

ORDINANCE NO.

AN ORDINANCE AMENDING TITLE 5, CHAPTER 5.32, SECTION 5.32.010 OF THE STOCKTON MUNICIPAL CODE RELATING TO THE DEFINITION OF CARD ROOMS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF STOCKTON, AS FOLLOWS:

SECTION I. FINDINGS AND INTENT.

The City Council of the City of Stockton finds that:

A. Amending Stockton Municipal Code (SMC) Title 5, Chapter 5.32, Section 5.32.010 related to the number of card rooms that may locate on a single parcel of land, is consistent with applicable General land uses, objectives, policies, programs, and actions of all elements of the General Plan on balance, and will not create any inconsistencies with applicable provisions of Titles 5, Chapter 5.32 (Card Rooms) and Title 16 (the Development Code).

B. Amending Title 5, Chapter 5.32, Section 5.32.010 of the SMC to address the definition of card rooms will not endanger, jeopardize, or otherwise constitute a hazard to the public convenience, health, interest, safety, or general welfare of persons residing or working in the City, because the amendment does not modify any other provisions of the SMC dealing with cardrooms, including existing limits on the numbers of card rooms in the City, the maximum number of tables allowed in a card room, or the requirement for a Planning Commission-approved Use Permit for the establishment of a new card room or the relocation of an existing card room.

C. This amendment is exempt from the California Environmental Quality Act (CEQA) under the “general rule” that CEQA applies only to projects that have the potential for causing significant environmental effects, as specified in Section 15061(b)(3). Approval of the subject amendments constitutes an administrative action that will not result in direct or indirect physical changes in the environment and any future projects that would rely on this amendment will require further case-specific environmental review under CEQA.

SECTION II. AMENDMENT OF CODE.

Title 5, Chapter 5.32, Section 5.32.010 of the Stockton Municipal Code is hereby amended to read as follows:

5.32.010 Card rooms—Defined.

For the purpose set forth herein, a “card room” is hereby defined to be a business, activity or enterprise conducting card games, as defined in this chapter, and

licensed under the provisions of this chapter, furnished or equipped with a table used or intended to be used as a card table for the playing of card games, and the use of which is available to the public, or any portion of the public.

SECTION III. SEVERABILITY.

If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, that invalidity shall not affect other provisions or applications of the act which can be given without the invalid provision or application, and to this end the provisions of this act are severable.

SECTION IV. EFFECTIVE DATE.

This Ordinance shall take effect and be in full force thirty (30) days after its passage.

ADOPTED: _____

EFFECTIVE: _____

ANTHONY SILVA
Mayor of the City of Stockton

ATTEST:

BONNIE PAIGE
City Clerk of the City of Stockton