

ORDINANCE NO. 99

AN ORDINANCE REVOKING ORDINANCE NO. 95 OF THE CITY OF GLYNDON AND ADOPTING THIS ORDINANCE IN ITS STEAD, WHICH ORDINANCE PROVIDES FOR THE LICENSING AND REGULATING OF THE CONDUCT OF GAMBLING WITHIN THE CITY OF GLYNDON AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF.

BE IT ENACTED by the City Council of the City of Glyndon as follows:

Section 1. REVOCATION: Ordinance No. 95 of the City of Glyndon heretofore adopted on May 16, 1983, is hereby revoked, from and after the effective date of this ordinance, and this new ordinance is adopted in its stead.

Section 2. PURPOSE: The purpose of this ordinance is to provide for the authorization of the operation of certain gambling devices by licensed organizations as allowable under the laws of the State of Minnesota.

Section 3. STATE LAW ADOPTED: The provisions of Chapter 507 of the Laws of Minnesota of 1978, with reference to gambling; authorizing the operation of certain gambling devices by licensed organizations; providing penalties for violations; and in particular, Minnesota Statutes Section 325.54, 340.14, sub. 2, 349.26, 609.75, sub. 3, and 609.761, are hereby adopted and made a part of this ordinance, except as the same may be made more restrictive or otherwise referred to herein. The City Council does hereby modify the provisions of the above-referenced Minnesota Statutes to provide that licensed organizations may conduct authorized gambling on a "per event" basis without the necessity of having any lease of longer duration than one day and such leases may be oral or written.

In addition, authorized gambling devices shall mean those devices authorized by the above-referenced statutes which include and are limited to paddle wheels, tip boards, pull tabs, and raffles.

Section 4. LICENSE APPLICATIONS: An eligible organization shall make applications to the City Clerk of the City of Glyndon to obtain a license to conduct gambling as authorized herein and the City Clerk shall be empowered to issue such licenses. Every application for gambling licenses shall be made to the City Clerk on a form supplied from his/her office and shall contain such information as the City shall from time to time require. Upon receipt of such application, the City Clerk shall examine the application to determine the completeness of the application and its proper execution.

Thereafter, the application shall be referred to the City Police Department who shall conduct such investigation as it deems necessary to review said application, including requiring the appropriate officers of the eligible organization applying for such gambling license to appear before him. Thereafter, the City Police Department shall report to the City Council its findings and recommendations. The City Council may provide for waiver of any fidelity bond requirements for the gambling manager of any duly licensed organization, such waiver to appear in the application for an annual gambling license for each such organization.

Section 5. SUSPENSION AND REVOCATION: The City Council may suspend for a period not exceeding sixty (60) days, or revoke completely, any gambling license issued pursuant to this ordinance for a violation of any provision of this ordinance. The holder of the gambling license shall be granted a public hearing before the City Council upon at least ten (10) days notice before revocation or suspension is ordered. The notice shall state the time and place of the hearing and the nature of the charges against the licensee.

Section 6. No eligible organization shall conduct gambling except under authority of a license secured for that purpose from the City of Glyndon, as provided by this ordinance.

Section 7. LICENSE TERM AND FEE: Each license issued pursuant to this ordinance shall be issued for a period of one year and the eligible organization shall be charged an annual fee of Five Dollars (\$5.00) or such other fee as the City Council may, by resolution, adopt from time to time.

Section 8. PENALTY FOR VIOLATION: Violation of any provision of this ordinance is a misdemeanor punishable by a fine of not more than \$500.00 or imprisonment in the County Jail for a period not to exceed ninety (90) days, or both. This section shall not preclude other civil or criminal remedies available to the City of Glyndon, including action to revoke a bingo license held by said eligible organization and shall not preclude the City of Glyndon from action to revoke or suspend any intoxicating liquor license held by said eligible corporation.

Section 9. This ordinance shall not be rendered invalid in full should any portion of said ordinance be declared illegal or unconstitutional by a court of competent jurisdiction; only such portions thereof which shall be so affected by said court order shall become invalid, and all other parts of the ordinance not affected by said court order shall remain in full force and effect.

Section 10. Effective date shall be from and after the passage and publication of this ordinance as provided by

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law.

Dated this 19th day of March, 1984.

CITY OF GLYNDON

By: *Dennis Wahl*  
Dennis Wahl, Mayor

ATTEST:

*Dennis Johnson*  
Dennis Johnson, City Clerk