

CITY OF HAWAIIAN GARDENS

ORDINANCE NO. 248

AN ORDINANCE OF THE CITY OF HAWAIIAN GARDENS AMENDING THE HAWAIIAN GARDENS MUNICIPAL CODE BY ADDING SECTION 5.32.090 RELATIVE TO COIN OPERATED AMUSEMENT DEVICES, COIN OPERATED GAMES OF SKILL AND GAME ARCADES.

THE CITY COUNCIL OF THE CITY OF HAWAIIAN GARDENS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Section 5.32.090 is hereby added to the Hawaiian Gardens Municipal Code to read in its entirety as follows:

5.32.090 Coin operated amusement devices; coin operated games of skill; game arcades.

A. Definitions.

1. A game arcade is defined as any business location in which there are three or more coin operated amusement devices, coin operated games of skill, or any combination thereof available for use by members of the public and business invitees.

2. Coin operated amusement devices are defined in Section 5.08.070 (31) and coin operated games of skill are defined in Section 5.080.070 (32).

B. Requirements for Permit.

No permit shall be issued for a game arcade unless the following conditions are satisfied:

1. The minimum size of a structure utilized for such use shall be 1,000 square feet of floor area.
2. A minimum of 50% of the floor area of said structure shall be open and free at all times.
3. A person shall not maintain any game to which the public is invited, unless the interior of such Game Arcade, except the restrooms thereof, is visible immediately upon entrance into the premises of which said Game Arcade is a part. All entrances and interior areas to be adequately lighted, and a lighting plan to be approved by the Planning Commissioner.

SECTION 1. (CONTINUED)

4. No owner, manager, or proprietor, or other person having charge of any Game Arcade shall keep the same open between the hours of 10 p.m. and 10 a.m. of the following day, except as specifically permitted, by the terms of the Conditional Use Permit, nor allow, or permit any person, except such owner, manager, proprietor or person in charge thereof, or persons regularly employed in and about the same, to remain therein between the hours.
5. The walls of said Game Arcade, if in common with another business establishment, shall have a Sound Transmission Class Rating of 56.
6. A minimum of one (1) bicycle rack space shall be provided for every one (1) coin or token operated machines. Such bicycle parking shall not be located on public right-of-way or within required parking spaces.
7. A person shall not enter, be or remain in any part of a Game Arcade while in the possession of, consuming, using or under the influence of any alcoholic beverage or drugs. The licensee, manager, and every supervisory employee shall not permit any such person to enter or remain upon the licensed premises.
8. At least one responsible adult shall be in attendance at all times that the business establishment is open to provide adequate management control over said premises. At the discretion of the Planning Commission, this number may be increased if deemed necessary.

SECTION 1. (CONTINUED)

9. Any violation of other applicable local, State or Federal laws, shall be deemed a violation of the Conditional Use Permit.
10. Notwithstanding any other provision of this Code, any property presently developed with a Game Arcade prior to the adoption of this Ordinance shall be a legal nonconforming use and may continue in operation provided it is brought into conformity with the provisions of subparagraphs 2 and 5 of this paragraph within one (1) year and provided it is brought into conformity with the provisions of subparagraphs 3, 4, 6, 7, and 8 of this paragraphs within three (3) months of the effective date hereof.


SECTION 2. This Ordinance shall take effect immediately as an urgency ordinance pursuant to Section 36937 of the Government Code. The facts constituting the urgency are that there is presently a proliferation of request for permits for coin operated amusement devices, coin operated games of skill and for uses which would constitute a Game Arcade as defined in this Ordinance; in order to protect public safety and welfare, in order to avoid congestion and conflict arising from the incompatible uses within the same business location an in order to adequately provide for and condition the operation of Game Arcades it is necessary that this Ordinance take effect immediately in order that said applications may be promptly processed and suitably conditioned consistent with the public welfare.

SECTION 3. The City Clerk or her duly appointed Deputy, is hereby instructed to certify to the adoption of this ordinance and to cause the same to be posted or published in the manner required by law.

PASSED, APPROVED AND ADOPTED THIS 28TH DAY OF APRIL, 1981,
BY THE CITY COUNCIL OF THE CITY OF HAWAIIAN GARDENS.


MAYOR

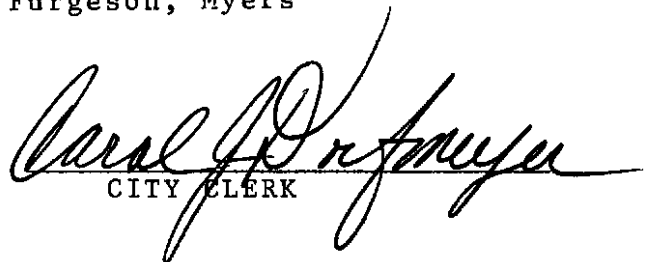
ATTEST:


CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS
CITY OF HAWAIIAN GARDENS)

I, Carol J. Dorfmeier, City Clerk of the City of Hawaiian Gardens do hereby certify that Ordinance No. 248 was duly and regularly passed and adopted by the following roll call vote, on the 28th day of April, 1981, as the same appears on file and of record in the office of the City Clerk.

AYES: Cabrera, Vineyard, Schultze, Furgeson, Myers
NOES: None
ABSENT: None
ABSTAIN: None


CITY CLERK