

CHAPTER 10
GAMES OF CHANCE

PART 1
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SECTION 10-101. DEFINITIONS.

(A) **Raffle:** Means a form of lottery (as defined in Section 5/28-2 (b) of Illinois Compiled Statutes, Chapter 720) conducted by an organization licensed under the Code whereby:

- (1) A player pays or agrees to pay something of value for a chance, represented and differentiated by a number or a combination of numbers designating the winning chance;
- (2) The winning chance is to be determined through a drawing or by some other method based on an element of chance by an act or set of acts on the part of persons conducting or connected with the lottery, except that the winning chance shall not be determined by the outcome of a publicly held sporting contest.

(B) **Non-Profit:** An organization or institution organized and conducted on a not-for-profit basis with no personal profit inuring to anyone as a result of the operation thereof.

SECTION 10-102. LICENSES AND APPLICATIONS.

(A) No organization shall operate a raffle in the Village of Swansea without first complying with any and all regulations of this Chapter and obtaining a license therefore.

- (1) Licenses shall be issued in the same manner and by the same authority as provided for in accordance with Illinois Revised Statutes, Chapter 230, par. 15/3.

(2) Where the provisions of this Section or of Chapter 230, paragraph 15/1 et seq. of the Illinois Compiled Statutes, requires supplemental information, limitations, or otherwise conflict with the Business Code requirements, then the express provisions of this Section and Chapter 230 shall control over the general requirements of the Business Code.

(B) Licenses shall be issued only to bonafide religious, charitable, labor, business, fraternal, educational or veterans' organizations (as those terms are defined in Illinois Compiled Statutes Chapter 230, paragraph 15/2 (b) that operate without profit to their members and which have been in existence continuously for a period of five years immediately before making application for a license and which have had during that entire five-year period a bonafide membership engaged in carrying out their objectives.

(C) The license application must contain a sworn statement attesting to the not-for-profit character of the prospective licensee organization, signed by the presiding officer and the secretary of that organization. Said application should also include a form 99 Financial Statement or other proof of tax exempt status.

SECTION 10-103. LIMITATIONS.

- (A) The retail value of all prizes or merchandise awarded in a single raffle shall not exceed \$200,000.00.
- (B) The retail value of each prize in a single raffle shall not exceed \$200,000.00.
- (C) The maximum price that may be charged for each raffle chance issued or sold shall not exceed \$100.00.
- (D) The maximum number of days during which chances may be issued or sold shall not exceed 365 days (May 1st through April 30th). No more than 50 raffles can be conducted during the license period.

SECTION 10-104. CONDUCT OF RAFFLES.

The conducting of raffles is subject to the following restrictions:

- (A) The entire net proceeds of any raffle must be exclusively devoted to the lawful purposes of the organization permitted to conduct that game.
- (B) No person except a bona fide member of the sponsoring organization may participate in the management or operation of the raffle.
- (C) No person may receive any remuneration or profit for participating in the management or operation of the raffle.
- (D) A licensee may rent a premises on which to determine the winning chance or chances in a raffle only from an organization which is also licensed under this Act.
- (E) Raffle chances may be sold or issued only within the area specified on the license and winning chances may be determined only at those locations specified on the license.
- (F) A person under the age of 18 years may participate in the conducting of raffles or chances only with the permission of a parent or guardian.

SECTION 10-105. RAFFLE MANAGERS AND BONDS.

All operations of and the conduct of raffles within the Village of Swansea shall be under the supervision of a single raffles manager designated by the organization. The manager shall give a fidelity bond in the sum of an amount determined by the Village of Swansea in favor of the organization conditioned upon his honesty in the performance of his duties. Terms of the bond shall provide that notice shall be

given in writing to the Village of Swansea not less than 30 days prior to its cancellation. The Village of Swansea Board of Trustees may waive this bond requirement by including a waiver provision in the license issued to an organization under this Ordinance, provided that a license containing such waiver provision shall be granted only by unanimous vote of the members of the licensed organization.

SECTION 10-106. RECORDS.

- (A) Each organization shall keep records of its gross receipts, expenses and net proceeds for each single occasion at which winning chances are determined. All deductions from gross receipts for each single occasion shall be documented with receipts or other records indicating the amount, a description of the purchased item or service or other reason for the deduction. The distribution of net proceeds shall be itemized as to payee, purpose, amount and date of payment.
- (B) Each organization shall have separate records of each raffle conducted. The person who accounts for gross receipts, expenses and net proceeds from the operation of raffles on behalf of such organization shall not be the same person who accounts for other revenues of the organization.
- (C) Each organization licensed to conduct raffles shall report monthly to its membership and to the Village of Swansea its gross receipts, expenses and net proceeds from raffles and the distribution of net proceeds itemized. This report shall be submitted to the Village Clerk's Office promptly after the conclusion of each raffle.

SECTION 10-107. INELIGIBILITY.

The following are ineligible for any license under this ordinance.

- (A) Any person who has been convicted of a felony; or
- (B) Any person who is or who has been a professional gambler or gambling promoter; or
- (C) Any person who is not of good moral character; or
- (D) Any firm or corporation in which a person defined as (a), (b) or (c) has a proprietary, equitable or credit interest, or in which such a person is active or employed; or
- (E) Any organization in which a person defined in (a), (b) or (c) is an officer, director, or employee, whether compensated or not; or

- (F) Any organization in which a person defined in (a), (b) or (c) is to participate in the management or operation of a raffle as defined in this Act.

SECTION 10-108. FILING FEE.

An annual fee of \$25.00 must be paid when applying for a raffle license.

SECTION 10-109. VIOLATION.

Violation of this ordinance shall constitute a petty offense.

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