

CITY COUNCIL RESEARCH DIVISION

LEGISLATIVE SUMMARY



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Bill Type and Number: Ordinance 2022-730

Introducer/Sponsor(s): Council Members DeFoor and Carlucci

Date of Introduction: September 27, 2022

Committee(s) of Reference: NCSPHS, R

Date of Analysis: September 27, 2022

Type of Action: *Ordinance Code* amendment

Bill Summary: This bill amends Title VI (Business Trades and Occupations), Part 13 (Prohibition of Simulated Gambling Devices), *Ordinance Code*. The purpose of this legislation is to prohibit casino gambling, defined as any of the types of games typically found in casinos and that are within the definition of Class III gaming in the Federal Indian Gaming Regulatory Act, 25 U.S.C. ss. 2701 et seq. and in 25 C.F.R. s. 502.4 (ex. craps, roulette, slots).

Background Information: Gaming and gambling, through simulated gambling establishments or casinos, are not presently lawful in the City, and establishments that utilize gambling and simulated gambling devices correlate with crime or disturbances of the peace threatening the good order of the community. Gambling activities are hazardous to the public health, safety and general welfare of the citizens of Jacksonville and constitute a public nuisance. This legislation prohibits any entity to manage, supervise, maintain, provide, produce, play or engage in casino gambling. There are exemptions for any device expressly permitted by F.S. § 546.10, the “Families Amusement Games Act”, religious or charitable organizations conducting a fund-raising activity involving gaming under F.S. § 849.0935, the state lottery, penny-ante games, consumer promotions, and games defined as Pari-mutuel wagering. Any future amendments to this section 250, Part 13 will require a four-fifths vote of the full City Council, or fifteen (15) members, whichever is greater. The area of enforcement is the entirety of Duval County, including the Beaches communities and Baldwin, enforced by Municipal Code Compliance, Fire Marshall/chief, or the jurisdictional police department. Civil penalties are to be no less than \$250 per violation per day. Violation notices must be given to property owners in person and in writing, and failure to comply with the conditions of a cease-and-desist order issued will constitute an additional violation. Cease and desist orders may be lifted by the issuing agency upon demonstration that all casino gambling and simulated gambling devices have been removed and all applicable civil penalties have been paid.

Policy Impact Area: Gambling devices and casino gambling

Fiscal Impact: No direct cost to the City

Analyst: Hampsey