



**CITY OF ENCINITAS
505 SOUTH VULCAN AVENUE
ENCINITAS, CA 92024
(760) 633-2605**

PUBLIC BINGO GAME PERMIT APPLICATION

FEE: \$50. NEW & RENEWAL

(APPLICATION FEE IS NOT REFUNDABLE)

**MANAGER'S
NAME:**

_____ (LAST) (FIRST) (MIDDLE)

**ALL OTHER
NAMES USED:**

CURRENT RESIDENCE:

_____ (NUMBER) (STREET)
_____ (CITY) (STATE) (ZIP)

PREVIOUS RESIDENCES:

(LAST 5 YEARS)

HOME PHONE: _____ **BUSINESS PHONE:** _____

EMAIL ADDRESS: _____

DATE OF BIRTH: _____ **CITY/STATE OF BIRTH:** _____ **SEX:** M F

HEIGHT: _____ **WEIGHT:** _____ **HAIR:** _____ **EYES:** _____

DRIVER'S LICENSE: _____ **SOCIAL SECURITY:** _____

**CITY OF ENCINITAS
APPLICATION FOR PUBLIC BINGO GAME LICENSE**

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ORGANIZATION OFFICERS:

PRESIDENT: _____ **VICE PRES:** _____

SECRETARY: _____ **TREASURER:** _____

BUILDING LOCATION:

(NUMBER) (STREET) (CITY)

LENGTH OF TIME ORGANIZATION AT THIS LOCATION: _____

OWNER OF PREMISES: _____ **PHONE #** _____

DAYS GAMES CONDUCTED: SAT SUN MON TUES WED THURS FRI

HOURS: _____ **APPROXIMATE AGE OF PARTICIPANTS:** _____
(MUST BE 18 YEARS OR OLDER)

**CITY OF ENCINITAS
APPLICATION FOR PUBLIC BINGO GAME LICENSE**

NEW

REQUIREMENTS

- _____ A. California State Franchise Tax Board Letter of Exemption
- _____ B. Senior Citizen or Mobile Park Association by-laws or Corporation Articles
- _____ C. Information sheet for each person staffing Bingo games
- _____ D. Fee of \$50. made out to the City of Encinitas
- _____ E. Fire Clearance. **Call the Fire Prevention office for an inspection, 760-633-2820**

The next 3 items can be obtained through our Planning Department:

- _____ F. Legal description of the property where the activity will occur
- _____ G. Zoning status of property, and assessors parcel number
- _____ H. Plot Plan showing: Location of property, location of all streets, alleys, lots, parcels of land, buildings or residences within 700 feet of the exterior boundaries of the property; location of vehicle parking areas

- _____ I. A document showing that applicant is owner of the premises, or an agreement in writing signed by the owner permitting such use of the premises (such as a lease)

- _____ J. Other Business Registration

FIRE CLEARANCE DOES NOT CONSTITUTE PERMIT APPROVAL

**CITY OF ENCINITAS
APPLICATION FOR PUBLIC BINGO GAME LICENSE**

RENEWAL

- _____ A. Information sheet for each person staffing Bingo games
- _____ B. Fee of \$50. made out to the City of Encinitas
- _____ C. Fire Clearance. **Call the Fire Prevention office for an inspection, 760-633-2820**
- _____ D. Other Business Registration

FIRE CLEARANCE DOES NOT CONSTITUTE PERMIT APPROVAL

**CITY OF ENCINITAS
APPLICATION FOR PUBLIC BINGO GAME LICENSE**

BINGO FORM INDEX

THE FOLLOWING FORMS YOU MUST COMPLETE AND SUBMIT MONTHLY

#1. MONTHLY RECAP GROSS RECEIPTS

**THE FOLLOWING FORMS YOU MUST COMPLETE AT THE END OF EACH DAILY
BINGO SESSION AND THEY MUST BE SUBMITTED MONTHLY WITH THE ABOVE
RECAP**

#2. BINGO DAILY SUMMARY – PRIZE DISTRIBUTION

#3. BINGO DAILY SUMMARY – TICKET RECEIPTS

#4. BINGO DAILY SUMMARY – PERSONNEL LIST

#5. BINGO DAILY SUMMARY – PULL-TAB RECEIPTS*

#6. FINANCIAL STATEMENT OF BINGO GAME

- **APPLICABLE ONLY IF PULL-TABS ARE USED**

**CITY OF ENCINITAS
APPLICATION FOR PUBLIC BINGO GAME LICENSE**

#5 BINGO DAILY SUMMARY

LICENSEE: _____ **#B -** _____

ORGANIZATION: _____ **DATE:** _____

NAME OF PULL-TAB: _____

SERIES NUMBER: _____

TOTAL PULL-TABS SOLD THIS DATE: _____

CUSTOMER'S PRICE PER PUUL-TAB: _____

TOTAL GROSS RECEIPTS FOR ABOVE PULL-TABS: \$ _____

NAME OF PULL-TAB: _____

SERIES NUMBER: _____

TOTAL PULL-TABS SOLD THIS DATE: _____

CUSTOMER'S PRICE PER PUUL-TAB: _____

TOTAL GROSS RECEIPTS FOR ABOVE PULL-TABS: \$ _____

NAME OF PULL-TAB: _____

SERIES NUMBER: _____

TOTAL PULL-TABS SOLD THIS DATE: _____

CUSTOMER'S PRICE PER PULL-TAB: _____

TOTAL GROSS RECEIPTS FOR ABOVE PULL-TABS: \$ _____

TOTAL GROSS RECEIPTS FOR ALL PULL-TABS SOLD THIS DATE \$ _____

**CITY OF ENCINITAS
APPLICATION FOR PUBLIC BINGO GAME LICENSE**

#6 BINGO GAME FINANCIAL STATEMENT

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LICENSEE: _____ #B - _____

ORGANIZATION: _____ DATE: _____

RECEIPTS

TOTAL BINGO GAME RECEIPTS (INCLUDING ADMISSIONS) \$ _____

TOTAL PULL-TAB RECEIPTS \$ _____

RECEIPTS FROM PROMOTIONAL RAFFLES \$ _____

TOTAL RECEIPTS

.....

EXPENDITURES

PRIZES \$ _____

COST OF REFRESHMENTS (FREE ONLY) \$ _____

OFFICE SUPPLIES & ADVERTISING \$ _____

CITY OF ENCINITAS \$ _____

SECURITY GUARD \$ _____

BINGO SUPPLIES \$ _____

OTHER \$ _____

TOTAL EXPENDITURES

DISTRIBUTION (DETAIL EXPLANATION OF HOW REMAINING FUNDS WILL BE USED)

_____ \$ _____

_____ \$ _____

TOTAL DISTRIBUTION:

I HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT THE ABOVE IS A FULL, TRUE AND CORRECT REPORT OF ALL MONIES COLLECTED AND FUNDS REMAINING FOR CHARITABLE PURPOSES.

LICENSEE

ADDRESS

PHONE #

**CITY OF ENCINITAS
DEPARTMENT APPROVALS**

Each Department will sign this page indicating the applicant has met all requirements and the Permit Clerk may issue a permit.

PLANNING DEPARTMENT

APPROVED: _____

DISAPPROVED: _____

REASON: _____

BY: _____

WITH THE FOLLOWING CONDITIONS:

DATE: _____

CODE ENFORCEMENT DEPARTMENT

APPROVED: _____

DISAPPROVED: _____

REASON: _____

BY: _____

WITH THE FOLLOWING CONDITIONS:

DATE: _____

FIRE DEPARTMENT

SITE ADDRESS: _____

APPROVED: _____

DISAPPROVED: _____

REASON: _____

BY: _____

WITH THE FOLLOWING CONDITIONS:

DATE: _____

CHAPTER 4. BINGO*

*Note--Chapter 4, Chain Letters and Schemes, Sections 37.401--37.402, repealed by Ord. No. 5200 (N.S.), effective 8-10-78. New Chapter 4, titled BINGO, sections 37.400--37.408, added by Ord. No. 7309 (N.S.), effective 7-2-87.

THE CITY OF ENCINITAS HAS ADOPTED THIS SAN DIEGO COUNTY CODE, BY REFERENCE.

SEC. 37.400. BINGO AUTHORIZED.

Notwithstanding any other provisions of this chapter, this ordinance is adopted pursuant to Section 19 of Article IV of the California Constitution in order to make the game of bingo lawful under the terms and conditions in the following sections of this chapter.

SEC. 37.401. DEFINITIONS.

Whenever in this chapter the following terms are used they shall have the meanings respectively ascribed to them in this section.

(a) **BINGO.** Bingo is a game of a chance in which prizes are awarded on the basis of designated numbers or symbols on a card which conforms to numbers or symbols selected at random. The game of bingo shall also include cards having numbers or symbols which are concealed and preprinted in a manner providing for distribution of prizes. The winning cards shall not be known prior to the game by any person participating in the playing or operation of the bingo game. All such preprinted cards shall bear the legend "for sale or use only in a bingo game authorized under California law and pursuant to local ordinance."

(b) **QUALIFIED ORGANIZATION.** A qualified organization is an organization exempted from the payment of the bank and corporation tax by Section 23701a, 23701b, 23701d, 23701e, 23701f, 23701g, or 23701L of the Revenue and Taxation Code. Qualified organization also includes a senior citizens organization and a mobilehome park association.

Such qualified organization shall have written policies incorporated into its constitution, articles, by-laws or other regulations setting forth the manner in which a person may become a member of the organization. The primary function of a qualified organization shall not be solely to play bingo.

(c) **MINOR.** A minor is a person under the age of eighteen (18) years.

(d) **MOBILEHOME PARK.** A mobilehome park is an area of land where two or more mobilehome sites are rented, or held out for rent to accommodate mobilehomes used for human habitation, as defined in Chapter 2.5, **Sec.** 798.4 of the California Civil Code.

(e) **MOBILEHOME.** A mobilehome is a structure designed for human habitation and for being moved on a street or highway under permit pursuant to Section 35790 of the Vehicle Code. Mobilehome does not include a recreational vehicle as defined in Section 799.24 of the California Civil Code and Section 18010 of the Health and Safety Code or a commercial coach as defined in Section 18001.8 of the Health and Safety Code.

(f) **BINGO MANAGER.** Concurrently with the filing of an application for a bingo license, each applicant shall file a statement specifying the name and address of not less than two nor more than three persons who shall manage, supervise, and be responsible for the conduct of all bingo games by said applicant. Said person(s), who shall be known as the bingo "manager" and/or "alternate manager" shall complete and sign a statement, on forms provided by the Sheriff, accepting such responsibility. That statement shall be submitted as part of the application for a bingo license. The bingo "manager" or the "alternate manager" shall be present on the premises at all times during which bingo games are conducted. With respect to bingo licenses heretofore issued, each licensed organization shall file the above statement within ten (10) days following the effective date of this ordinance. Within ten (10) days of a change in the person designated as the bingo "manager" or "alternate manager" by an licensee, such licensee shall file a new statement containing all of the data specified in this section.

(Amended by Ord. No. 7428 (N.S.), effective 2-4-88)

State law reference(s)--Organizations exempt from payment of bank and corporation tax by Revenue and Taxation Code, §§ 23701a, 23701b, 23701d, 23701e, 23701f, 23701g, 23701L; mobilehomes defined, Civil Code, § 798.4; permit for movement on highway, Vehicle Code, § 35790; recreational vehicle defined, Civil Code, § 799.24, Health and Safety Code, § 18010; commercial coach defined, Health and Safety Code, § 18001.8.

SEC. 37.402. LICENSE.

It shall be unlawful for a qualified organization to operate a bingo game in the unincorporated area without a valid license issued by the Sheriff. Only one license shall be issued to any qualified organization and to only one member who has been designated to act on behalf of such qualified organization. No qualified organization may conduct bingo games at any location at which such games are conducted by any other qualified and licensed organization. The procedure to follow, except as otherwise herein provided, in obtaining a license is that set forth in the Uniform Licensing procedure Sections [21.101](#) et seq.

(Amended by Ord. No. 7428 (N.S.), effective 2-4-88)

SEC. 37.403. APPLICATION.

An application for a license shall be filed not less than thirty (30) days prior to the proposed date of the bingo game or games. Such application shall require at least the following:

- (a) A list of all members who will operate the bingo game. An information sheet completed and signed by each designated member which will include their full name, date of birth, place of birth, physical description and driver's license number.
- (b) The date(s) and place(s) of the proposed bingo game or games.
- (c) Proof that the organization is a qualified organization as defined by this chapter.

SEC. 37.404. TERMS OF LICENSE AND FEES.

The term of a bingo license is one (1) year.

An application for a bingo license shall be accompanied by the fee set forth in the San Diego County Sheriff's Fee Ordinance.

(Amended by Ord. No. 8049 (N.S.), effective 5-7-92; amended by Ord. No. 8778 (N.S.), effective 4-15-97)

Cross reference(s)--Sheriff's regulatory fees, § [21.1901](#).

SEC. 37.405. LIMITATIONS.

A licensed qualified organization shall conduct a bingo game only on property that has been owned or leased by it or on property whose use has been donated to and used by the organization for a period of not less than twelve (12) consecutive months immediately preceding the filing of an application to conduct bingo, and which property is used by such organization for an office at which the business records of the qualified organization shall be located or for the performance of the purposes for which the organization is organized. In the event the described property ceases to be used as an office or as a place for performance of the purposes of which the licensee is organized, the license shall have no further force or effect. Nothing in this section shall be construed to require that the property owned or leased by or whose use is donated to the organization be used or leased exclusively by or donated exclusively to such organization.

- (a) No minors shall be allowed to participate in any bingo game.
- (b) All bingo games shall be open to the public, not just to the members of the licensed qualified organization.
- (c)
 - (1) A bingo game shall be operated and staffed only by members of the licensed qualified organization which members have been approved by the Sheriff.
 - (2) If, after a license to operate a bingo game has been issued, the licensed qualified organization submits additional names to the Sheriff for approval, the application for approval shall be accompanied by a fee of five dollars (\$5.00) for each name, no part of which shall be refundable, and which shall be used to defray the cost of investigation.
 - (3) During operation of any bingo game, approved members shall wear on their outside clothing, in plain view, at chest height, a laminated identification card issued by the Sheriff which measures not less than 2-1/2 inches by 3-1/2 inches in size. Such card shall specify the full name and title of the approved member, the name of the licensed qualified organization, and shall include a 1 inch by 1-1/4 inch photo which shall be provided by the member.

(4) Approved members shall not be allowed to participate as a player in any bingo game operated by the licensed qualified organization on any date that such member is managing, supervising or otherwise assisting with the bingo games.

(5) Approved members shall not receive a profit, wage or salary from any bingo game. Nor shall an approved member receive remuneration from such games such as commissions, interest on funds, or gratuities.

(d) Only the licensed qualified organization shall operate a bingo game or participate in the promotion, supervision or any other phase of such game. This section does not preclude the employment of security personnel who are not members of the licensed qualified organization at such bingo game by the organization conducting the game.

(e) No individual, corporation, partnership, or other legal entity except the licensed qualified organization shall hold a financial interest in the conduct of such bingo game.

(f) With respect to organizations exempt from payment of the bank and corporation tax by Section 23701d of the Revenue and Taxation Code, all profits derived from a bingo game shall be kept in a special fund or account and shall not be commingled with any other fund or account. Such profits shall be used only for charitable purposes.

(g) With respect to other organizations to conduct bingo games, all proceeds derived from a bingo game shall be kept in a special fund or account and shall not be commingled with any other fund or account. Such proceeds shall be used only for charitable purposes, except as follows:

(1) Such proceeds may be used for prizes.

(2) A portion of such proceeds, not to exceed twenty percent (20%) of such proceeds before the deduction for prizes, or two thousand dollars (\$2,000) per month, whichever is less, may be used for the rental of property, overhead, including the purchase of bingo equipment, administrative expenses, security equipment and security personnel.

(3) Such proceeds may be used to pay license fees. Within thirty (30) days after the bingo game is held the applicant will file with the Sheriff a full and complete financial statement of all monies collected, disbursed and the amount remaining for charitable purposes. Such statement shall be on forms provided by the Sheriff.

(h) A record of all donations and/or sales of bingo playing cards shall be maintained and kept on file in the bingo office with the financial statement for inspection purposes.

(i) No person shall be allowed to participate in a bingo game unless the person is physically present at the time and place in which the bingo game is being conducted.

(j) All disbursements from the bingo account shall be by consecutively numbered checks signed by two authorized officers of the licensee and shall be made payable to a specific individual or organization. There shall be written on each check the nature of the expenditure for which the check is drawn. No check shall be drawn to a fictitious payee.

(k) All bingo cards presented for winnings shall be verified by a third party. Such verification shall be made prior to the beginning of the next bingo game.

(l) No manager or alternate-manager shall knowingly permit a person who is intoxicated and unable to exercise care for his safety or the safety of others to participate in or wander about any bingo game.

(m) It shall be unlawful to call or post any bingo letter or number unless the letter or number on the object drawn is displayed to the assemblage in such a manner that the letter or number is visible to such assemblage.

(n) The total value of prizes awarded during the conduct of any bingo games shall not exceed two hundred fifty dollars (\$250) in cash or kind, or both, for each separate game which is held.

(o) No bingo game shall be conducted between the hours of midnight and 8:00 a.m.

(p) The licensed qualified organization may conduct bingo on not more than three (3) days during any seven (7) day period. Once during each year the Sheriff may permit a licensed qualified organization to conduct bingo games for more than three (3) days during any seven (7) day period, provided that such permission shall be limited to bingo games which will be conducted in conjunction with an established annual event regularly held by the licensed qualified organization.

(q) It is unlawful for any person to receive a profit, wage or salary from any bingo game authorized by this chapter.

(Amended by Ord. No. 8481 (N.S.), effective 12-29-94)

SEC. 37.406. INSPECTION.

(a) Any peace officer shall have free access to any bingo game licensed under this chapter. The licensed qualified organization shall have the bingo license and lists of approved staff available for inspection at all times during any bingo game.

(b) The licensed qualified organization shall keep full and complete accounting records supported by properly executed contracts, leases, receipts, and other related documents which pertain to all monies, or other forms of income, collected in connection with any of its bingo games, disbursed for expenditures in connection therewith and remaining or distributed for charitable purposes. Such records shall be clearly identified and shall be made available for inspection by representatives of the Sheriff within two (2) days following demand.

SEC. 37.407. PENALTIES.

Any person violating any of the provisions or failing to comply with any of the requirements of this chapter shall be guilty of a misdemeanor and upon conviction thereof, shall be punishable by a fine not to exceed five hundred dollars (\$500) or by imprisonment in the County jail for a period of not more than six (6) months or by both such fine and imprisonment.

All sanctions provided herein shall be cumulative and not exclusive.

SEC. 37.408. SEVERABILITY.

If any provision, clause, sentence, or paragraph of this chapter or the application thereof to any person or circumstances shall be held invalid, such invalidity shall not affect the other provisions of applications of the provision or application, and to this end this provisions of this chapter are hereby declared to be severable.