

**Seminole County, Florida, Code of Ordinances >> Chapter 222 - GAMING >> PART 2. - PROHIBITION OF SIMULATED GAMBLING DEVICES >>**

**PART 2. - PROHIBITION OF SIMULATED GAMBLING DEVICES**

[Sec. 222.7. - Legislative authorization.](#)

[Sec. 222.8. - Definitions.](#)

[Sec. 222.9. - Area of enforcement.](#)

[Sec. 222.10. - Intent.](#)

[Sec. 222.11. - Prohibition of simulated gambling devices.](#)

[Sec. 222.12. - Exemptions.](#)

[Sec. 222.13. - Conflict with state law.](#)

[Sec. 222.14. - Applicability to municipalities.](#)

[Sec. 222.15. - Civil penalties and injunctive relief.](#)

**Sec. 222.7. - Legislative authorization.**

This Part is enacted in the interest of the public health, peace, safety, and general welfare of the citizens and inhabitants of Seminole County, Florida, pursuant to Article VIII, Section 1(g), Florida Constitution and Section 125.01, Florida Statutes (2009).

*(Ord. No. 2011-1, § 2, 1-11-2011)*

**Sec. 222.8. - Definitions.**

The following definitions apply to this [Chapter 222](#), Part II:

- (a) "Person" means an individual, association, partnership, joint venture, corporation, or any other type of organization, whether conducted for profit or not for profit, or a director, executive, officer or manager of an association, partnership, joint venture, corporation or other organization.
- (b) "Simulated gambling device" means any device that, upon connection with an object, is available to play or operate a computer simulation of any game, and which may deliver or entitle the person or persons playing or operating the device to a payoff. The following rules of construction apply to this definition of "simulated gambling device":
- (1) The term "device" means any mechanical or electrical contrivance, computer, terminal, video or other equipment that may or may not be capable of downloading games from a central server system, machine, computer or other device or equipment. The term "device" also includes any associated equipment necessary to conduct the operation of the device.
  - (2) The term "upon connection with" means insertion, swiping, passing in range, or any other technical means of physically or electromagnetically connecting an object to a device.
  - (3) The term "object" means a coin, bill, ticket, token, card or similar object, obtained directly or indirectly through payment of consideration, or obtained as a bonus or supplement to another transaction involving the payment of consideration.
  - (4) The terms "play or operate" or "play or operation" includes the use of skill, the application of the element of chance, or both.
  - (5) The term "computer simulation" includes simulations by means of a computer, computer system, video display, video system or any other form of electronic video presentation.
  - (6) The term "game" includes slot machines, poker, bingo, craps, keno, any other type of game ordinarily played in a casino, a game involving the display of the results of a raffle, sweepstakes, drawing, contest or other promotion, lotto, sweepstakes, and any other game associated with gambling or which could be associated with gambling, but the term "game" does not necessarily imply gambling as that term may be defined elsewhere.
  - (7) The term "payoff" means cash, monetary or other credit, billets, tickets, tokens, or electronic credits to be exchanged for cash or to receive merchandise or anything of value whatsoever, whether made automatically from the machine or manually.
  - (8) The use of the word "gambling" in the term "simulated gambling device" is for convenience of reference

only. The term "simulated gambling device" as used in this Part is defined exclusively by this subsection and does not incorporate or imply any other legal definition or requirement applicable to gambling that may be found elsewhere.

- (c) "Slot machine" has the same meaning as specified in [Section 222.1](#) of the Seminole County Code.

(Ord. No. 2011-1, § 2, 1-11-2011)

### **Sec. 222.9. - Area of enforcement.**

The Board is acting herein as the governing body for Seminole County, Florida, and this Part shall be effective within the boundaries of Seminole County, Florida.

(Ord. No. 2011-1, § 2, 1-11-2011)

### **Sec. 222.10. - Intent.**

The intent of the Board acting as the governing body of Seminole County, Florida in adopting this Part is to prohibit broadly the possession or use of simulated gambling devices, including any related activity or behavior which can be reasonably construed to be the use of simulated gambling devices. Further, the Board in prohibiting simulated gambling devices in no way intends to approve the use of actual slot machines, other forms of casino gambling or other types of gambling devices. In addition, this prohibition is aimed directly at devices that simulate gambling activity, regardless of whether the devices or the simulations in and of themselves can be said to constitute gambling as that term may be defined elsewhere.

(Ord. No. 2011-1, § 2, 1-11-2011)

### **Sec. 222.11. - Prohibition of simulated gambling devices.**

It is unlawful in Seminole County for any person to design, develop, manage, supervise, maintain, provide, produce, possess or use one or multiple simulated gambling devices. Each individual act to design, develop, manage, supervise, maintain, provide, produce, possess or use a simulated gambling device constitutes a separate violation of this section.

(Ord. No. 2011-1, § 2, 1-11-2011)

### **Sec. 222.12. - Exemptions.**

- (a) This Part does not prohibit an individual's personal, recreational, and non-commercial ownership, possession, play, operation or use of a device which could be construed to be a simulated gambling device.
- (b) This Part does not prohibit the ownership, possession, play, operation or use of any device expressly permitted by the Florida Statutes and not otherwise prohibited by the Florida Constitution, except that devices permitted by Article X, Section 23 of the Florida Constitution and Chapter 551, Florida Statutes, in Broward and Miami-Dade County only are not permitted by this Part.
- (c) This Part does not prohibit a religious or charitable organization from conducting a fund raising activity involving gaming, provided the religious or charitable organization does not conduct the activity more than twice in one calendar year, the organization provides advance written notice to the Seminole County Sheriff of the date, time, place, and nature of such activity and who will be conducting it, and the activity is not otherwise unlawful.

(Ord. No. 2011-1, § 2, 1-11-2011)

### **Sec. 222.13. - Conflict with state law.**

Nothing in this Part is intended to conflict with the provisions of the Florida Constitution or Chapter 849, Florida Statutes, concerning gambling. In the event of a direct and express conflict between this Part and either the Florida Constitution or Chapter 849, Florida Statutes, then the provisions of the Florida Constitution or Chapter 849, Florida Statutes, as applicable, control.

(Ord. No. 2011-1, § 2, 1-11-2011)

### **Sec. 222.14. - Applicability to municipalities.**

The provisions of this Part are to be applied and enforced within all unincorporated areas of Seminole County as well as within all incorporated areas of Seminole County to the extent that there are no conflicting municipal regulations. In the event a municipal regulation conflicts with this Part then the municipal regulation will prevail within the jurisdiction of that municipality.

(Ord. No. 2011-1, § 2, 1-11-2011)

**Sec. 222.15. - Civil penalties and injunctive relief.**

- (a) *Civil penalties.* Any person who violates this Part is subject to the fine provisions of [Chapter 53](#) of this Code. Violation of this Part constitutes a Class IV Code violation. Each simulated gambling device, possession or use thereof, constitutes an individual offense for the purpose of [Chapter 53](#)
- (b) *Injunctive relief.* The Seminole County Attorney's Office or special counsel as otherwise authorized, is authorized to pursue temporary or permanent injunctive relief or any other legal or equitable remedy authorized by law in courts of competent jurisdiction to cure, remove or end any activity which violates this Part.

(Ord. No. 2011-1, § 2, 1-11-2011)