

**SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



**FROM:** Supervisor Marion Ashley & Supervisor Jeff Stone

**SUBMITTAL DATE:**  
June 10, 2010

**SUBJECT:** Ordinance No. 558.13 Amending Ordinance No. 558 to Authorize Traditional and Remote Caller Bingo and Resolution Establishing Remote Caller Bingo Fee

**RECOMMENDED MOTION:** That the Board of Supervisors:

1. Introduce and one week later adopt Ordinance No. 558.13, an Ordinance of the County of Riverside amending Ordinance No. 558 to authorize Traditional and Remote Caller Bingo.
2. Approve Resolution No. 2010-199 establishing the application fee for a Remote Caller Bingo License.

**BACKGROUND:** The purpose of this bingo ordinance amendment is to authorize, license and regulate remote caller bingo games. SB 1369 (Penal Code Sections 326.3 and 326.4), which took effect on January 2009, authorizes counties to license and regulate remote caller bingo. Remote caller bingo is a traditional paper and dauber bingo game where numbers that are called at one bingo location are broadcast to additional locations that are playing the same game. Unlike traditional bingo, where the maximum prize is \$500 per game, there is no limit for prizes for remote caller bingo (other than the prizes may not exceed 37 percent of the gross receipts for that game and must be paid by check--no cash).

*(Continued Next Page)*

FORM APPROVED COUNTY COUNSEL  
BY: Pamela J. Walls 6/14/10  
DATE  
PAMELA J. WALLS

Marion Ashley  
Supervisor Marion Ashley

Jeff Stone  
Supervisor Jeff Stone

3.41

County Counsel

Ordinance No. 558.13 Amending Ordinance No. 558 to Authorize Traditional and Remote Caller Bingo

June 10, 2010

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Similarly to traditional bingo, only qualified organizations may conduct remote caller bingo. These include nonprofit organizations, mobile home park associations, senior citizens organizations and charitable organizations affiliated with a school district. For remote caller bingo, these organizations must have been in existence for three years or more and may not be organized for the primary purpose of operating bingo games. The receipts from remote caller bingo, except for specified overhead costs, must be used solely for charitable purposes.

Pursuant to Penal Code section 326.3, a separate license and nonrefundable fee set by Board resolution, is required to conduct remote caller bingo games. Similarly to traditional bingo games, the Sheriff's Department will be responsible for licensing remote caller bingo and their staff, along with County Counsel, have reviewed the proposed ordinance.

PJW:ay  
06/02/10

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2  
3 RESOLUTION NO. 2010-199

4 RESOLUTION OF THE BOARD OF SUPERVISORS OF THE  
5 COUNTY OF RIVERSIDE ESTABLISHING A REMOTE  
6 CALLER BINGO LICENSE APPLICATION FEE  
7

8 **WHEREAS**, the Remote Caller Bingo Act (Penal Code section 326.3 et seq.,) authorizes counties  
9 to license and regulate remote caller bingo; and

10 **WHEREAS**, Penal Code section 326.3(c)(1), subsection .03(b) provides for a nonrefundable  
11 application filing fee in an amount determined by resolution of the County; and

12 **WHEREAS**, the Riverside County Sheriff's Department licenses and regulates traditional bingo  
13 and remote caller bingo under Riverside County Ordinance No. 558; and

14 **WHEREAS**, a fee in the amount of \$200 is reasonably necessary to recover the cost of licensing  
15 and regulating remote caller bingo games; and

16 **WHEREAS**, such fee does not exceed the estimated cost of licensing and regulating remote caller  
17 bingo; and

18 **WHEREAS**, one year after the effective date of the resolution, the Sheriff's Department will  
19 report on the actual estimated cost of licensing and regulating remote caller bingo; now therefore,

20 **BE IT RESOLVED, FOUND, DETERMINED, AND ORDERED** by the Board of Supervisors  
21 of the County of Riverside, State of California, in regular session assembled on June 15, 2010 that the  
22 application fee for a remote caller bingo license is \$200.

23 This Resolution shall take effect upon its adoption.  
24

25 FORM APPROVED COUNTY COUNSEL  
26 BY: Pamela J. Walls 6/14/10  
PAMELA J. WALLS DATE





1 accordance with this ordinance.

- 2 c. For the purpose of this ordinance, the term 'person' means  
3 any natural person, firm, association, club, organization,  
4 corporation, partnership, business trust, company or other  
5 entity which is recognized by law as the subject of rights or  
6 duties.

7 Section 5. QUALIFIED ORGANIZATIONS:

- 8 a. The following are 'qualified organizations' which may apply  
9 to the Sheriff of Riverside County for a license to conduct  
10 traditional bingo games:

- 11 (1) An organization exempt from the payment of the  
12 bank and corporation tax by Revenue and Tax Code  
13 sections 23701, 23701(a), 23701(b), 23701(d),  
14 23701(e), 23701(f), 23701(g), 23701(k), 23701(l) or  
15 23701(w);  
16 (2) A mobile home park association;  
17 (3) A senior citizens organization; and,  
18 (4) Charitable organizations affiliated with a school  
19 district.

- 20 b. Any organization qualified to receive a traditional bingo  
21 license issued pursuant to section 4.a of this ordinance may  
22 also apply for a license to conduct remote caller bingo games  
23 if:

- 24 (1) The organization possesses a valid traditional bingo  
25 license; and,  
26 (2) The organization has been incorporated or in  
27 existence for three years or more.

28 ///

1                    Section 6.        APPLICATIONS.

2                    a.        Applications for a traditional bingo license and for a remote  
3 caller bingo license or a renewal thereof shall be filed with  
4 the office of the Sheriff of Riverside County on forms  
5 prescribed by the Sheriff and shall be signed under penalty  
6 of perjury.

7                    b.        A separate application must be completed for a traditional  
8 bingo license and for a remote caller bingo license. A  
9 traditional bingo license is required for a remote caller bingo  
10 license, and can be applied for at the same time.

11                   c.        A separate application must be completed for each property  
12 location where bingo will be conducted. For remote caller  
13 bingo, a separate application is required for both the location  
14 where the bingo game is called or broadcasted, and each  
15 location receiving the broadcast.

16                   d.        The qualified organization shall designate a person as having  
17 fiduciary responsibility for the game.

18                   e.        An application shall not be filed unless the applicant is a  
19 qualified organization which has owned or leased property,  
20 or has property whose use is donated to it, within the  
21 unincorporated area of Riverside County that:

22                   (1)       was used by the applicant for the performance of the  
23 purposes for which it is organized, for at least twelve  
24 (12) months immediately preceding the filing of such  
25 application; and

26                   (2)       the property upon which the bingo game is to be  
27 conducted is property so owned or leased by, or  
28 whose use is donated to, the applicant.

1 f. An application shall be filed:

2 (1) not less than thirty (30) days prior to the proposed  
3 date of the bingo game; and,

4 (2) not later than thirty (30) days after obtaining written  
5 verification from the Riverside County Planning  
6 Department confirming that:

7 (A) there is improved vehicular access to the  
8 premises where the bingo game is to be  
9 conducted; and,

10 (B) Such premises contain off-street vehicle  
11 parking facilities at a minimum ratio of not  
12 less than one parking space for each two seats  
13 (one seat is defined as an area of seven and  
14 one-half square feet); and,

15 (3) not later than thirty (30) days after obtaining written  
16 verification from the Riverside County Building and  
17 Safety Department that the bingo operation complies  
18 with Riverside County Ordinance Nos. 457 and 546.

19 g. The application shall be accompanied by any information  
20 reasonably necessary to permit the Sheriff or their designee  
21 to determine that the bingo operations and games will be  
22 conducted in compliance with this ordinance and all  
23 applicable state laws, county ordinances and regulations,  
24 including the following as applicable:

25 (1) a certificate issued by the California Franchise Tax  
26 Board certifying that the applicant is exempted from  
27 the payment of the bank and corporation tax as set  
28 forth in section 5(a)(1) of this chapter; and,



1 (2) any additional evidence as the Sheriff or designee  
2 determines is necessary to verify that the applicant is  
3 a duly organized mobile home park association of a  
4 mobile home park situated in the unincorporated area  
5 of the County.

6 h. The Sheriff may investigate the truth of the matters set forth  
7 in the application and submittals and the character of the  
8 applicant and may inspect the premises to be used for the  
9 bingo operations and games. The Sheriff may make  
10 inquiries to any office or department of the County of  
11 Riverside and to any state or federal agencies in the Sheriff's  
12 discretion in order to carry out a proper investigation of  
13 applicant and the organization.

14 i. A license shall not be granted until the Sheriff or designee  
15 has verified the facts stated in the application and determined  
16 that the applicant is qualified.

17 Section 7. APPLICATION FEE.

18 A separate application and fee is required for each property location where a  
19 traditional or remote caller bingo game will be conducted. For remote caller bingo, a  
20 separate application and fee is required for the location where the bingo will be called or  
21 broadcasted and each location receiving the broadcast.

22 a. Traditional Bingo License.

23 (1) The application fee for a traditional bingo license  
24 shall be fifty dollars (\$50) and shall accompany the  
25 filing of each application.

26 (2) If the application for a license is denied, one-half  
27 (1/2) of the application fee shall be refunded to the  
28 applicant.

1 (3) An additional fee for law enforcement and public  
2 safety costs incurred by the county that are directly  
3 related to bingo activities may be imposed by  
4 resolution of the Board of Supervisors of Riverside  
5 County and shall be collected monthly by the county.  
6 The fee shall not exceed the actual costs incurred in  
7 providing the service.

8 b. Remote Caller Bingo License.

9 (1) Each application for a remote caller bingo license  
10 shall be accompanied by a nonrefundable filing fee in  
11 an amount determined by resolution of the Board of  
12 Supervisors of Riverside County, from time to time.

13 (2) The application fee for a remote caller bingo license  
14 shall be in addition to the application fee for a  
15 traditional bingo license set forth in section 6(a) of  
16 this ordinance.

17 Section 8. TERM OF LICENSE.

18 a. A traditional bingo license shall expire twelve (12) months  
19 after the date of issuance. A remote caller bingo license  
20 shall expire at the end of the calendar year after the date of  
21 issuance or upon expiration of the traditional bingo license,  
22 whichever is earlier.

23 b. A new license or renewal shall only be granted on the filing  
24 of a new application and the deposit of the required  
25 application fees.

26 Section 9. LICENSE CREATES NO VESTED RIGHTS. The issuance  
27 of a license to an applicant creates no vested right on the part of the licensee to continue to  
28 offer bingo for play. The County Board of Supervisors expressly reserves the right to

1 amend or repeal this ordinance, or any provision thereof at any time. If this ordinance or  
2 any provision thereof is repealed, all licenses issued pursuant to this ordinance or provision  
3 thereof shall cease to be effective for any purpose on the effective date of the repealing  
4 legislation.

5 Section 10. LICENSE NOT TRANSFERABLE. Each license issued  
6 hereunder shall be issued to a specified qualified organization to conduct a bingo game at a  
7 specified location and shall in no event be transferable from one organization to another or  
8 from one location to another.

9 Section 11. LIMITATIONS AND CONDITIONS OF APPROVAL

10 a. Any approval granted pursuant to this ordinance shall be  
11 subject to the conditions contained in Penal Code sections  
12 326.3 and 326.4 (remote caller bingo) and section 326.5  
13 (traditional bingo) and each licensee shall comply with all  
14 applicable state and local laws and regulations.

15 b. The licensed qualified organization is responsible for  
16 ensuring that the conditions of this ordinance and Penal Code  
17 sections 326.3 and 326.4 (remote caller bingo) and section  
18 326.5 (traditional bingo) are complied with by the  
19 organization and its officers and members. A violation of  
20 any one or more of those conditions or provisions shall  
21 constitute cause for the revocation of the license to conduct  
22 traditional or remote caller bingo games.

23 c. A qualified organization shall conduct bingo games only on  
24 property owned or leased by it, or on property whose use is  
25 donated to such organization, and which property is used by  
26 such organization for an office or for the performance of the  
27 purposes for which the organization is organized. Nothing in  
28 this subsection shall be construed to require that the property

1 owned or leased by, or whose use is donated to, the  
2 organization be used or leased exclusively by, or donated  
3 exclusively to, such organization.

4 d. All bingo games shall be open to the public, not just to the  
5 members of the qualified organization.

6 e. No person shall be allowed to participate in bingo games  
7 unless the person is physically present at the time and place  
8 where the bingo game is being conducted. A person shall be  
9 deemed to be 'physically present' at the place where the  
10 remote caller bingo game is being conducted if he or she is  
11 present at any of the licensed locations participating in the  
12 remote caller bingo game in accordance with this ordinance  
13 and Penal Code section 326.3(n).

14 f. No minors shall be allowed to participate in any bingo game.

15 g. Bingo games shall be operated and staffed only by members  
16 of the licensed qualified organization. Only the licensed  
17 qualified organization shall operate the bingo game or  
18 participate in the promotion, supervision or any other phase  
19 of such game. Such organization shall have written policies  
20 incorporated in its constitution, articles, by-laws or other  
21 regulations setting forth the manner in which a person may  
22 become a member of the organization, and absent any such  
23 written policies, it shall be presumed that the organization  
24 has no members who may operate and staff a bingo game.  
25 This subdivision does not preclude the employment of  
26 security personnel, who are not members of the qualified  
27 organization, at a bingo game by the organization conducting  
28 the game.

- 1 h. The receipts from the bingo games shall only be used for  
2 charitable purposes as set forth in Penal Code section 326.5  
3 (traditional bingo) and section 326.3 (remote caller bingo)  
4 and this ordinance.
- 5 i. No person shall receive or pay a profit, wage, salary or  
6 percentage from any bingo game authorized by this  
7 ordinance.
- 8 j. No individual, corporation, partnership or other legal entity,  
9 except the licensed qualified organization, shall hold a  
10 financial interest in the conduct of bingo games.
- 11 k. The total value of prizes available to be awarded during the  
12 conduct of any traditional bingo game (not including remote  
13 caller bingo games) shall not exceed five hundred dollars  
14 (\$500) in cash or kind, or both, for each separate game which  
15 is held.
- 16 l. With respect to organizations exempt from payment of the  
17 bank and corporation tax by section 23701(d) of the Revenue  
18 and Taxation Code, all profits derived from a bingo game  
19 shall be kept in a special fund or account and shall not be  
20 commingled with any other fund or account. Such profits  
21 shall be used only for charitable purposes; that is, for the  
22 purposes for which such organizations are organized  
23 pursuant to their articles of incorporation or for purposes  
24 clearly incidental thereto. With respect to other  
25 organizations authorized to conduct bingo games pursuant to  
26 the provisions of this ordinance, all proceeds derived from a  
27 bingo game shall be kept in a special fund and account and  
28 shall not be commingled with any other fund or account.

1 Such proceeds shall be distributed to organizations that are  
2 tax exempt under section 23701(d) of the Revenue and  
3 Taxation Code to be used for charitable purposes as above  
4 defined, except as follows:

- 5 (1) Such proceeds may be used for prizes.
- 6 (2) A portion of such proceeds, not to exceed 20 percent  
7 of the proceeds before the deduction for prizes, or  
8 \$2,000.00 per month, whichever is less, may be used  
9 for rental of property, overhead, including the  
10 purchase of bingo equipment, administrative  
11 expenses, security equipment and security personnel.

12 The licensee shall keep full and complete  
13 accounting records supported by properly executed  
14 contracts, leases, receipts, and other related  
15 documents which pertain to all monies, or other  
16 forms of income, collected in connection with the  
17 conduct of any of its bingo games, disbursed for  
18 expenditures in connection therewith and remaining  
19 or distributed for charitable purposes. Such records  
20 shall be clearly identified and readily accessible.  
21 Officials of the County of Riverside shall have the  
22 right to examine and audit such records at any  
23 reasonable time, and the licensee shall fully  
24 cooperate with such officials by making such records  
25 available. At the end of any month during which any  
26 bingo game is conducted, the licensee shall file with  
27 the Sheriff a full and complete financial statement of  
28 all monies collected and disbursed and the amount

1 remaining or distributed for charitable purposes.

2 (m) Remote Caller Bingo Games. The following additional  
3 provisions and limitations apply to remote caller bingo  
4 games:

5 (1) Remote caller bingo games shall not be conducted by  
6 any licensee on more than two (2) days during any  
7 week, except that a licensee may hold one additional  
8 game, at its election, in each calendar quarter.

9 (2) Remote caller bingo shall not include any site not  
10 located within this state.

11 (3) No more than 750 players may participate in a remote  
12 caller bingo game in a single location unless the  
13 Governor of California has declared a state of  
14 emergency and the conditions of Penal Code section  
15 326.3 (j)(3) have been and will be satisfied.

16 (4) The remote caller bingo licensee shall also maintain a  
17 valid traditional bingo license issued pursuant to this  
18 ordinance.

19 (5) Notwithstanding section 11.g. above, and subject to  
20 the provisions of section 11.m., subdivisions (6) and  
21 (7), administrative, managerial, technical, financial,  
22 or security personnel who are not members of the  
23 licensed qualified organization may be employed by  
24 the licensed qualified organization conducting the  
25 remote caller bingo game.

26 (6) Notwithstanding any other provisions of law,  
27 exclusive or other agreements between the licensed  
28 qualified organization and other entities or persons to

1 provide services in the administration, management  
2 or conduct of the remote caller bingo game shall not  
3 be considered a violation of the prohibition against  
4 holding a legally cognizable financial interest in the  
5 conduct of the remote caller bingo game by persons  
6 or entities other than the licensed qualified  
7 organization, provided that those persons or entities  
8 obtain the gambling licenses, the key employee  
9 licenses, or the work permits required by, and  
10 otherwise comply with, Chapter 5 (commencing with  
11 section 19800) of Division 8 of the California  
12 Business and Professions Code.

13 (A) Fees to be paid under any such agreements  
14 shall be reasonable and shall not be  
15 determined as a percentage of the receipts or  
16 other revenues from, or be dependent on the  
17 outcome of, the game.

18 (7) A qualified organization authorized to conduct a  
19 remote caller bingo game pursuant to this ordinance  
20 shall not have overhead costs exceeding twenty  
21 percent (20%) of the gross sales, except that the  
22 limitations of this section shall not apply to one-time,  
23 nonrecurring capital acquisitions. For purposes of  
24 this subsection, 'overhead costs' includes, but is not  
25 limited to, amounts paid for rent and equipment  
26 leasing and the reasonable fees authorized to be paid  
27 to administrative, managerial, technical, financial,  
28 and security personnel employed by the organization



1 pursuant to section 11.m., subdivisions (6) and (7) of  
2 this ordinance.

3 (8) For the purpose of keeping its overhead costs below  
4 twenty percent (20%) of the gross sales, an  
5 authorized organization may elect to deduct all or a  
6 portion of the fees paid to financial institutions for  
7 the use and processing of credit card sales from the  
8 amount of gross revenues awarded for prizes. In that  
9 case, the redirected fees for the use and processing of  
10 credit card sales shall not be included in 'overhead  
11 costs' as defined in the California Remote Caller  
12 Bingo Act (Penal Code section 326.3 et seq).  
13 Additionally, fees paid to financial institutions for the  
14 use and processing of credit card sales shall not be  
15 deducted from the proceeds retained by the charitable  
16 organization.

17 (9) The value of the prizes awarded during the conduct  
18 of any remote caller bingo game shall not exceed  
19 thirty-seven percent (37%) of the gross receipts for  
20 that game. When an authorized organization elects to  
21 deduct fees paid for the use and processing of credit  
22 card sales from the amount of the gross revenues for  
23 that game awarded for prizes, the maximum amount  
24 of gross revenues that may be awarded for prizes  
25 shall not exceed thirty-seven percent (37%) of the  
26 gross receipts for that game, less the amount of  
27 redirected fees paid for the use and processing of  
28 credit card sales.

- 1 (10) Every remote caller bingo game shall be played until  
2 a winner is declared.
- 3 (11) Progressive prizes are prohibited.
- 4 (12) The declared winner of a remote caller bingo game  
5 shall provide his or her identifying information and a  
6 mailing address to the onsite manager of the remote  
7 caller bingo game.
- 8 (13) Prizes shall be paid only by check; no cash prizes  
9 shall be paid. The organization conducting the remote  
10 caller bingo game may issue a check to the winner at  
11 the time of the game, or may send a check to the  
12 declared winner by United States Postal Service  
13 certified mail, return receipt requested.
- 14 (14) All prize money exceeding state and federal  
15 exemption limits on prize money shall be subject to  
16 income tax reporting and withholding requirements  
17 under applicable state and federal laws and  
18 regulations, and any reports and withholding shall be  
19 forwarded within ten (10) business days to the  
20 appropriate state or federal agency on behalf of the  
21 winner. A report shall accompany the amount  
22 withheld identifying the person on whose behalf the  
23 money is being sent.
- 24 (15) Any game interrupted by a transmission failure,  
25 electrical outage, or act of God shall be considered  
26 void in the location that was affected. A refund for a  
27 cancelled game or games shall be provided to the  
28 purchasers.

1                    Section 12.    INSPECTION.    Any peace officer of the County of  
2                    Riverside shall have free access to any bingo game licensed under this ordinance. The  
3                    licensee shall have the bingo license, lists of approved staff and accounting documents  
4                    relating to all monies collected, disbursed and distributed available to such peace officer  
5                    for inspection at all times during any bingo game or during licensee's normal business  
6                    hours.

7                    Section 13.    DENIAL OF APPLICATION, LICENSE SUSPENSION  
8                    OR REVOCATION.

9                    a.                The Sheriff or designee may deny an application for a bingo  
10                    license upon a finding that:

11                    (1)             The applicant does not fulfill the specific  
12                    requirements for such license as set forth in this  
13                    ordinance; or,

14                    (2)             The applicant, or any agent or representative thereof,  
15                    has knowingly made any false, misleading or  
16                    fraudulent statement of a material fact in the  
17                    application or any document in connection therewith;  
18                    or,

19                    (3)             The applicant, or any of its members, is not of good  
20                    moral character. If the applicant has, or any of its  
21                    members have, been convicted of any felony under  
22                    the laws of this state or has been previously convicted  
23                    of an offense under the laws of any other state of the  
24                    United States which offense if committed in this state  
25                    would have been punishable as a felony, it shall be  
26                    presumed that the applicant is not of good moral  
27                    character; or,

28                    (4)             The applicant is unfit to conduct bingo games.

1                   b.     The Sheriff or designee may suspend or revoke a license  
2                   upon a finding that:

3                   (1)    The licensee has, or any of its members have,  
4                   violated any of the provisions of this ordinance; or,

5                   (2)    The bingo game does or will not comport with the  
6                   public welfare for any reason or that the bingo game  
7                   has been conducted in an illegal, improper or  
8                   disorderly manner, or in a manner substantially  
9                   different from that described in the application, or for  
10                  any reason for which the license application could  
11                  have been denied.

12                  (3)    If, after an investigation, the Sheriff or designee  
13                  determines that a bingo license should be suspended  
14                  or revoked or that an application for such license be  
15                  denied, he shall prepare a notice of suspension or  
16                  revocation or denial of application setting forth the  
17                  reasons for such suspension, revocation or denial.  
18                  Such notice shall be served personally on the licensee  
19                  or applicant, or sent by registered or certified mail,  
20                  postage prepaid, return receipt requested to the  
21                  licensee's or applicant's last address as provided in  
22                  the application.

23                  d.     Any organization whose bingo license has been denied or  
24                  revoked may not apply for a license to conduct any bingo  
25                  games for a period of one year from the date notice of such  
26                  denial or revocation was mailed to it, or if affirmed on  
27                  appeal by the Board of Supervisors as provided in Section 14  
28                  of this ordinance, from the date of such affirmation;

1 provided, however, if the reason for revocation is  
2 cancellation of the exemption granted under sections  
3 23701(a), 23701(b), 23701(e), 23701(f), 23701(g) and  
4 23701(l) of the Revenue and Taxation Code, such  
5 organization may again apply for a bingo license upon proof  
6 of reinstatement of such exemption.

7 Section 14. APPEAL. Any person who has had an application for a  
8 bingo license denied by the Sheriff, or who has had a bingo license suspended or revoked  
9 by the Sheriff, may appeal the decision by filing with the Clerk of the Board of  
10 Supervisors, within fifteen (15) days after the date of such decision, a written notice of  
11 appeal briefly setting forth the reasons why such denial, suspension or revocation is not  
12 proper. Failure to timely file a written notice of appeal shall be deemed a waiver of the  
13 right to appeal the decision of the Sheriff. The Clerk shall give written notice of the time  
14 and place of the hearing to the appellant.

15 Such appeal shall be heard by the Board of Supervisors which may affirm,  
16 amend or reverse the decision or take such other action as it deems appropriate. In  
17 conducting the hearing, the Board of Supervisors shall not be limited by the technical rules  
18 of evidence.

19 Section 15. PENALTIES.

20 a. It is a misdemeanor for any person to receive or pay a profit,  
21 wage, or salary from any remote caller bingo game. A  
22 violation of this subdivision shall be punishable by a fine not  
23 to exceed ten thousand dollars, which fine is deposited in the  
24 general fund of the county pursuant to sections 326.3(d) and  
25 326.5(c) of the Penal Code.

26 (1) Notwithstanding subdivision a. above, administrative,  
27 managerial, technical, financial and security  
28 personnel employed by the licensed qualified

1 organization conducting the bingo game may be paid  
2 reasonable fees for services rendered from the  
3 revenues of remote caller bingo games, as provided  
4 for in section 11.m.(6) and (7) of this ordinance,  
5 except that fees paid under those agreements shall not  
6 be determined as a percentage of receipts or other  
7 revenues from, or be dependant on the outcome of,  
8 the game.

9 b. A violation of any provision of this ordinance is a  
10 misdemeanor. However, any misdemeanor violation of this  
11 ordinance may also be prosecuted as an infraction. Except as  
12 provided in subdivision a. of this section, any person  
13 convicted of a misdemeanor for violation of this ordinance is  
14 punishable by a fine of not more than one thousand dollars  
15 (\$1,000) or by imprisonment not to exceed six (6) months, or  
16 both fine and imprisonment. Any person convicted of an  
17 infraction for violation of this ordinance is punishable by a  
18 fine of not more than two hundred and fifty dollars (\$250).

19 c. Any infraction violation of this ordinance may be enforced  
20 by the administrative citation procedure set forth in section 7  
21 of Riverside County Ordinance No. 725.

22 d. The County may also bring an action to enjoin or abate any  
23 violation of any provision of this ordinance. Violations of  
24 this ordinance are hereby declared to be a public nuisance.  
25 The prevailing party in such an action shall be authorized to  
26 recover their attorney fees and costs in accordance with  
27 Government Code section 25845. In no action,  
28 administrative proceeding, or special proceeding shall an

1 award of attorneys' fees to a prevailing party exceed the  
2 amount of reasonable attorneys' fees incurred by the County  
3 in the action or proceeding.

4 e. All penalties and remedies provided for herein shall be  
5 cumulative and not exclusive. The conviction and  
6 punishment of any person hereunder shall not relieve such  
7 person from the responsibility of correcting or abating the  
8 violation, nor prevent the enforced correction or abatement  
9 thereof. Each and every day during any portion of which  
10 any violation of any provision of this ordinance or the  
11 license, authorization or conditions of approval is committed,  
12 continued, or permitted by such person, shall be deemed a  
13 separate and distinct offense.

14 Section 16. OTHER REMEDIES. The provisions of section 13 of this  
15 ordinance are to be construed as added remedies and not in conflict or derogation of any  
16 other actions or proceedings or remedies otherwise provided by law.

17 Section 17. SEVERABILITY. If any provision, clause, sentence or  
18 paragraph of this ordinance or the application thereof to any person or circumstances shall  
19 be held invalid, such invalidity shall not affect the other provisions or applications of the  
20 provisions or this ordinance which can be given effect without the invalid provision or  
21 application, and to this end the provisions of this ordinance are hereby declared to be  
22 severable.”

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Section 2. EFFECTIVE DATE. This ordinance shall take effect thirty (30) days after its adoption.

BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

By: \_\_\_\_\_  
Chairman

ATTEST:  
CLERK OF THE BOARD

By: \_\_\_\_\_  
Deputy

(SEAL)

FORM APPROVED COUNTY COUNSEL  
BY: Pamela J. Walls 6/14/10  
PAMELA J. WALLS DATE