



## Torrance Police Department

# Applicable Code Highlights

## For Gaming Activities

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*The following summary is NOT all-inclusive and DOES NOT represent every law, statute or municipal code related to this type of business. This summary is presented to refresh the applicant with highlighted codes from a variety of sources. The applicant is responsible for reviewing the appropriate codes and statutes in their totality to fully understand the laws related to this business.*

### ***Gambling is Not Permitted in the State of California***



#### **PENAL CODE SECTION 330, 330a and 330.2**

330. Every person who deals, plays, or carries on, opens, or causes to be opened, or who conducts, either as owner or employee, whether for hire or not, any game of faro, monte, roulette, lansquenet, rouge et noire, rondo, tan, fan-tan, seven-and-a-half, twenty-one, hokey-pokey, or any banking or percentage game played with cards, dice, or any device, for money, checks, credit, or other representative of value, and every person who plays or bets at or against any of those prohibited games, is guilty of a misdemeanor, and shall be punishable by a fine not less than one hundred dollars (\$100) nor more than one thousand dollars (\$1,000), or by imprisonment in the county jail not exceeding six months, or by both the fine and imprisonment.

330a. Every person, who has in his possession or under his control, either as owner, lessee, agent, employee, mortgagee, or otherwise, or who permits to be placed, maintained or kept, in any room, space, enclosure or building owned, leased or occupied by him, or under his management or control, any slot or card machine, contrivance, appliance or mechanical device, upon the result of action of which money or other valuable thing is staked or hazarded, and which is operated, or played, by placing or depositing therein any coins, checks, slugs, balls, or other articles or device, or in any other manner and by means whereof, or as a result of the operation of which any merchandise, money, representative or articles of value, checks, or tokens, redeemable in, or exchangeable for money or any other thing of value, is won or lost, or taken from or obtained from such machine, when the result of action or operation of such machine, contrivance, appliance, or mechanical device is dependent upon hazard or chance, and every person, who has in his possession or under his control, either as owner, lessee, agent, employee, mortgagee, or otherwise, or who permits to be placed, maintained or kept, in any room, space, enclosure or building, owned, leased or occupied by him, or under his management or control, any card dice, or any dice having more than six faces or bases each, upon the result of action of which any money or other valuable thing is staked or hazarded, or as a result of the operation of which any merchandise, money, representative or article of value, check or token, redeemable in or exchangeable for money or any other thing of value, is won or lost or taken,

when the result of action or operation of such dice is dependent upon hazard or chance, is guilty of a misdemeanor, and shall be punishable by a fine not less than one hundred dollars (\$100) nor more than one thousand dollars (\$1,000), or by imprisonment in the county jail not exceeding six months, or by both such fine and imprisonment.

330.2. As used in Sections 330.1 to 330.5, inclusive, of this code a "thing of value" is defined to be any money, coin, currency, check, chip, allowance, token, credit, merchandise, property, or any representative of value.

***Non-Gambling, “Entertainment” Gaming is Only Permitted in the City of Torrance if the Organization is a Non-Profit, Charitable Organization***



**TORRANCE MUNICIPAL CODE SECTION 35.1.2. - LICENSE REQUIRED.**

(Amended by O-2959; O-2960; O-3451)

- a) It shall be unlawful for any person to maintain, operate, conduct or carry on, directly or indirectly, any game room without a license therefor having been issued in accordance with the provisions of this Article. No license issued shall authorize the conduct of any game which is prohibited by the Penal Code of the State of California or by this Code, and any license issued in violation of such State Code or this Code shall be void.
- b) The provisions of this Article do not apply to events conducted for any of the purposes set forth in **Section 31.6.2, if a No Fee license is obtained, pursuant to this section and 31.6.4.** In order to receive a No Fee license, an applicant must submit to the License Supervisor the information required by Sections 31.4.1(a) and 31.6.4, together with the following additional information:
  - 1) The name of any vendor, contractor, concessionaire or caterer that the applicant intends to use during the event.
  - 2) A Police Department “Notification of Prohibited Activity” signed by the applicant.
  - 3) A description of the activities to be conducted during the event.

The License Supervisor will submit the application to the Chief of Police or the Chief's designee for approval. In determining whether to approve the application, the Chief of Police will consider the willingness of the applicant to comply with all City and State laws prohibiting gambling and the public health, safety and welfare.

The License Supervisor and the Chief of Police will have fifteen (15) calendar days to deny an application from the date that a complete application is filed with the License Supervisor or the application will be deemed approved.

The License Supervisor will not approve any application that has been denied by the Chief of Police. The License Supervisor will not approve any application unless all vendors, contractors, concessionaires, or caterers participating in the event have appropriate Business Licenses and Permits. If the License Supervisor or Chief of Police deny the application or fail to issue the license, the applicant may appeal the denial to the License Review Board pursuant to Section 31.7.5.



### **TORRANCE MUNICIPAL CODE SECTION 31.6.2. - PARTICULAR EXEMPTIONS.**

(Amended by O-3137)

Except as hereinafter provided in this Article, and subject to the provisions of Chapter 4, the provisions of this Division shall not be construed to require the payment of a license tax to carry on any business or activity for solely **charitable, benevolent, religious or political purposes, the receipts of which are to be immediately appropriated for such purpose**, or any business or activity operated as part of the City-sponsored Certified Farmers' Market, whether for monetary gain or otherwise.

For a free license the applicant will:

- 1) Complete a Free License application.
- 2) Submit a copy of State Incorporation papers showing the non-profit status of the organization.
- 3) Submit a copy of tax exempt letters from the Internal Revenue and the State Franchise Tax Board
- 4) Submit copies of income and expense statements (or tax returns) for the preceding 3 years.



### **TORRANCE MUNICIPAL CODE SECTION 31.6.4. - APPLICATION FOR EXEMPTION.**

(Amended by O-2499)

Any person who claims exemption from the payment of the license tax shall make an application for such exemption upon a form furnished by the License Supervisor. The License Supervisor shall make, or cause to be made, an investigation of the applicant and the business or activity for which the exemption is claimed to determine whether the applicant qualifies for an exemption. If the License Supervisor finds that the applicant qualifies for an exemption, he shall issue a No Fee license to such applicant.

***To Be Considered a Charitable, Non-Profit Organization in the City of Torrance, You Have to be Registered With The State Attorney General's Office. This Involves MORE Than Simply Being a Non-Profit Organization. You Must ALSO Be a Recognized and Registered Charitable Organization.***



**CALIFORNIA CODE OF REGULATIONS - TITLE 11., DIVISION 1.,  
CHAPTER 4: REGULATIONS ADOPTED PURSUANT TO THE  
SUPERVISION OF TRUSTEES AND FUNDRAISERS FOR  
CHARITABLE PURPOSES ACT**

300. Filing Trust Instrument

Every charitable corporation, trustee or other person required by the provisions of that act entitled the Supervision of Trustees and Fundraisers for Charitable Purposes Act (Article 7, Chapter 6, Part 2, Division 3, Title 2, of the Government Code commencing with Section 12580) shall file with the Attorney General as required by that Act a copy of the articles of incorporation and by-laws, trust agreement, decree of distribution or other instrument providing for his title, powers or duties.

*For More Information on These Statutes, Please Visit the California Attorney General's Site that Deals with These Issues Specifically at <http://ag.ca.gov/charities/statutes.htm>.*



**CALIFORNIA CODE OF REGULATIONS - TITLE 11., DIVISION 1.,  
CHAPTER 15. ATTORNEY GENERAL REGULATIONS UNDER  
NONPROFIT CORPORATION LAW**

999.1. General Provisions and Definitions

**(a) Giving Notice to and Submitting Requests to Attorney General; When Notice or Request is Deemed "Filed with Attorney General."**

For purposes of giving notice to the Attorney General or submitting requests for approval or other action to the Attorney General pursuant to any of the subsections contained in sections 999.2 through 999.5 of these Regulations, all notices and requests shall be submitted in writing at the office listed below which is located nearest to the principal office of the corporation on whose behalf the notice or request is submitted.

Attorney General, Charitable Trusts Section  
455 Golden Gate Avenue, Suite 11000  
San Francisco, California 94102

Attorney General, Charitable Trusts Section

300 South Spring Street  
Los Angeles, California 90013

Attorney General, Charitable Trusts Section  
1300 I. Street  
P.O. Box 944255  
Sacramento, California 94244-2550

Said written notices or requests shall be deemed to be filed with the Attorney General when the notices or requests are received at the office of the Attorney General with the information required by sections 999.2(e), 999.3(e), 999.4 and 999.5 of these Regulations.

### ***WHO MUST FILE***

*Every charitable (public benefit) corporation, association and trustee holding assets for charitable purposes or doing business in the State of California must register with the Attorney General, except those exempted by Section 12583. Corporations which are organized primarily as a hospital, a school, or a religious organization are exempted by Section 12583. If exemption is claimed, furnish complete substantiating details.*

*For More Information About the Forms Needed to Apply as a Charitable Trust, Please Visit the State Attorney General's Site That Deals Specifically With These Requests at <http://ag.ca.gov/charities/forms.htm>.*

***In Essence, You Have to Be a Registered Non-Profit Organization AND a Registered Charitable Organization in Order to Even Consider Hosting a "Casino Nights" Type of Event. Most Organizations that Are Non-Profit, Assume They Are Also Registered Charities. This is NOT True. If Your Organization Does Happen to Qualify in Both of These Two Areas, They Must Do the Following in Order to Host a Legal Event in the City of Torrance:***

- 1) Sign a "Notice of Prohibited Activities"***
- 2) Sign a "Guidelines for Charitable Events" Form***
- 3) Seek a Temporary Business License from the City of Torrance***