

1 Introduced May 26, 2009, by Councilman  
2 Canada, seconded by Councilman Hicks

3 **Item No. 09-05-2812**

4  
5 **ORDINANCE NO. 3540**

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7 An ordinance amending the Code of Ordinances of the City of Slidell, Chapter  
8 5, Amusements and Entertainments, by adding a new Section 5.1 banning video bingo in  
9 the City of Slidell.

10 WHEREAS, Art. 12, § 6C(1)(b) of the Louisiana Constitution provides, in  
11 pertinent part, "No form of gaming, gambling, or wagering authorized by law on the  
12 effective date hereof shall be licensed or permitted to be conducted in a parish in which  
13 it was not heretofore being conducted, except licensed charitable gaming which may be  
14 conducted in any parish provided it is conducted in compliance with the law ... "; and  
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18 WHEREAS, subsequently, by Act 568, approved June 30, 1999, the  
19 Legislature repealed the existing enabling legislation and reestablished that authority  
20 in enacting Chapter 11 of Title 4 of the Louisiana Revised Statutes of 1950, to be  
21 comprised of R.S. 4:701 through 739. The enactment of Chapter 11 included the  
22 provision set forth in Paragraph A of R.S. 4:724, which provides that "Electronic or video  
23 bingo machines, hereafter termed 'electronic bingo machines', for public playing of  
24 bingo may be made available at any location licensed under this chapter for charitable  
25 bingo, provided that all requirements of this chapter not in conflict with the provisions  
26 of this Section are met." At the time of enactment, Chapter 11 also included Paragraph  
27 B of R.S. 4:706, which provides that "the governing authority of each parish shall decide  
28 whether charitable raffles, bingo, and keno as provided for in this Chapter shall be  
29 permitted within the parish." However, by Act 373, approved June 30, 2005, the  
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4 Legislature enacted Paragraph D of R.S. 4:706 to provide that "the term `bingo' shall  
5 include `electronic video bingo;' and  
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7 WHEREAS, in Title 4, Chapter 11. Charitable Raffles, Bingo and keno  
8 Licensing Law the legislature has expressly provided for the following requirements  
9 and authority in pertinent part, with emphasis and parenthetical matter added:  
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12 §718F. "Any license, permit, approval, or thing obtained or issued pursuant  
13 to the provisions of this Chapter is expressly declared by the legislature to be a  
14 pure and absolute revocable privilege and not a right, property or otherwise, under  
15 the constitution of the United States or the state of Louisiana. The legislature  
16 declares that no holder of any license or permit (whether state or parish) acquires  
17 any vested interest or right therein or thereunder";  
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22 §724(I). "Nothing in this Section shall be construed to restrict the authority of  
23 local governments to restrict or prohibit the conducting of electronic video bingo";  
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26 §706(B) and (C)(1). "The governing authority of each parish shall decide  
27 whether charitable raffles, bingo [which includes electronic video bingo by  
28 definition], and keno as provided for in this chapter shall be permitted within the  
29 parish. If the local governing authority elects to license and regulate charitable  
30 raffles, bingo, and keno within its jurisdiction [which includes electronic video  
31 bingo by state definition], it may adopt rules, regulations, and ordinances for  
32 charitable organizations, as defined in R.S. 4:703(1), to hold and operate games of  
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4 chance authorized in R.S. 4:707 and to enforce any local provisions regarding  
5 same games of chance";

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7 **§708(A).** "Each applicant for such a license shall file with the ... governing  
8 body of any parish a written application therefor in the form prescribed in said rules  
9 and regulations, duly executed and verified, in which shall be stated (3) The  
10 specific kind of game or games of chance intended to be held, operated, and  
11 conducted by the applicant (specified in 707A(4) to include electronic video  
12 bingo)";

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14 **§707(G).** "No local governing authority shall issue a license to any  
15 organization unless that organization has first obtained a license from the office in  
16 accordance with this Chapter";

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18 **§713(A).** "...the governing authority of any municipality or parish issuing any  
19 license under this Chapter shall regulate all games of chance held, operated, or  
20 conducted under such license issued by it, to assure that they are fairly held,  
21 operated, and conducted in accordance with the provisions of the license, the  
22 provisions of this Chapter, and the rules promulgated and adopted pursuant to the  
23 provisions of R.S. 4:705(10)(b)";

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25 **§735(B).** "Any person, association, or corporation which commits any of the  
26 following acts shall, upon conviction, be subject to a criminal penalty, and be fined  
27 not more than five thousand dollars or imprisoned for one year, or both: (7)  
28 Possessing any electronic video machine or component, parts, or supplies  
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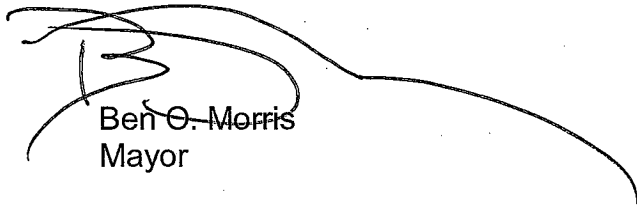
4 intended for use therewith except manufacturers, distributors, or lessors and  
5 organizations licensed by . . . a parish to conduct electronic video bingo who are in  
6 possession of such machines under the provisions of R.S. 4:724 and R.S. 4:733  
7 and the rules and regulations adopted pursuant to R.S. 4:724(F) and R.S.  
8 4:733(H)".  
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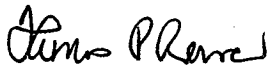
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12 NOW THEREFORE BE IT ORDAINED by the Slidell City Council that it  
13 does hereby amend the Code of Ordinances of the City of Slidell, Chapter 5,  
14 Amusements and Entertainments, by adding a new Section 5.1 banning video bingo in  
15 the City of Slidell.  
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19 **ADOPTED** this 23rd day of June, 2009.  
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22 Rickey Hursey  
23 President of the Council  
24 Councilman, District B

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27 Ben O. Morris  
28 Mayor

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31 Thomas P. Reeves  
32 Council Administrator  
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DELIVERED	2:30 p.m.
6/25/09	to the Mayor
RECEIVED	2:50 p.m.
7/2/09	from the Mayor