



Planning and Development Services

PB-14-63 TCH Ordinance # 140130

Presentation to City Commission
August 21, 2014

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- **Amend the list of permitted uses within various zoning districts to prohibit simulated gambling establishments**

Background

- **Changes in State law in 2013 attempted to effectively ban simulated gambling establishments (internet cafes)**

- **In response the City Commission approved a temporary 6-month moratorium on any permitting activity associated with these establishments**

Background

- Prior to the change in state law and the subsequent citywide moratorium, simulated gambling establishments were classified as a permitted use under MG-79 (Amusement and recreation services) of the SIC code.
- This petition and proposed ordinance will eliminate the inconsistency between the City's Land Development Code and state law and provide the City with a clear and proactive mechanism for eliminating these establishments.
- The petition is supported by the Gainesville Police Department in the interest of the health, safety, and general welfare of the community.

Definitions

- *Simulated gambling device means any mechanical or electrical contrivance, computer, terminal, video or other equipment that may enable a user, upon the payment of consideration either directly or indirectly in connection with the sale of a consumer product or service, to play or operate a simulation of gambling or any game that, by either the use of skill or an element of chance with an outcome unpredictable to the user, may reveal, deliver or entitle the user to receive anything of value. This definition does not include any devices expressly permitted by state law, and does not include an individual's personal, recreational, and non-commercial ownership, possession, play, operation or use of a device that could be construed to be a simulated gambling device.*

- *Simulated gambling establishment means a building, edifice, structure or location, along with its grounds, in which simulated gambling devices are used, operated or stored, including but not limited to, game rooms, arcades, internet cafés, internet centers or sweepstakes redemption centers. This definition does not include any establishment that is expressly permitted by state law, including but not limited to an “arcade amusement center” as defined in Section 849.161, Florida Statutes.*

- **Approve Petition PB-14-63 TCH
and adopt Ordinance 140130**