



## CITY OF SAN JOSÉ, CALIFORNIA

Office of the City Clerk  
200 East Santa Clara Street  
San José, California 95113  
Telephone (408) 535-1260  
FAX (408) 292-6207

City Clerk

STATE OF CALIFORNIA)  
COUNTY OF SANTA CLARA)  
CITY OF SAN JOSÉ)

I, Lee Price, City Clerk & Ex-Officio Clerk of the Council of and for the City of San José, in said County of Santa Clara, and State of California, do hereby certify that **Ordinance No. 28674**, the original copy of which is attached hereto, was passed for publication of title on the **1st day of December, 2009**, was published in accordance with the provisions of the Charter of the City of San José, and was given final reading and adopted on the **15th day of December, 2009**, by the following vote:

AYES: CAMPOS, CHIRCO, CHU, CONSTANT, HERRERA, KALRA,  
LICCARDO, NGUYEN, OLIVERIO, PYLE; REED.

NOES: NONE.

ABSENT: NONE.

DISQUALIFIED: NONE.

VACANT: NONE

Said ordinance is effective as of **January 15, 2010**.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City of San José, this **17th day of December, 2009**.

(SEAL)

LEE PRICE, MMC  
CITY CLERK & EX-OFFICIO  
CLERK OF THE CITY COUNCIL

**ORDINANCE NO. 28674**

**AN ORDINANCE OF THE CITY OF SAN JOSE AMENDING SECTION 16.32.190 OF CHAPTER 16.32 OF TITLE 16 OF THE SAN JOSE MUNICIPAL CODE TO REFLECT THE STREAMLINING OF THE CARDROOM LICENSE RENEWAL PROCEDURE THAT WAS ACCOMPLISHED ADMINISTRATIVELY UNDER THE REVISED TITLE 16, ORDINANCE NO. 28517**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SAN JOSE:

Section 16.32.190 of Chapter 16.32 of Title 16 of the San José Municipal Code is amended to read as follows:

**16.32.190 License Renewal**

- A. All Licenses, except those set out in Section 16.32.400 (Landowner's Licenses) and 16.32.500 (Financial Source Licenses) shall expire three (3) years after the date of the issuance.
- B. Not less than one hundred twenty (120) calendar days prior to the expiration of the License, the Licensee shall provide written notice to the Division of Gaming Control of the Licensee's intent to apply for renewal. The Administrator will provide the Licensee with a renewal application. If, after submission of an application for renewal, the Administrator determines that further investigation is needed, based upon the public interest and consistent with the requirements and policies of this Title, the Administrator shall notify the Applicant in writing that further investigation is needed.
- C. No License shall be renewed except upon proper application for renewal and payment of applicable License application fees.

- D. An application for renewal of a License shall be filed and the applicable License application fees shall be deposited by the Licensee with the Administrator not later than eighty (80) calendar days prior to the expiration of the current License, unless the time for filing is extended by the Administrator. If the application for renewal is timely filed as required by this Section, then the License shall continue in effect unless revoked or suspended until such time as a decision is made to renew or deny the renewal application.
- E. Upon renewal of any License, the Administrator shall issue an appropriate renewal certificate, validating device or sticker, or identification card.
- F. Any Licensee who does not timely deposit the License fee shall be liable for the License fee and a late penalty set forth in the Schedule of Fees established by resolution of the City Council.
- G. If a Stock Ownership Licensee fails to apply for a renewal of the License within the time set out in this Section, the Administrator may order the immediate closure of the Cardroom Premises and a cessation of all Gaming activity therein until the Stock Ownership License Renewal Application is filed. The Administrator shall provide notice to the Stock Ownership Licensee not less than ten (10) working days prior to issuing an order for closure pursuant to this Section.
- H. Persons who are granted Licenses as Landowners pursuant to Section 16.32.400, and Financial Sources pursuant to Section 16.32.500 shall be automatically renewed unless called forward by the Administrator for a re-application process. Such notification shall be provided by the Administrator one hundred twenty (120) days before the expiration of the License.

PASSED FOR PUBLICATION of title this 1st day of December, 2009, by the following vote:

AYES: CAMPOS, CHIRCO, CHU, CONSTANT, HERRERA,  
KALRA, LICCARDO, NGUYEN, OLIVERIO, PYLE; REED.

NOES: NONE.

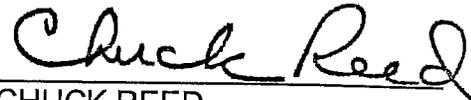
ABSENT: NONE.

DISQUALIFIED: NONE.

ATTEST:



LEE PRICE, MMC  
City Clerk



CHUCK REED  
Mayor