

ORDINANCE NO. 2013-O-113

AMENDING THE LAREDO CODE OF ORDINANCES, CHAPTER 18, SECTION 18-2.2 LETTER (A) & (C), LOCAL PERMIT FEE FOR AMUSEMENT REDEMPTION MACHINE PREMISES PERMIT AND INCREASING ANNUAL PERMIT FEE FROM \$400.00 TO \$550.00 PER MACHINE PER YEAR; INCREASING THE SEALING FEE FROM \$400 TO \$550; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY, PUBLICATION AND EFFECTIVE DATE.

WHEREAS, the City of Laredo, a home-rule city is permitted by state law to regulate and monitor all forms of amusement redemption machines; and

WHEREAS, an exact amount of amusement redemption machines in Laredo could not be obtained through the State Comptroller's Office due to the Texas Occupation Code, Subchapter C – Confidentiality of Certain Information, Section 2153.101 – Information from Licenses Application, Part (a) which states “Except as provided by subsection (b), the information contained in a license application is confidential”; and

WHEREAS, it is estimated that there is a significant number of amusement redemption machines, which are found in various locations throughout the city that require increased regulation to monitor any potential criminal activity; and

WHEREAS, regulation of the land use will be addressed in a separate ordinance amending the land development code at a later City Council meeting; and

WHEREAS, the Building Development Services Department is responsible for the issuance of the amusement redemption machine permits; and

WHEREAS, City personnel would be responsible for the regulation and inspection of these establishments.

NOW THEREFORE BE IT ORDAINED, BY THE CITY COUNCIL OF THE CITY OF LAREDO, TEXAS:

Section 1: Section 18-2.2: Local Permit Fee For Amusement Redemption Machine Premises Permit of Chapter 18, Licenses, Permits and Miscellaneous Business Regulations, of the Code of Ordinances of the City of Laredo, Texas, shall be adopted to read as follows:

18 – 2.2 LOCAL PERMIT FEE FOR AMUSMENT REDEPTION MACHINE PREMISES PERMIT

- (a) *Fee.* An owner, operator, or lessee of premises on which an amusement redemption machine is made available to others shall be required to secure a permit by paying to the city an annual inspection and amusement redemption machine premises permit fee of

\$550.00 per amusement redemption machine. The permits shall be issued by the City Building Development Services Department.

- (c) *Sealing*. The City shall have the authority to seal any amusement redemption machine located at an establishment for which an amusement redemption machine premises permit fee has not been secured. A \$550.00 fee will be charged for the release of each machine sealed for non-payment of said amusement redemption machine premises permit fee.

Section 2: Repeal. All ordinances or part of Ordinances in conflict with this ordinance are repealed to the extent of such conflict only

Section 3: Severability. If for any reason any section, paragraph, subdivision, clause, phrase, word or provision of this ordinance shall be held invalid or unconstitutional by final judgment of a court of competent jurisdiction, it shall not affect any other section, paragraph, subdivision, clause, phrase, word or provision of this ordinance, for it is the definite intent of the City Council that every section, paragraph, subdivision, clause, phrase, word or provision hereof be given full force and effect for its purpose.

Section 4: Publication. This Ordinance shall be published in a manner by section 2.09 (D) of the charter of the City of Laredo

Section 5: Effective Date. This ordinance shall become effective sixty days (60) after the date of the public hearing, pursuant to City Charter Section 2.09 (B)

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR ON THIS 3rd DAY OF September 2013


RAUL G. SALINAS
MAYOR

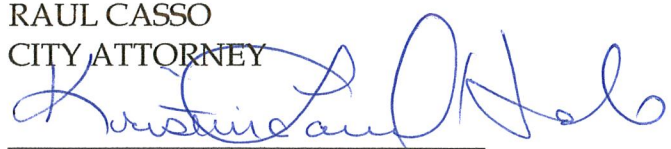
ATTEST:


GUSTAVO GUEVARA, JR.
CITY SECRETARY



APPROVED AS TO FORM:

RAUL CASSO
CITY ATTORNEY


BY: KRISTINA K. LAUREL HALE
ASSISTANT CITY ATTORNEY

COUNCIL COMMUNICATION

<p>Date:</p> <p>09/03/2013</p>	<p>SUBJECT: FINAL READING ORDINANCE 2013-O-113</p> <p>AMENDING THE LAREDO CODE OF ORDINANCES, CHAPTER 18, SECTION 18-2.2 LETTER (A) & (C), LOCAL PERMIT FEE FOR AMUSEMENT REDEMPTION MACHINE PREMISES PERMIT AND INCREASING ANNUAL PERMIT FEE FROM \$400.00 TO \$550.00 PER MACHINE PER YEAR; INCREASING THE SEALING FEE FROM \$400 TO \$550; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY, PUBLICATION AND EFFECTIVE DATE.</p>
<p>INITIATED BY: Horacio De Leon, Assistant City Manager</p>	<p>STAFF SOURCE: Ramon E. Chavez, P.E., Acting Director Building Development Services</p>
<p>PREVIOUS COUNCIL ACTION: Final Reading of Amendment to Ordinance 2012-O-149 was done 09/17/12. The City Council approved an increase in the permit fee for Amusement Redemption Machines from \$350 per machine to \$400 per machine.</p>	
<p>BACKGROUND: The City of Laredo, a home-rule city, is permitted by state law to regulate and monitor all forms of amusement redemption machines. There has been a significant increase of amusement machines, which are found in various locations throughout the city. Therefore, further increased regulations and accountability of amusement redemption machines is necessary to monitor compliance with local ordinances. The City Building Development Services Department would be responsible for the issuance of the amusement redemption machine permit. In addition, City staff would be responsible for the regulation and inspection of these establishments.</p>	
<p>FINANCIAL IMPACT: With an estimate of 5,000 redemption machines, at a permit fee of \$550 per machine, this will generate estimated revenue of \$2,750,000, of which \$750,000 will be additional annual revenue. The estimated revenue of \$2,750,000 may increase or decrease on any counts of machines</p>	
<p>COMMITTEE RECOMMENDATION:</p>	<p>STAFF RECOMMENDATION: Staff <u>recommends</u> that City Council approve this ordinance.</p>