

VILLAGE OF CHATHAM, ILLINOIS

ORDINANCE NO. 99- 15

**AN ORDINANCE ADDING CHAPTER 98 TO THE
CODE OF ORDINANCES OF THE VILLAGE OF CHATHAM,
RELATING TO RAFFLES**

ADOPTED BY THE PRESIDENT AND BOARD OF TRUSTEES
OF THE VILLAGE OF CHATHAM, ILLINOIS
THIS 23 DAY OF MARCH, 1999

Published in pamphlet form by the authority of the President and
Board of Trustees of the Village of Chatham, Sangamon County,
Illinois, this 23 day of MARCH, 1999.

**AN ORDINANCE ADDING CHAPTER 98 TO THE
CODE OF ORDINANCES OF THE VILLAGE OF CHATHAM,
RELATING TO RAFFLES**

*BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE
VILLAGE OF CHATHAM, SANGAMON COUNTY, ILLINOIS, AS FOLLOWS:*

SECTION 1: Chapter 98 is hereby added to the Code of Ordinances of the
Village of Chatham, to state as follows:

CHAPTER 98: RAFFLES

98.001: DEFINITIONS:

For the purpose of this Chapter, the following words and phrases shall have the
meanings given them:

CHARITABLE: An organization or institution organized and operated to benefit an
indefinite number of the public. The service rendered to those eligible for benefits must also
confer some benefit on the public.

BUSINESS: A voluntary organization composed of individuals and businesses who
have joined together to advance the commercial, financial, industrial and civic interests of
the Village.

EDUCATIONAL: An organization or institution organized and operated to provide
systematic instruction in useful branches of learning by methods common to schools and
institutions of learning which compare favorably in their scope and intensity with the course
of study presented in tax-supported schools.

RELIGIOUS: Any church, congregation, society or organization founded for the purpose of religious worship.

VETERANS: An organization or association comprised of members of which substantially all are individuals who are veterans or spouses, widows or widowers of veterans, the primary purpose of which is to promote the welfare of its members and to provide assistance to the general public in such a way as to confer a public benefit.

98.002: LICENSE REQUIRED; APPLICATION PROCEDURES; FEE:

A. License Required: No person shall conduct a raffle within the corporate limits of the Village of Chatham without having first obtained a license therefor.

B. Application for License: Each application for a license shall be in writing upon forms provided by the Village and shall contain the following:

1. Name and address of individual making application.
2. Name and address of organization applying for a license.
3. Approximate number of members of the organization that reside in the Village and the length of existence of the organization.
4. Name and address of the raffle manager.
5. The location(s) at which raffle chances are to be sold or issued.
6. The time period during which raffle chances will be sold or issued.
7. The maximum number of raffle chances to be sold.
8. The time of determination of winning chances.
9. The location(s) at which winning chances will be determined.

10. A sworn statement, signed by the presiding officer and secretary, if there is one, of the organization attesting to the not-for-profit character of the organization and attesting to the fact the organization is not otherwise ineligible to receive a license.

11. Such other information as the Village may require.

C. License Fee: No fee shall be required for the issuance of a license.

D. Issuance or Denial: Application for licenses shall be submitted to the Village President or to the Village Chief of Police. The Village President or Chief of Police shall act either to issue or deny the license within 30 days.

98.003: LICENSING RESTRICTIONS:

A. Location: Sales of raffle chances shall be only at locations designated in the license application and which are within the borders of the Village.

B. Eligibility for License: Licenses shall be issued only to a bona fide religious, charitable, labor, business, fraternal, educational or veterans' organization which operates without profit to their members and which have been in existence continuously for a period of five (5) years immediately before making application for a license and which have had, during that entire five (5) year period, a bona fide membership engaged in carrying out their objectives.

C. Duration of License: Licenses shall permit the applicant to issue or sell raffle chances only for those dates stated in the license application, but in no event shall the period of sales exceed one hundred eighty (180) days. Each license is valid for one raffle only.

D. Maximum Value of Prizes:

1. The aggregate retail value of all prizes or merchandise awarded by a licensee in a single raffle shall not exceed one hundred fifty thousand dollars (\$150,000.00).

2. The retail value of each individual prize awarded by a licensee in a single raffle shall not exceed one hundred fifty thousand dollars (\$150,000.00).

E. Price of Chances: The price charged for each raffle chance sold or issued shall not exceed two hundred fifty dollars (\$250.00).

98-004: INELIGIBILITY FOR LICENSE:

The following are ineligible for any license under this Chapter:

- A. Any person who has been convicted of a felony.
- B. Any person who is or has been a professional gambler or gambling promoter
- C. Any person not of good moral character.
- D. Any firm in which a person defined in subsections A, B or C hereof has proprietary, equitable or credit interest or in which such a person is active or employed.
- E. Any organization in which a person defined in subsections A, B or C hereof is an officer, director or employee, whether compensated or not.
- F. Any organization in which a person defined in subsections A, B or C hereof is to participate in the management or operation of a raffle.

98-005: RAFFLE MANAGER; BOND REQUIREMENTS:

A. Manager Required; Bond Required: All operation of, and the conduct of, raffles shall be under the supervision of a single raffles manager designated by the organization. At the time the application is submitted to the Village, the manager shall give a fidelity bond in

the amount of the maximum dollar amount of all raffle chances to be sold, as stated on the application, in favor of the organization conditioned upon his honesty in the performance of his duties. The bond shall provide that notice of its cancellation shall be given in writing to the Village not less than 30 days prior to its cancellation.

B. Waiver of Bond Requirement: The above bond requirement may be waived by the unanimous vote of the members of the organization. The occurrence of said unanimous vote shall be by affidavit of the organization's presiding officer, filed with the Village.

98-006: CONDUCT OF RAFFLES:

The conducting of raffles is subject to the following restrictions:

A. Use of Proceeds: The entire net proceeds of any raffle must be exclusively devoted to the lawful purposes of the organization permitted to conduct that game.

B. Participation: No person except a bona fide member of the sponsoring organization may participate in the management or operation of the raffle.

C. Remuneration: No person may receive any remuneration or profit for participating in the management or operation of the raffle.

D. Rental of Premises: A licensee may rent a premises on which to determine the winning chance in a raffle only from an organization which is also licensed under this Chapter.

E. Location: Raffle chances may be sold or issued only at the locations specified on the license, and winning chances may be determined only at those locations specified on the license.

F. Minors: No person under the age of eighteen (18) years may participate in the conducting of raffles or chances. A person under the age of eighteen (18) years may be within the area where winning chances are being determined only when accompanied by his parent or guardian.

98-007: RECORDS AND REPORTS:

A. Records to be Kept: Each organization licensed to conduct raffles shall keep records of its gross receipts, expenses and net proceeds for each single gathering or occasion at which winning chances are determined. All deductions from gross receipts for each single gathering or 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, and the recipient. The distribution of net proceeds shall be itemized as to payee, purpose, amount and date of payment.

B. Accounting of Revenues: Gross receipts from the operation of raffles programs shall be segregated from other revenues of the organization, including bingo gross receipts, if bingo games are also conducted by the same nonprofit organization pursuant to license therefor issued by the Department of Revenue of the State and placed in a separate account. Each organization should have separate records for its raffles. The person who accounts for gross receipts, expenses and net proceeds from the operation of raffles should not be the same person who accounts for other revenues of the organization.

C. Monthly Report: Each organization licensed to conduct raffles shall report monthly to its membership and to the Village its gross receipts, expenses and net proceeds from raffles and the distribution of net proceeds itemized as required by this Section.

D. Preservation of Records; Public Inspection: Records required by this Section shall be preserved for three (3) years and organizations shall make available their records relating to operation of raffles for public inspection at reasonable times and places.

98-008: PENALTY:

Any person who violates any of the foregoing provisions shall be subject to penalty of not less than \$250.00 and not more than \$750.00.

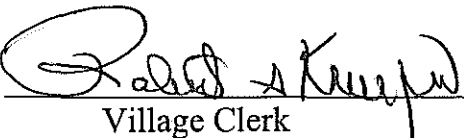
SECTION 2: This Ordinance is effective upon its passage and publication as required by law. The Clerk shall publish this Ordinance in Pamphlet form.

PASSED this 23 day of MARCH, 1999.



VILLAGE PRESIDENT

ATTEST:



Village Clerk

AYES: 6
NAYS: 0

PASSED:

3/23/99

APPROVED:

3/23/99

ABSENT:

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ORDINANCE CERTIFICATE

STATE OF ILLINOIS)
) SS.
COUNTY OF SANGAMON)

I, the undersigned, do hereby certify that I am the duly qualified and acting Village Clerk of the Village of Chatham, Sangamon County, Illinois.

I do further certify that the ordinance attached hereto is a full, true, and exact copy of Ordinance No. 99- 15, adopted by the President and Board of Trustees of said Village on the 23 day of MARCH, 1999, said Ordinance being entitled:

**AN ORDINANCE ADDING CHAPTER 98 TO THE
CODE OF ORDINANCES OF THE VILLAGE OF CHATHAM,
RELATING TO RAFFLES**

I do further certify that prior to the making of this certificate, the said Ordinance was spread at length upon the permanent records of said Village, where it now appears and remains.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said Village this _____ day of _____, 1999.

Village Clerk