

ORDINANCE NO. 4669

AN ORDINANCE AMENDING AMC 7.12 AND DECLARING AN EMERGENCY.

THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:

Section 1: Albany Municipal Code Section 7.12.030 is hereby amended to read as follows:

7.12.030 Social gambling. Social games as defined in ~~House Bill No. 3327 approved by the Governor and effective May 4, 1974~~ **ORS 167.117** are totally prohibited in the city except that persons in homes, charitable, fraternal and religious organizations may engage in social games where no income is realized from the games.

Section 2: Albany Municipal Code Section 7.12.040 Definitions is hereby added as follows:

7.12.040 Definitions. For the purpose of this section charitable, fraternal or religious organization means any person organized and existing for charitable, benevolent, eleemosynary, humane, patriotic, religious, philanthropic, recreational, social, educational, civic, fraternal or religious purposes. The fact that contributions to an organization profiting from social gambling do not qualify for charitable deduction for tax purposes or that the organization is not otherwise exempt from payment of federal income taxes pursuant to the Internal Revenue Code of 1954, as amended, constitutes prima facie evidence that the organization is not a bona fide charitable, fraternal or religious organization.

Section 3: Albany Municipal Code Section 7.12.050 Requirements is hereby added as follows:

7.12.050 Requirements. Prior to engaging in social games in the City of Albany, the organization must show it has existed and operated with its principal place of business within the City of Albany for one (1) year prior to the conducting of those games and has complied with ORS.465.100.

Section 4: Inasmuch as this ordinance is necessary for the immediate preservation of the peace, safety, and health of the City of Albany, Oregon, an emergency is hereby declared to exist; and this ordinance shall be in full force and effect immediately upon passage by the Council and approval by the Mayor.

Passed by the Council: January 23, 1985
Approved by the Mayor: January 24, 1985
Effective Date: January 23, 1985



Mayor

ATTEST:



City Recorder