14A.70.060 Social Games Permit Application Process.

A. The application for a permit to conduct any social game activity must set forth all information deemed necessary by the City Administrator consistent with the regulations provided in this Chapter, including but not limited to a description of the premises subject to the permit, and the fingerprints of the owner(s), officers, principal managing employees, and all employees who are involved in conducting the game activities or operating the game premises of the applicant. The permittee will notify the City Administrator within 10 days of any change in owners, officers, or principal managing employees that occurs subsequent to permit issuance.

1. For the purposes of this Section, **principal managing employee** includes:

a. any person who is a proprietor or partner of the applying organization;

b. any person who owns or controls five percent or more of the outstanding capital stock where the organization is a corporation;

c. any person who has supervisory authority over employees and/or operations of the business as it relates to the conduct of permitted social games; and

d. any person who has the authority to supervise the premises and conditions under which permitted social games are conducted.

2. Where the permit applicant is a nonprofit membership organization, "principal managing employee" may also mean the chief elected official of the organization and any other elected official(s) whose authority extends to the supervision or management of permitted social games.

3. With the concurrence of the Chief of Police or proper designee, the Revenue Division may exempt a corporate stockholder from the definition "principal managing employee" when it is shown that the involvement of such stockholder(s) in the operations of the applying organization is limited to stock ownership and that such stockholder(s) has no role in the conduct of the organization's operations.

4. All persons required to supply information in the application will by oath or affirmation swear to the veracity of the information supplied by them.

B. There is no right to renewal of a permit; each application will be considered as it would be for a new permit notwithstanding that the applicant has previously been issued a permit.

C. Each application for a permit must be accompanied by a nonrefundable fee of $~~5~~1,000.

1. The annual fee may be adjusted each January 1, rounded to the nearest $50, for inflation or deflation in tax years subsequent to 2027 using the Consumer Price Index, West Region (CPI-W) using the September-to-September index, not seasonally adjusted (unadjusted index). The current fee will be published on the Revenue Division's webpage.

D. Before issuance of a permit, the City Administrator or appropriate designee will confer with the Chief of Police or proper designee, who will advise whether or not and on what basis there exists law enforcement concerns about the particular applicant's suitability to obtain a permit. If the Chief of Police so recommends, then no permit will be issued, provided that Council may finally determine, upon appeal by the applicant that permit will be issued.

E. The private business, private club, or place of public accommodation in which the social game is conducted within the City of Portland must comply with and maintain compliance with all provisions of the Business License Law, Portland City Code Chapter 7.02.

14A.70.070 Social Games Permit Issuance, Denial.

A. An application for a social game permit will be denied if the City Administrator finds:

1. That within five years of the present application date, the applicant or any person having a financial interest in the private business, private club, or place of public accommodation, or any of the applicant's officers or principal managing employees has been convicted of, or if evidence exists that supports a finding by a preponderance of evidence, that such person has committed any felony or misdemeanor under federal or state law or this Code relating to theft, fraud, gambling, controlled substances, or prostitution activities;

2. That the applicant or any person having a financial interest in the private business, private club, or place of public accommodation, or any of the applicant's officers or principal managing employees has falsified any statement in the application for permit;

3. That any violation of federal or State law or this Code relating to gambling has occurred on the premises described in the application. It is prima facie evidence of such violation if any person has forfeited bail on, pleaded nolo contendere to, or been convicted of any offense in violation of federal or State law or this Code relating to gambling or gambling devices where the act charged occurred on the premises described in the permit application; or

4. That the applicant has permitted the commission of any criminal act on the premises described in the application or has failed to maintain the premises in conformance with all the requirements of this Code.

5. The applicant is not in compliance with Subsection 14A.70.060 E.

B. If one or more grounds for denial of a permit as described in Subsection A. of this Section are not established after investigation of the application by the City Administrator with assistance from the Portland Police Bureau, then the permit will be issued as soon as practicable.