



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 04/04/2023

ITEM NO: 4

DESK ITEM

DATE: April 4, 2023
TO: Mayor and Town Council
FROM: Gabrielle Whelan, Town Attorney
SUBJECT: Adopt Ordinance 2339 Titled "An Ordinance of the Town Council of the Town of Los Gatos Amending Chapter 3, "Amusements," of the Town Code Regarding Bingo Award Amount Amending Section 3.50.015 of the Town Code to Increase the Maximum Bingo Award to \$500"

REMARKS:

A Council Member had several questions (bold face type) and staff's responses are provided below.

1. Does the ordinance differ from the Saratoga ordinance? If so, in what way and why?

Saratoga:

- Permit term is three years and can be renewed for successive 3-year periods.
- Bingo not permitted in commercial zones.
- Bingo not permitted between midnight and 9 a.m.
- City requires annual report to Town including dates and locations of games, amount of proceeds from each event, amount of total proceeds for the year, and how the proceeds were used.
- City can conduct audits.
- No cap on maximum prize. (State law provides that local jurisdictions can set cap up to \$500 maximum.)

Los Gatos:

- Permit term is one year, and a new permit required annually.
- Bingo is permitted only on property rented or owned by the non-profit.
- Bingo is not permitted between midnight and 10 a.m.

PREPARED BY: Wendy Wood
Town Clerk

Reviewed by: Town Manager and Town Attorney

PAGE 2 OF 2

SUBJECT: Town Code Amendment Regarding Bingo Award Amount

DATE: March 28, 2023

REMARKS (continued):

- Town can do a criminal history check on permit applicant.
- Sets \$500 cap on maximum prize.

2. Why does the Town's bingo ordinance differ from Saratoga's?

Staff would speculate that the ordinances are different because each entity set up their program in a way that works for them.

When representatives from KCAT made their original request, they did not know that the Town had a bingo ordinance. Staff contacted KCAT to find out what changes they were seeking to the Town's bingo ordinance, and they said they wanted an increase of the cash prize to the \$500 maximum allowed by state law.

Attachment Transmitted with Staff Report:

1. Ordinance 2339 Bingo Ordinance