

116.08 APPLICATION AND LOCAL APPROVAL OF PREMISES PERMITS.

- (A) Any organization seeking to obtain a premises permit or renewal of a premises permit from the Board shall file with the City Clerk an executed, complete duplicate application together with all exhibits and documents accompanying the application as filed with the Board. The application and accompanying exhibits and documents shall be filed not later than three days after they have been filed with the Board.
- (B) Upon receipt of an application for issuance or renewal of a premises permit, the City Clerk shall transmit the application to the Chief of Police, or the Sheriff of the county in which this city is located, for review and recommendation.
- (C) The Chief of Police or Sheriff shall investigate the matter and make a review and recommendation to the City Council as soon as possible, but in no event later than 45 days following receipt of the notification by the city.
- (D) Organizations or bingo halls applying for a state-issued premises permit shall pay the city a \$100 investigation fee. This fee shall be refunded if the application is withdrawn before the investigation is commenced. If approved by the City Council and the Board, a licensed organization will be responsible for an annual investigative fee for conducting lawful gambling within the city.
- (E) The applicant shall be notified in writing of the date on which the Council will consider the recommendation.
- (F) The Council shall receive the Police Chief's or Sheriff's report and consider the application within 45 days of the date the application was submitted to the City Clerk.
- (G) The Council shall, by resolution, approve or disapprove the application within 60 days of receipt of the application.
- (H) The Council shall deny an application for issuance or renewal of a premises permit for any of the following reasons:
- (1) Violation by the gambling organization of any state statute, state rule or city ordinance relating to gambling within the last three years.
 - (2) Violation by the on-sale establishment or organization leasing its premises for gambling of any state statute, state rule or city ordinance relating to the operation of the establishment, including, but not limited to, laws relating to alcoholic beverages, gambling, controlled substances, suppression of vice, and protection of public safety within the last three years.
 - (3) Lawful gambling would be conducted at premises other than those for which an on-sale liquor license has been issued.
 - (4) Lawful gambling would be conducted at more than one premises within the city. The city may limit the number of premises where lawful gambling may be conducted.

- (5) An organization would be permitted to conduct lawful gambling activities at more than one premises in the city.
- (6) More than one licensed organization would be permitted to conduct lawful gambling activities at one premises.
- (7) Failure of the applicant to pay any investigation fee provided by division (D) of this section within the prescribed time limit.
- (8) Operation of gambling at the site would be detrimental to health, safety, and welfare of the community.

Otherwise the Council shall pass a resolution approving the application.