNCIL OF THE CITY OF OAKLAND DOES ORDAIN AS FOLLOWS:**

**SECTION 1.** The Master Fee Schedule as set forth in Ordinance Number 12809 C.M.S., as amended, is hereby amended to establish an annual permit fee for bingo hall operator permits, a fee that will be charged to bingo hall operators to cover the cost of the City's review of an independent audit, should the bingo hall operator not voluntarily disclose its bingo-related

financial information, and a monthly fee for law enforcement and public safety for bingo game operators as set forth in Exhibit A, attached hereto and made a part hereof.

**SECTION 2.** All revenues generated through the adoption of these fees will continue to be deposited in General Purpose Fund (1010), City Administrator Organization (02111), Police Permits Account (42411).

**SECTION 3.** This ordinance shall be effective immediately upon final adoption if it receives six or more affirmative votes; otherwise it shall become effective upon the seventh day after final adoption by the Council of the City of Oakland.

**SECTION 4.** The Master Fee Schedule is hereby amended to read as shown on Exhibit A; additions are indicated by underscoring and deletions are indicated by ~~strike through type~~; portions of the regulations not cited or not shown in underscoring or strike-through type are not changed:

IN COUNCIL, OAKLAND, CALIFORNIA, JUL 28 2009

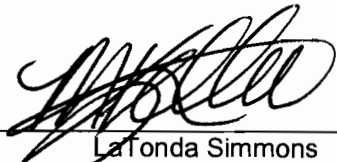
**PASSED BY THE FOLLOWING VOTE:**

AYES- BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID, and PRESIDENT BRUNNER ~ 8

NOES- 0

ABSENT- 0

ABSTENTION- 0

ATTEST:   
LaTonda Simmons  
City Clerk and Clerk of the Council  
of the City of Oakland, California

Introduction Date: JUL 21 2009

DATE OF ATTESTATION: 7/30/09

**EXHIBIT A**

**City of Oakland  
Amendment to the Master Fee Schedule – Revised 07/14/09**

<u>FEE DESCRIPTION</u>	<u>Fee</u>	<u>Unit</u>
<b>SPECIAL ACTIVITIES</b>		
<b>E. ANNUAL PERMIT TO CONDUCT BINGO GAMES FOR CHARITY</b>	<b>50.00</b>	<b>Year</b>
1. Bingo Hall Permit	1,000.00	Permit
a. City Auditor Review of Independent Audit, if Applicable	3,859.00	Audit
<b>2. Bingo Game Operator Law Enforcement And Public Safety Fee</b>		
a. Monthly Fee	1,085.98	Month
b. Late Fee for Payments Received After 15 <sup>th</sup> of Month	10% of Fee Amount	