

1 Introduced by Council Member Cumber:
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4 **ORDINANCE 2022-96**

5 AN ORDINANCE AMENDING CHAPTER 250 (MISCELLANEOUS
6 BUSINESS REGULATIONS) TO APPLY THE PROHIBITION
7 ON SIMULATED GAMBLING DEVICES TO THE GENERAL
8 SERVICES DISTRICT, LESS THE SECOND, THIRD,
9 FOURTH AND FIFTH URBAN SERVICES DISTRICTS;
10 REQUESTING EMERGENCY PASSAGE UPON INTRODUCTION;
11 PROVIDING AN EFFECTIVE DATE.
12

13 **WHEREAS**, on May 28, 2019 the Council enacted 2019-209-E, which
14 declared the use of simulated gambling devices for any commercial,
15 promotional or pecuniary gain or purpose to be a public nuisance and
16 prohibited their continued use in the City's First Urban Services
17 District within six (6) months of the August 1, 2019 effective date;
18 and

19 **WHEREAS**, on October 8, 2019, because of continued and ongoing
20 criminal activities associated with these facilities (including
21 robberies, murders and deaths), the Council enacted 2019-644-E to
22 eliminate the public nuisance by immediately prohibiting the use of
23 simulated gambling devices; and

24 **WHEREAS**, the Council intended the prohibition to apply to the
25 entire City except in the cities of Atlantic Beach, Neptune Beach,
26 Jacksonville Beach and the town of Baldwin instead of only in the
27 First Urban Services District; and

28 **WHEREAS**, it is the Council's intent, through this legislation,
29 to clarify this intent and correct the limitation in section 205.1303,
30 *Ordinance Code*, regarding the area of enforcement for the prohibition
31 on simulated gambling devices; now, therefore,

1 **BE IT ORDAINED** by the Council of the City of Jacksonville:

2 **Section 1. Amending Chapter 250 (Miscellaneous Business**
3 **Regulations), Ordinance Code to amend Part 13 (Prohibition of**
4 **Simulated Gambling Devices), Section 250.1303. Chapter 250**
5 **(Miscellaneous Business Regulations), Part 13 (Prohibition of**
6 **Simulated Gambling Devices), Section 250.1303 (Area of enforcement),**
7 **Ordinance Code is hereby amended to read as follows:**

8 **Chapter 250. Miscellaneous Business Regulations.**

9 * * *

10 **Part 13. Prohibition of Simulated Gambling Devices.**

11 * * *

12 **Sec. 250.1303. Area of enforcement.**

13 The Council is acting herein as the governing body for the City of
14 Jacksonville, and this Part shall be effective within the boundaries
15 of the ~~First Urban Services District~~General Services District, less
16 Urban Services Districts 2, 3, 4 and 5.

17 * * *

18 **Section 2. Requesting Emergency Passage Pursuant to Council**
19 **Rule 4.901 Emergency.** Emergency passage of this legislation upon
20 introduction is requested. The nature of the emergency is to expedite
21 the City's ability to pursue enforcement against public nuisance
22 facilities currently operating in violation of the ordinance code and
23 to clarify and fulfill the Council's original intent for City-wide
24 enforcement, except for the cities of Atlantic Beach, Neptune Beach,
25 Jacksonville Beach and the town of Baldwin.

26 **Section 3. Effective Date.** This ordinance shall become
27 effective upon signature by the Mayor or upon becoming effective
28 without the Mayor's signature.

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31 Form Approved:

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2 /s/ Jason R. Teal

3 Office of General Counsel

4 Legislation prepared by: Jason R. Teal

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