

CITY OF LOS ANGELES BINGO ORDINANCE

ARTICLE 4.5 – BINGO

Los Angeles Municipal Code
(Added by Ord. No. 149,992, Eff. 9/1/77)

SEC. 44.50. AUTHORITY FOR ENACTMENT:

This Article is enacted pursuant to the authority contained in Article IV, Section 19 of the Constitution of the State of California and Section 326.5 of the Penal Code of the State of California.

SEC. 44.51. LICENSE REQUIRED: (Amended by Ord. No. 154,612, Eff. 12/18/80)

It is unlawful to conduct or play a game of bingo in the City of Los Angeles without a valid bingo license issued pursuant to this Article.

SEC. 44.52. AUTHORITY TO ISSUE LICENSE AND PRESCRIBE RULES AND REGULATIONS:

The Police Department shall have the authority, pursuant to this Article and applicable state law, to issue licenses for games of bingo by organizations exempted from the payment of the bank and corporation tax by Sections 23701a, 23701b, 23701d, 23701e, 23701f, 23701g, and 23701h of the Revenue and Taxation Code and by mobile home park associations and senior citizens organizations. **(First Sentence Amended by Ord. No. 171,262, Eff. 10/4/96.)** Said Department shall enforce the provisions of this Article and shall have authority to promulgate and administer rules to implement the regulations of bingo in the City of Los Angeles. Such rules shall be submitted to and approved by the City Council.

SEC. 44.53. REGULATION OF GAMES: (Amended by Ord. No. 154,612, Eff. 12/18/80)

All bingo games, and all activities in connection therewith shall be conducted in accordance with the provisions of Section 326.5 of the Penal Code of the State of California, as amended.

SEC. 44.54. HEARINGS – SUBPOENAS (Added by Ord. No. 151,921, Eff. 3/4/79.)

- (1) Any hearing conducted to determine whether a bingo license or bingo supplier license shall be revoked or suspended or an application therefor denied shall be conducted pursuant to the provisions of Section 102.10 of the Los Angeles Municipal Code. **(Amended by Ord. No. 164,083, Eff. 11/6/88.)**
- (2) The Board of Police Commissioners, or any person designated thereby to conduct a hearing referred to in Subsection (1) of this section, is authorized and empowered to compel the attendance of witnesses and the production of evidence by subpoena at such hearing. The Board of Police Commissioners, or any person designated thereby to conduct such hearing, shall also obtain issuance and service of a subpoena upon written request of any party to the hearing. **(First and Second Sentences Amended by Ord. No. 171,262, Eff. 10/4/96)** Such request shall be accompanied by an affidavit stating the name and address of any proposed witness and, in the event the attendance of such witness is sought in connection with the production of evidence, the exact nature of the evidence sought to be produced, the materiality of such evidence to the issues involved in the hearing and a statement that the witness has the desired things in his or her possession or control. The City Clerk, upon demand of Board of Police Commissioners or person designated to conduct such hearing, shall issue a subpoena in the name of the City of Los Angeles directing the appearance of the witness and/or the production of the evidence at the time and place specified in the subpoena. **(Last Sentence Amended by Ord. No. 171,262, Eff. 10/4/96.)**

**SEC. 44.55 IMPOSITION OF BINGO LICENSE FEES
(Amended by Ord. No. 171,475, Eff. 2/13/97, Oper. 1/1/97.)**

- (1) A fifty-dollar (\$50) license fee shall be paid upon application for a bingo license or upon annual renewal thereof. In the event an application for license is denied, one-half of the fee shall be refundable to the applicant. A bingo license shall be valid for a period of one year. An additional fee for law enforcement and public safety costs incurred by the City shall be collected monthly by the City of Los Angeles. The fee shall be computed as follows: Each licensee shall pay a monthly fee equal to .922% (.00922) of the total amount paid out in bingo prizes for that month in excess of \$2,000. The above fee shall be adjusted, if necessary, in order to recover the City's administrative costs, and adopted in the same manner as provided in section 12.37-I, 1 of the Los Angeles Municipal Code for establishing fees.
- (2) A one hundred dollar (\$100) license fee shall be paid upon application for a bingo supplier license or upon annual renewal thereof.

SEC. 44.56. LICENSING OF BINGO SUPPLIERS: (Added by Ord. No. 164,083, Eff. 11/6/88)

- (1) The Police Department shall have the authority to license businesses which provide bingo supplies or equipment to organizations licensed to play bingo in the City of Los Angeles and to promulgate and administer rules and regulations with respect to the licensing of such organizations. **(First Sentence Amended by Ord. No. 171,262, Eff. 10/4/96.)** Such rules shall be submitted to and approved by the City Council.
- (2) No person shall engage in, conduct, manage or carry on the business of selling, or sell, bingo supplies or equipment to any organization licensed to play bingo in the City of Los Angeles without a license for such purpose issued by the Police Department. **(Amended by Ord. No. 171,262, Eff. 10/4/96.)**

SEC. 44.57. PURCHASE OF BINGO SUPPLIES OR EQUIPMENT: (Added by Ord. No. 164,083, Eff. 11/6/88)

No person shall purchase bingo supplies or equipment for use by an organization licensed to conduct bingo in the City of Los Angeles from any vendor not licensed pursuant to the provisions of Section 44.56 and applicable rules and regulations.

DEFINITIONS

“BINGO” Shall mean a game of chance in which prizes are awarded on the basis of designated numbers or symbols on a card, which conform to numbers or symbols selected at random. The game of bingo shall also include cards having numbers or symbols, which are concealed and preprinted in a manner providing for distribution of prizes.

“DEPARTMENT” Shall mean the Los Angeles Police Department.

“MEMBER” Means an individual who is an officer or has membership in the nonprofit organization whether pursuant to its Articles of Incorporation, Constitution, Charter or other instrument of formation or association, its Bylaws or other written instrument formally adopted pursuant thereto.

“BINGO SESSION” Shall mean a single gathering at which a series of successive bingo games is played.

“SENIOR CITIZEN ORGANIZATION” Shall mean any organization whose members are at least 50 years of age.

“RECREATIONAL PURPOSES” Shall mean the playing of bingo where no bingo card shall exceed the cost of .25¢; no person may purchase more than six bingo cards during any bingo session; no person may play more than six bingo cards during any game; all prizes shall be limited to goods and gift certificates only; and no prize or prizes awarded during any bingo game shall exceed the retail cash value of \$5. (Amended 12/27/78 & 9/25/79)

CITY OF LOS ANGELES BINGO RULES AND REGULATIONS

BINGO LICENSE

1. No organization shall conduct a bingo game unless it is in possession of a valid bingo license issued by the Department.
2. An eligible organization may apply to the Department for a license to conduct a bingo game(s). The application shall be on forms provided by the Department and shall be filed not less than 60 days before the date on which the game is to be played or the series of games is to commence.

The Board of Police Commissioners, or designee thereof, shall approve or deny the application for license within a reasonable time after receipt of said application.

A bingo license application may be denied if:

- (a) All requirements of Section 326.5 of the Penal Code of the State of California are not met.
- (b) The use of the premises, as applied for, violates Zoning, Building and Safety, Fire, or applicable Public Safety Laws and Regulations or Bingo Rules and Regulations adopted pursuant to Chapter IV, Article 4.5 of the Los Angeles Municipal Code.

Upon approval or denial of said license, the applicant shall be notified in writing.

3. At the time of filing application for a bingo license or upon renewal thereof, a fee of fifty dollars (\$50) shall be paid. One-half of such fee shall be refundable to any organization denied a bingo license. A bingo license shall be valid for a period of one year.

An additional fee for law enforcement and public safety costs incurred by the City shall be collected monthly by the City of Los Angeles. The fee shall be computed as follows: Each licensee shall pay a monthly fee equal to .922% (.00922) of the total amount paid out in bingo prizes for that month in excess of \$2,000. Such fee shall be paid no later than the 15th day of each month for the prior calendar month. The above fee shall be adjusted, if necessary, in order to recover the city's administrative costs, and adopted in the same manner as provided in section 12.37-1, 1 of the Los Angeles Municipal Code for establishing fees.

4. If a member of an eligible organization applying for a license has been convicted of violating Section 326.5 of the Penal Code, the provisions of the Los Angeles City Bingo Ordinance, or the provisions of any ordinance adopted by a City or County of the State of California pursuant to Section 19 of Article IV of the State Constitution and Section 326.5 of the Penal Code, or has been convicted of any crime involving the theft of money and/or property, said member shall have no control over the operation or participate in the staffing of the authorized bingo game(s) or the disposition of proceeds derived therefrom.
5. An applicant organization denied the issuance of a bingo license, or a person denied the issuance of a bingo supplier license, may file a notice of appeal with the Department within ten days after the date of notification of said denial. The notice of appeal shall set forth in detail the grounds upon which the appeal is based. (Amended 12/13/88)

Within 15 days after receipt of the notice of appeal, a hearing officer designated by Department shall conduct a hearing to receive testimony and evidence regarding the appeal. At the appeal hearing the applicant organization may present testimony and examine witnesses in support of its contention that said application should not be denied. The hearing officer shall submit a report and recommendation to the Department for final determination within thirty days after conclusion of the hearing. (Amended 8/28/78)

The Department shall notify the appellant as to the final determination within ten days after receipt of the hearing officer's report and recommendation.

6. A license shall not be transferable from one organization to another or from one location to another.

CONDUCT OF GAMES

7(a). Bingo may only be conducted between the hours of 12:00 noon and 12:00 midnight. A licensee shall not conduct bingo more than three days per week. No bingo session shall exceed six continuous hours and not more than one bingo session shall be permitted in one day by any one licensee.

7(b). A licensee may not conduct an additional bingo session(s) at any location where three sessions have already been authorized to be conducted at that site that week. For these purposes, a week begins on Sunday. (Amended 6/21/83)

7(c). A licensee shall conduct no more than 40 games during a bingo session. (Amended 9/20/88)

7(d). A licensee shall permit no more than 350 people to play bingo at a bingo session. (Added 9/20/88)

8. No person shall either serve or consume alcoholic beverages within the room(s) where bingo is being played during the hours of operation of any bingo game(s).

9. No person under the age of 18 years shall operate or participate in any bingo game.

10. Bingo license, Rules and Regulations provided by the Department, and the licensee's rules of bingo operation shall at all times be posted conspicuously at the public entrance to the room in which bingo is played. The posted rules shall be readable, legible, and accessible to all participants.

11. A member of the licensee organization shall be designated as "Bingo Manager." The Bingo Manager shall be responsible for the conduct and operation of the bingo game(s) and for the compliance with all applicable laws, rules and regulations promulgated thereunder.

The Bingo Manager shall be present at all times during the playing of any bingo game.

12. All staff members of a bingo game shall wear on their outside clothing an identification insignia or badge, no less than 2 1/2" x 3 1/2" in dimension, indicating the name of the organization and the name and title of the staff member.

13. The total value of prizes awarded for any one bingo game shall not exceed the current retail market value of \$250 in the aggregate, whether said prize(s) are in cash or other form.

14. Prior to commencing each game the prize shall be announced and a facsimile of the type of game(s) to be played shall be clearly displayed to all participants.

15. All prizes shall be awarded immediately following each bingo game.

16. All games shall be completed during each session.

17. Bingo numbers selected in each game shall be announced to all players and be displayed in full view of all players. An adequate public address system shall be utilized.

18. Equipment used and the method of playing bingo shall be such that each card shall have an equal opportunity to win each game.

ADVERTISING

19. Any advertising or publicity for bingo shall include reference to the valid bingo license number issued by the Department.

FINANCIAL RECORDS

- 20(a). All bingo sales shall be recorded on a cash register that features a nonresettable grand total. The cash register tape shall be kept for not less than three years. A cash register shall not be required for any licensee with average gross receipts under \$50,000 per month during the preceding twelve months. (Added 7/1/90)
- 20(b). At least two members of the licensed organization shall jointly count all bingo proceeds. Such proceeds shall be deposited in a special bingo account the next banking day.
21. All funds from bingo games shall be deposited into a **special bingo bank account** identified on the licensee's application and shall not be commingled with any other funds.

Funds deposited in such special bank account may, however, be transferred to another account or fund of the licensee organization or to another account or fund of any other organization or entity associated or affiliated therewith for purposes of implementing charitable expenditures of bingo proceeds, provided, (1) no monies from any source other than bingo proceeds are placed in such fund; (2) the purpose of such fund is clearly designated as part of the title or subtitle of the fund and in the books and records of the organization; (3) expenditures therefrom for such purpose are permitted under the provisions of Section 326.5 of the Penal Code of the State of California. No person shall play the game(s) of bingo on credit. (Amended 2/5/81)

22. All disbursements from the special bingo bank account shall be by consecutively numbered checks signed by two authorized officers of the licensee and shall be payable to a specific individual or organization. There shall be written on each check the nature of the expenditure for which the check is drawn. No check shall be drawn to "cash" other than for the purpose of depositing such cash in a petty cash fund established and maintained for the payment of incidental bingo expenses. Such checks shall in that event be marked "for deposit to the petty cash fund." Such petty cash fund shall not at any time contain more than twenty-five dollars (\$25) and a receipt shall be obtained for each disbursement, indicating the amount of cash disbursed, the individual or organization receiving the cash disbursement and the purpose for which the disbursement is made. (Amended 2/5/81)
23. On or before the 15th of each month, the licensee shall report on forms prescribed by the Department an accounting of all receipts and expenditures for the prior calendar month.

Bingo financial records, including all books and records of the licensee or any other organization or entity associated or affiliated with the licensee for purposes of disbursing charitable expenditures of bingo proceeds, shall at all times be available for inspection by the Department. (Amended 2/5/81)

COMPLAINTS

24. The Department shall serve as the City's agency to receive and investigate complaints regarding bingo.

VIOLATIONS

25. A license may be suspended or revoked if the licensee or any of its officers, agents or employees has: (1) knowingly made any false, misleading or fraudulent statement of material fact in the application or in any record or report, or (2) violated any of the provisions of the City of Los Angeles Bingo Ordinance, Rules and Regulations, or cease and desist order issued or promulgated thereunder, or (3) violated Penal Code Section 326.5, or (4) violated any other applicable law.

Whenever the Department determines, pursuant to the above, that the licensee is operating or conducting a bingo game in violation of any provision of law, the Board of Police Commissioners, or any person

designated, thereof, shall have the authority to suspend or to revoke the license and to cause an order to issue to the licensee to immediately cease and desist from further operation of any bingo game. Notice of any such intended suspension or revocation shall be served upon the licensee by serving a copy thereof to the licensee or occupant at the address set forth in the license as the permitted location designated for conducting bingo games by said licensee. On the same day of such service, the Department shall cause a copy of said order to be deposited into the United States mail addressed to the licensee at the address set forth on the license.

A notice of intended suspension or revocation shall state the basis thereof, the date upon which it shall become effective, shall notify the licensee of the right to a hearing thereon, and shall inform the licensee of the procedure for requesting such a hearing. The notice shall state that failure to request a hearing in writing within a 10-day period from the date of posting and mailing, shall result in either a suspension of the license or a revocation thereof as designated in the notice.

Any request by the licensee for a hearing, shall be submitted in writing to the Board of Police Commissioners and state the specific ground(s) upon which the licensee contends that the license should not be suspended or revoked. In the event of the receipt of such a request, the Board of Police Commissioners, or designee shall set the matter for hearing at a date not less than 10 days or no more than 15 days after the receipt of said request, and the effective date of the suspension or revocation shall be postponed until after the conclusion of said hearing and the determination thereon.

The Board of Police Commissioners shall notify the licensee of the hearing date by mail immediately upon the setting of said date. The Board of Police Commissioners or designee shall conduct the hearing.

In the event of a hearing as provided for hereinabove all witnesses shall testify under oath. The licensee shall be afforded the opportunity to be heard, to defend itself or its practices, to introduce exhibits and other evidence and call upon and examine witnesses in its own behalf of its representatives, and to cross-examine witnesses.

In the event the Department determines after a hearing that a license should be neither suspended nor revoked, it may nevertheless condition the continued operation thereunder as in its exercise of reasonable and sound discretion it shall determine.

Any such hearing as provided for hereinabove, may be continued by mutual consent of the licensee and the hearing officer from time to time upon good cause being shown therefor.

In the event a hearing is not requested by the licensee, the Board of Police Commissioners, or designee shall issue the final order after the close of said 10-day period. A copy of said final order shall be mailed to the organization affected by the order, within five days after the determination. The determination shall be final and conclusive.

Upon demand, the bingo license shall be returned to the Department.

An organization which has had a license revoked shall not be eligible to receive another license until the expiration of 12 months following the date of revocation.

26. An authorized representative of the Department that observes the operation of a game, and determines that bingo played under a license issued by the Department is not being played according to the laws of the State of California, City of Los Angeles Bingo Ordinance or any Rule or Regulation promulgated thereunder, may issue an order to immediately cease and desist such violation. Said order shall be served in writing upon the Bingo Manager in charge of the game at the time the violation is observed, and shall set forth the nature of the violation. Failure of the Bingo Manager to cease such violation promptly may result in the revocation of the license.

27. No person shall interfere with, prevent, or refuse to permit a duly authorized representative of the Department, or Fire Department, Department of Building and Safety, or any peace officer to make an examination or inspection of the premises of an applicant or licensee used for bingo games, whether or not the premises or any part thereof are being used at said time for the conduct or operation of such game(s).

SENIOR CITIZENS

28. The provisions of Section 326.5 of the Penal Code and the Rules regulating the playing of bingo in the City of Los Angeles shall apply to the playing of bingo by any senior citizen organization except as provided below:
 - (a) All senior citizen organizations playing bingo for recreational purposes shall be exempt from the payment of bingo license fees.
 - (b) Senior citizen organizations playing bingo for recreational purposes may be granted bingo licenses for periods up to three years. Such organizations shall conduct bingo only between 9:00 a.m. and 5:00 p.m. and shall not conduct bingo more than 3 days per week nor shall any bingo session exceed six continuous hours. (Amended 9/20/88)

Such organizations shall not be required to comply with Rule 12 of departmental Rules regulating bingo.

SUPPLIERS

29. Applications for bingo supplier licenses shall be on forms provided by the Department. The Board of Police Commissioners, or designee thereof, shall approve or deny each application within a reasonable time after receipt of the application. (Added 12/13/88)
30. A bingo supplier license shall be valid for a period of one year. A fee of one hundred dollars (\$100) shall be paid to the City at the time of filing an application for a bingo supplier license or an application for renewal thereof. (Added 12/13/88)
31. The Department shall make an investigation of each bingo supplier license applicant and shall verify that:
 - (a) The applicant has received and understands the requirements of Penal Code Section 326.5, Los Angeles Municipal Code Article 4.5, and City of Los Angeles Bingo Rules.
 - (b) Neither the applicant nor any of its agents or employees has violated Penal Code Section 326.5, Los Angeles Municipal Code Article 4.5, or City of Los Angeles Bingo Rules.
 - (c) The statements made on the application are true. (Added 12/13/88)
32. The Department shall issue a bingo supplier license to the applicant when the requirements of Rule 31 have been met. Where a requirement is not met, the Department may deny a bingo supplier license to the applicant. A person denied a bingo supplier license may appeal pursuant to Bingo Rule 5. (Added 12/13/88)
33. It shall be the responsibility of each licensed bingo supplier to notify the Department in writing of all agreements with organizations conducting bingo in the City of Los Angeles. (Added 12/13/88)
34. Each licensed bingo supplier shall maintain and keep records relating to each occasion upon which bingo supplies or equipment are provided to organizations conducting bingo in the City of Los Angeles. Such records shall include a complete and true description of the bingo supplies or equipment provided, including serial numbers, and shall be available at all times to the Department for inspection and copying. (Added 12/13/88)

35. A bingo supplier license may be suspended or revoked if the licensee or any of its officers, agents or employees has: (1) knowingly made any false or misleading statement in the application or in any record or report, or (2) violated any of the provisions of the City of Los Angeles Bingo Ordinance or Rules, or (3) violated Penal Code Section 326.5, or (4) violated any other applicable law.

A bingo supplier license suspension or revocation proceeding shall be conducted in the same manner as a bingo license revocation proceeding, pursuant to Bingo Rule 25, and the same requirements with respect to notice and request for hearing set forth in Rule 25 shall apply to the suspension or revocation of a bingo supplier license.

Upon demand, a bingo supplier license shall be returned to the Department.

A bingo supplier who has had a license revoked shall not be eligible to receive another license until the expiration of 12 months following the date of revocation. (Added 12/13/88)

36. An authorized representative of the Department who observes that a licensed bingo supplier is not providing supplies or equipment according to the laws of the State of California, the City of Los Angeles bingo ordinance, bingo rules, or other applicable laws, may issue an order to immediately cease and desist such violation. Said order shall be served in writing upon the bingo supplier licensee at the time the violation is observed, and shall set forth the nature of the violation. Failure of the bingo supplier licensee to cease such violation promptly may result in revocation of the license. (Added 12/13/88)

STATE OF CALIFORNIA BINGO LAW

Section 326.5 of the Penal Code as Amended through 1981

- 326.5 (a) Neither this chapter nor Chapter 10 (commencing with Section 330) applies to any bingo game which is conducted in a city, county, or city and county pursuant to an ordinance enacted under Section 19 of Article IV of the State Constitution, provided that such ordinance allows games to be conducted only by organizations exempted from the payment of the bank and corporation tax by Sections 23701a, 23701b, 23701d, 23701e, 23701f, 23701g, and 237011 of the Revenue and Taxation code and by mobile home park associations and senior citizens organizations; and provided that the receipts of such games are used only for charitable purposes.
- (b) It is a misdemeanor for any person to receive or pay a profit, wage, or salary from any bingo game authorized by Section 19 of Article IV of the State Constitution. Security personnel employed by the organization conducting the bingo game may be paid from the revenues of bingo games as provided in subdivisions (j) and (k).
- (c) A violation of subdivision (b) of this section shall be punishable by a fine not to exceed ten thousand dollars (\$10,000), which fine shall be deposited in the general fund of the city, county, or city and county which enacted the ordinance authorizing the bingo game. A violation of any provision of this section, other than subdivision (b), is a misdemeanor.
- (d) The city, county, or city and county which enacted the ordinance authorizing the bingo game may bring an action to enjoin a violation of this section.
- (e) No minors shall be allowed to participate in any bingo game.

- (f) An organization authorized to conduct bingo games pursuant to subdivision (a) shall conduct a bingo game only on property owned or leased by it, or property whose use is donated to the organization, and which property is used by such organization for an office or for performance of the purposes for which the organization is organized. Nothing in this subdivision shall be construed to require that the property owned or leased by, or whose use is donated to, the organization be used or leased exclusively by, or donated exclusively to, such organization.
- (g) All bingo games shall be open to the public, not just to the members of the authorized organization.
- (h) A bingo game shall be operated and staffed only by members of the authorized organization which organized it. Such members shall not receive a profit, wage, or salary from any bingo game. Only the organization authorized to conduct a bingo game shall operate such game, or participate in the promotion, supervision, or any other phase of such game. This subdivision does not preclude the employment of security personnel who are not members of the authorized organization at such bingo game by the organization conducting the game.
- (i) No individual, corporation, partnership, or other legal entity except the organization authorized to conduct a bingo game, shall hold a financial interest in the conduct of such bingo game.
- (j) With respect to organizations exempt from payment of the bank and corporation tax by Section 23701d of the Revenue and Taxation Code, all profits derived from a bingo game shall be kept in a special fund or account and shall not be commingled with any other fund or account. Such profits shall be used only for charitable purposes.
- (k) With respect to other organizations authorized to conduct bingo games pursuant to this section, all proceeds derived from a bingo game shall be kept in a special fund or account and shall not be commingled with any other fund or account. Proceeds are the receipts of bingo games conducted by organizations not within subdivision (j). Such proceeds shall be used only for charitable purposes, except as follows:
- (1) Such proceeds may be used for prizes.
 - (2) A portion of such proceeds, not to exceed 20 percent of the proceeds before the deduction for prizes, or two thousand dollars (\$2,000) per month, whichever is less, may be used for rental of property, overhead, including the purchase of bingo equipment, administrative expenses, security equipment, and security personnel.
 - (3) Such proceeds may be used to pay license fees.
 - (4) A city, county, or city and county which enacts an ordinance permitting bingo games may specify in such ordinance that if the monthly gross receipts from bingo games of an organization within this subdivision exceed five thousand (\$5,000), a minimum percentage of the proceeds shall be used only for charitable purposes not relating to the conducting of bingo games and that the balance shall be used for prizes, rental of property, overhead, administrative expenses and payment of license fees. The amount of proceeds used for rental of property, overhead, and administrative expenses is subject to the limitations specified in paragraph (2) of this subdivision.
- (l) (1) A city, county, or city and county may impose a license fee on each organization which it authorizes to conduct bingo games. The fee, whether for the initial license or renewal, shall not exceed fifty dollars (\$50) annually, except as provided in paragraph (2). If an application for a license is denied, one-half of any license fee paid shall be refunded to the organization.

- (2) In lieu of the license fee permitted under paragraph (1), a city, county, or city and county may impose a license fee of fifty dollars (\$50) paid upon application. If an application for a license is denied, one-half of the application fee shall be refunded to the organization. An additional fee for law enforcement and public safety costs incurred by the city, county, or city and county that are directly related to bingo activities may be imposed and shall be collected monthly by the city, county, or city and county issuing the license; however, the fee shall not exceed the actual costs incurred in providing the service.
- (m) No person shall be allowed to participate in a bingo game, unless the person is physically present at the time and place in which the bingo game is being conducted.
- (n) The total value of prizes awarded during the conduct of any bingo games shall not exceed two hundred fifty dollars (\$250) in cash or kind, or both, for each separate game which is held.
- (o) As used in this section “bingo” means a game of chance in which prizes are awarded on the basis of designated numbers or symbols on a card which conform to numbers or symbols selected at random. Notwithstanding Section 330c, as used in this section, the game of bingo shall include cards having numbers or symbols which are concealed and preprinted in a manner providing for distribution of prizes. The winning cards shall not be known prior to the game by any person participating in the playing or operation of the bingo game. All such preprinted cards shall bear the legend, “for sale or use only in a bingo game authorized under California law and pursuant to local ordinance.” It is the intention of the Legislature that bingo as defined in this subdivision applies exclusively to this section and shall not be applied in the construction or enforcement or any other provision of law.