

BEACH CITY  
ORDINANCE 82-1

AN ORDINANCE ORDERING THE HOLDING OF AN ELECTION UNDER THE BINGO ENABLING ACT TO LEGALIZE BINGO GAMES AUTHORIZED UNDER SAID ACT WITHIN THE CITY LIMITS OF THE CITY OF BEACH CITY TO BE HELD ON APRIL 3, 1982; AUTHORIZING THE IMPOSITION OF A TWO (2%) PERCENT GROSS RECEIPT TAX ON THE CONDUCT OF BINGO GAMES WITHIN THE CITY LIMITS OF THE CITY OF BEACH CITY IF THE VOTERS APPROVE THE PROPOSITION TO LEGALIZE BINGO; SAID PROPOSITION APPROVED BY THE VOTERS OF THE CITY OF BEACH CITY TO LEGALIZE BINGO GAMES THEN SUCH GAMES CAN ONLY BE HELD AND CONDUCTED AS PER THE CONDITIONS, REGULATIONS, AND PROHIBITIONS CONTAINED WITHIN THE BINGO ENABLING ACT AND FURTHER PROVIDING PENALTIES.

WHEREAS, it has been brought to the attention of the City Council of the City of Beach City that the Sixty-Seventh (67th) Texas State Legislature in its first called session passed and approved the Bingo Enabling Act on August 14, 1981 which became effective November 10, 1981 located in the State Statute Book in Vernon's Annotated Civil Statutes Article 179d-Sections 1 to 42 and said Act allows qualified organizations to operate legal bingo games to raise money for charitable, educational, religious and civic causes;

WHEREAS, the City Council of the City of Beach City finds that there are several of these qualified organizations located within the city limits of the City of Beach City that provide many benefits for the well-being and safety of the citizens of the said City; and

WHEREAS, a petition for the legalization election has been presented to the City of Beach City through its elected officials stating that this petition is to require that an election be held in the City of Beach City to legalize bingo games authorized under the Bingo Enabling Act; and

WHEREAS, the City Secretary of the City of Beach City has verified the validity of the petition and has verified to the City Council of the City of Beach City that the petition has been signed by the required number of registered voters of the City of Beach City and meets the requirements of the Act for a valid petition; and

WHEREAS, the City Council of the City of Beach City takes note that the Act has strict requirements for the regulating and conduct of said games and restricted to only qualified organizations to operate legal bingo games to raise money for charitable, educational, religious and civic causes; and

WHEREAS, said Act authorizes the imposition by the City of Beach City of gross receipt taxes and further provides that the Comptroller of Public Accounts for the State of Texas to perform all functions incident to the administration, collection, enforcement and operation of any tax imposed under this Act; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BEACH CITY:

SECTION ONE

That an election be held in said City on the 3rd day of April, 1982 for the purpose of legalizing bingo games as covered by the Bingo Enabling Act, Vernon's Ann. Civ. St. art. 179d, Sections 1 to 42.

SECTION TWO

That the same procedure as contained in the order for election's procedure and order for election of alderpersons and mayor ordained by this City Council of the City of Beach City in regular meeting session held on the 26th of January, 1982 is so ordered by this City Council to cover the procedure and manner where applicable for the conduct of this election to legalize bingo games and both elections are to be held on the same date of April 3, 1982.

### SECTION THREE

The ballots for said election to legalize bingo games shall be prepared to provide for voting for or against the proposition: "Legalizing Bingo Games For Charitable Purposes As Authorized By The Bingo Enabling Act In The City Of Beach City."

### SECTION FOUR

In said legalization election, if a majority of the qualified voters voting on the question vote in favor of the legalization, the holding of bingo games as authorized by this Act is legalized throughout the City of Beach City effective the tenth (10th) day after the date of the results of the election is officially declared, except that legalization does not apply to any part of the City of Beach City for which SECTION TEN of the Bingo Enabling Act requires a contrary status.

### SECTION FIVE

If the proposition for legalizing bingo games for charitable purposes is passed by a majority of the qualified voters of the City of Beach City, this Ordinance incorporates for all intents and purposes all regulations, prohibitions and penalties and definitions and procedures contained in the Bingo Enabling Act, Vernon's Ann. Civ. St. art. 179d, Sections 1 to 42 to govern the conduct, manner and operation of bingo games conducted within the city limits of the City of Beach City.

### SECTION SIX

If the proposition to legalize bingo games for charitable purposes is voted in favor of legalization by a majority of the qualified voters of the City of Beach City a two (2%) percent gross receipt tax on the conduct of bingo games within the limits of the City of Beach City is hereby imposed and shall be administered, collected and enforced as stated within the Bingo Enabling Act, Vernon's Ann. Civ. St. art. 179d, Sections 1 to 42.

### SECTION SEVEN

All civil remedies and penalties spelled out in the Bingo Enabling Act, Vernon's Ann. Civ. St. art. 179d, Sections 1 to 42 are hereby incorporated into this Ordinance for all intents and purposes and if the proposition to legalize bingo games for charitable purposes is authorized by the voters of the City of Beach City, then all said civil remedies and penalties embodied and contained in said Bingo Enabling Act shall apply to all persons and organizations in the conduct, operation, promoting, administering of and participation in any bingo games conducted within the city limits of the City of Beach City.

### SECTION EIGHT

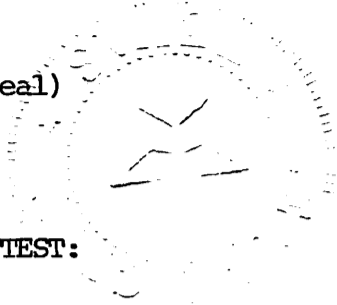
If a majority of the voters of the City of Beach City authorize the legalization of bingo games within the city limits of the City of Beach City, then this Ordinance shall be published at least ten (10) days in three (3) public places in the City of Beach City and a descriptive caption or title of said Ordinance stating in summary the purpose of the Ordinance and the penalty for violation thereof shall be published in The Baytown Sun, as mandated by statute.

### SECTION NINE

If any section, sentence, clause or phrase of this Ordinance is for any reason held to be illegal, ultra vires, or unconstitutional, such invalidity shall not effect the validity of the remaining portions of this Ordinance.

PASSED and APPROVED this 23rd day of February, A.D., 1982.

(seal)



Herschel Scott  
Herschel Scott, Mayor  
City of Beach City

ATTEST:

Charlotte Hoffman  
CHARLOTTE HOFFMAN, City Secretary