

# County of Santa Clara

Department of Planning and Development  
Planning Office

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# COUNTY OF SANTA CLARA BINGO LICENSE

**To Be Posted in a Conspicuous Place**

File No: **PLN23-203** Status: **Renewal**  
Operator: **Santa Clara County Fairgrounds Management Corporation**  
Owner: **County of Santa Clara**  
Location: **344 Tully Road, San Jose – APN: 497-38-016**

The County of Santa Clara Zoning Administrator hereby grants this License to operator Santa Clara County Fairgrounds Management Corporation under the provisions of County of Santa Clara Ordinance Code Division B3 based on compliance with the criteria set forth by Section B3-93 of that Division. All standards and requirements for bingo events set forth in Division B3 shall apply to this License.

See Exhibit “A,” attached, for all conditions. Should Operator fail to meet any of the Conditions of Approval, the County may revoke this License.

This License shall be effective for the period of **January 11, 2024** through **January 10, 2025**, provided no appeal has been filed before the effective date. This License is non-transferable and is valid only for the location for which the license was issued.

DocuSigned by:  
Robert Salisbury 12/11/2023  
Robert Salisbury, Zoning Administrator Date

Any person dissatisfied with this action or any specific conditions may appeal to the Board of Supervisors. Appeals must be filed at the Planning Office within fifteen (15) days of the decision date (see above), and must be accompanied by the current filing fee established by the Board of Supervisors.

# Exhibit A

## File PLN23-203

### Conditions of Approval

Operator may operate bingo games if it complies with **all** following conditions:

1. Bingo operations shall be limited to two (2) scheduled occurrence per week, as follows: **Wednesdays and Thursdays, 4:00 P.M - 11:00 P.M.**
2. Maximum number of players shall be **250**. No persons under the age of 18 shall be allowed to participate in any bingo game.
3. Operator shall conspicuously post the subject Bingo License at the premises.
4. Proceeds derived from bingo games shall be limited to the requirements of County of Santa Clara Ordinance Code section B3-85 (see Exhibit B).
5. Operator shall keep all proceeds derived from bingo games in a special fund or account and shall not commingle them with any other fund or account.
6. Operator shall maintain detailed records of all proceeds, expenditures, prizes and other expenses associated with the operation for such period of time as required by State and federal law.
7. In addition to the records kept by Operator, Operator shall file a monthly report to the Department of Planning and Development detailing the gross receipts, prizes, and other expenses associated with the operation.
8. Operator shall own all equipment used in the operation of bingo games.
9. The total value of prizes awarded to any one individual during any (separate) bingo game shall not exceed \$500, as required by California Penal Code section 326.5(n).
10. Only Operator's employees may operate and staff any bingo games authorized by the License. Operator's employees shall not receive a profit, wage or salary from any bingo game.
11. Operator shall apply for renewal of this License to the Department of Planning and Development at least 90 days before the expiration date of the current license. The Zoning Administrator in his sole discretion may

stay expiration of this License pending review, investigation, and action to approve or deny the application, as necessary to accommodate ongoing bingo operations.

12. The Operator shall obtain a Retail Food Permit if it provides food service for public consumption. Contact Darrin Lee at (408) 299-5748 or [Darrin.Lee@cep.sccgov.org](mailto:Darrin.Lee@cep.sccgov.org) regarding this Department of Environmental Health requirement.
13. Any proposed occupancy beyond 250 persons, would require an Occupancy Analysis to be submitted to the Santa Clara County Fire Department (SCCFD).
14. Approval is based on a passing annual fire inspection by SCCFD.

## **Exhibit B**

### **Bingo Proceeds and Prizes**

The County of Santa Clara Ordinance Code and California Penal Code limit use of bingo proceeds and prize money, as follows:

#### **Sec. B3-85. Proceeds**

Receipts from a bingo game must be used only for charitable purposes except as otherwise provided in this section. For the purposes of this chapter, the term “charitable purposes” means purposes that benefit the public interest. All proceeds derived from a bingo game shall be kept in a special fund or account and shall not be commingled with any other fund or account. Proceeds shall be used only for charitable purposes except as follows:

- (a) Subject to the limitations in Section B3-87, proceeds may be used for prizes to be awarded at authorized bingo games.
- (b) A portion of the proceeds, not to exceed 20 percent of the total proceeds before deduction for prizes, or \$2,000 per month, whichever is less, may be used for the rental of property and for overhead, including the purchase of bingo equipment, administrative expenses, security equipment, and security personnel.
- (c) Proceeds may be used to pay license application fees.
- (d) The exemptions from the restrictions on use of proceeds in sections B3-85(a) through B3-85(c) do not apply for organizations exempt from payment of the bank and corporation tax under Revenue and Taxation Code §23701d.

#### **Sec. B3-87. Total value of prizes.**

The total value of prizes awarded during the conduct of any bingo game shall not exceed \$500 in cash or kind for each separate game held.