

DRAFT

CALIFORNIA GAMBLING CONTROL COMMISSION
SPECIFIC LANGUAGE OF PROPOSED REGULATIONS

NOTICE OF RELOCATION OF GAMBLING ESTABLISHMENT
CGCC-GCA-2011-0#-R

CALIFORNIA CODE OF REGULATIONS
TITLE 4. BUSINESS REGULATIONS.
DIVISION 18. CALIFORNIA GAMBLING CONTROL COMMISSION.

CHAPTER 1. GENERAL PROVISIONS.

§ 12004. Notification of Change of Address or Location.

(a) A registrant or licensee shall report to the Commission any change of address, whether residence address, address of record or mailing address, or the change of any other contact information, within ten days of ~~such~~ that change on a form entitled “Notice of Address Change or Relocation,” CGCC-032 (~~New 06-05~~Rev. 09/11), which is attached in Appendix A to this Chapter.

(b) When a change of address occurs as a result of a change in the physical location of the gambling establishment, the following procedures shall be adhered to:

(1) If the new location is more than one mile from any boundary line of its governing local jurisdiction, the owner-licensee shall submit all of the following with the completed form required by subsection (a):

(A) A copy of the licensee’s fully executed rental or lease agreement for, or evidence of the licensee’s ownership of the new location.

(B) A copy of the licensee’s fire safety and evacuation plan for the new location, in compliance with Section 12370.

(C) A copy of the licensee’s security and surveillance plan for the new location, in compliance with Section 12372.

(D) Documentary evidence of the issuance to the licensee of all required approvals, licenses and permits by any applicable local jurisdictional entity concerning the new location; e.g.,

DRAFT

Underline denotes new text. ~~Strikeout~~ denotes deleted text.

August 26, 2011

DRAFT

1 business licenses, occupancy permits, conditional use permits, zoning variances, local gaming
2 licenses, etc.

3 (E) Documentary evidence of the issuance to the licensee of all required approvals, licenses
4 and permits by any applicable state or federal agency concerning the new location; e.g., liquor
5 licenses, check cashing permits, etc.

6 (2) If the new location is one mile or less from any boundary line of its governing local
7 jurisdiction, the owner-licensee shall submit all of the following with the completed form
8 required by subsection (a):

9 (A) All documentation required by paragraph (1) of subsection (b) of this section.

10 (B) Signed documentation from the appropriate agency or department in the neighboring
11 jurisdiction confirming that the new location will not be located near any of the unsuitable
12 facilities, establishments, or locations specified in paragraph (3) of subsection (a) of section
13 19862 of the Business and Professions Code. For purposes of this section, “neighboring
14 jurisdiction” means any other adjoining jurisdiction whose common boundary line with the local
15 governing jurisdiction is one mile or less from the new location of the gambling establishment.

16 (c) If an owner-licensee cannot obtain the signed statement required by subparagraph (B) of
17 paragraph (2) of subsection (b), the gambling establishment shall not be relocated without
18 Commission approval. To request Commission approval, the owner-licensee shall submit a
19 written request together with the Notice of Address Change or Relocation form and all
20 documentation specified in paragraph (1) of subsection (b). The written request shall describe all
21 efforts made to obtain the confirmation specified in subparagraph (B) of paragraph (2) of
22 subsection (b). The relocation approval request shall be placed on a Commission agenda as soon
23 as is feasible after all other required documentation has been submitted. The Commission shall
24 notify the neighboring jurisdiction of the time and place of the Commission hearing in order for
25 representatives of that jurisdiction to attend and be heard.

26 (d) If an owner-licensee has not obtained the necessary approvals to relocate the gambling
27 establishment from all the applicable local jurisdictional entities as provided in subsection (b), or
28 from the Commission as provided in subsection (c), and that gambling establishment is
29 relocated, no gambling operations may be conducted at any new location until all the required
30 approvals have been obtained and the provision of subsections (b) and, if applicable, (c) have

DRAFT

Underline denotes new text. ~~Strikeout~~ denotes deleted text.

August 26, 2011

DRAFT

1 been complied with.

2 (e) If any gambling operations are conducted in violation of subsection (d), the owner-licensee
3 and each endorsed owner shall be subject to disciplinary action pursuant to Chapter 10 of this
4 division. For the purposes of this subsection, each day or portion thereof, whether consecutive or
5 not, during which any gambling operations are conducted in violation of subsection (d) shall
6 constitute a separate violation.

7 (f) Failure to timely notify the Commission of any change pursuant to this section shall
8 constitute a ground for disciplinary action pursuant to Chapter 10 of this division.

9 Note: Authority cited: Section 19811, 19823, 19824, 19826, 19840, 19841, 19853(a)(3), 19860, 19862, 19864,
10 19951 and 19984, Business and Professions Code. Reference: Sections 19811, 19824, 19826, 19850-~~and~~, 19852,
11 19860, 19862, 19868 and 19951, Business and Professions Code.

DRAFT

Underline denotes new text. ~~Strikeout~~ denotes deleted text.

August 26, 2011