

DEC 18 2017

CITY OF COLUMBIA, ILLINOIS
ORDINANCE NO. 3357


City Clerk

AN ORDINANCE REGULATING RAFFLE LICENSES

WHEREAS, the City of Columbia ("City"), Monroe and St. Clair Counties, Illinois is a duly created, organized and validly existing municipality of the State of Illinois under the 1970 Illinois Constitution and the laws of the State of Illinois, including particularly the Illinois Municipal Code, and all laws amendatory thereof and supplementary thereto; and

WHEREAS, Section 2 of the Raffles and Poker Runs Act (230 ILCS 15/2) authorizes the City to establish a system of licensing for the operation of raffles; and

WHEREAS, the City previously adopted by ordinance a system for the licensing of organizations to operate raffles; and

WHEREAS, the City now desires to amend and codify said regulations for operating raffles.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Columbia, Illinois, as follows:

Section 1. That the preceding recitations in the upper part of this Ordinance are realleged, restated and adopted as paragraph one ("1") of this Ordinance.

Section 2. Section 5.36.050 of the City Municipal Code shall be amended to read as follows:

"Section 5.36.050 Application for license.

- A. Any person seeking to conduct or operate a raffle shall file an application therefor with the city clerk on forms provided by the city clerk. The application shall contain the following information:
1. The name, age, address and type of organization;
 2. The length of existence of the organization and, if incorporated, the date and state of incorporation;
 3. The name, address, telephone number, and date of birth of the organization's presiding officer, secretary, raffle manager, and any other members responsible for the conduct and operation of the raffle;
 4. The aggregate retail value of all prizes to be awarded in the raffle;
 5. The maximum retail value of each prize to be awarded in the raffle;
 6. The maximum price charged for each raffle chance issued or sold;
 7. The maximum number of raffle chances to be issued;
 8. The area or areas in which raffle chances will be sold or issued;
 9. The time period during which raffle chances will be issued or sold;
 10. The date, time and location at which winning chances will be determined;

11. A sworn statement attesting to the not-for-profit character of the applicant organization, signed by the presiding officer and secretary of the organization;
 12. A certificate signed by the presiding officer of the applicant organization attesting to the fact that the information contained in the application is true and correct.
- B. A fee shall be charged by the city and paid to the city clerk at the time of application for a raffle license, in the amount to be set by city ordinance from time to time.

The application fees are nonrefundable even should the application be rejected by the city council.”

Section 3. Section 5.36.070 of the City Municipal Code shall be amended to read as follows:

“Section 5.36.070 License issuance.

- A. The city clerk shall review all raffle license applications. The city clerk shall, within thirty (30) days from the date of application, accept or reject a raffle license application. If an application is accepted, the city clerk shall forthwith issue a raffle license to the applicant. A raffle license shall be valid for a period of one (1) year from and after its issuance.
- B. A raffle license shall show the following:
 1. The area or areas in which raffle chances may be sold or issued;
 2. The period of time during which raffle chances may be sold or issued;
 3. The maximum price which may be charged for each raffle chance issued or sold;
 4. The date, time and location on or at which winning chances will be determined.
- C. The license shall be prominently displayed at the time and location of the determination of the winning chances.
- D. A license shall be valid for one raffle only. Multiple licenses may be issued for multiple raffles to a licensee.”

Section 4. Section 5.36.080 of the City Municipal Code shall be amended to read as follows:

“Section 5.36.080 Operation and conduct of raffles.

The operation and conduct of raffles are subject to the following restrictions:

- A. The entire net proceeds of any raffle must be exclusively devoted to the lawful purpose 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 chapter.
- E. Raffle chances may be sold, offered for sale, conveyed, issued or otherwise transferred for value only within the area specified on the license, and winning chances may be determined only at those locations specified on the license.
- F. Each raffle chance shall have printed thereon the following:
 - 1. The cost of the chance;
 - 2. The aggregate retail value of all prizes to be awarded in the raffle;
 - 3. The date or dates, time or times, and location or locations on or at which winning chances will be determined.

However, when raffle chances are sold, conveyed, issued or otherwise transferred only at the time and location at which winning chances will be determined and only to persons then in attendance, the face of the raffle chance need not contain this information.

- G. No cash prize in excess of one million dollars (\$1,000,000.00) may be awarded.
- H. The maximum price which may be charged for each raffle chance issued or sold shall not exceed One Hundred Dollars (\$100.00).
- I. The maximum number of days during which chances may be issued or sold shall not exceed Three Hundred Sixty Five (365) days.
- J. No real property, including land and any buildings thereon, may be the prize in a raffle unless the organization holding the raffle license owns fee simple title as to the entire subject real property.
- K. 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.
No chance shall be sold, offered for sale, conveyed, issued or otherwise transferred for value to or by any person under the age of eighteen (18) years without the permission of his parent or guardian. (Ord. 636 § 1 (part), 1987: prior code § 22-3-1)”

Section 5. Section 5.36.090 of the City Municipal Code shall be amended to read as follows:

“Section 5.36.090 Raffles manager--Bonds.

- A. All operation of and the conduct of raffles shall be under the supervision of a single raffles manager designated by the organization.
- B. The raffles manager shall give a fidelity bond in the sum of Zero Dollars (\$0.00) in favor of the organization conditioned upon his or her honesty in the performance of his duties. The organization may require a fidelity bond in an amount greater than the aforementioned amount.”

Section 6. This Ordinance shall be in full force and effect immediately upon passage as provided by law.

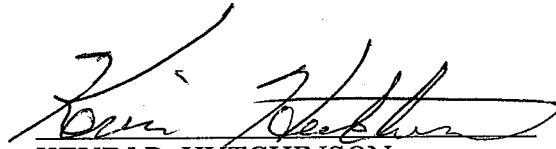
YEAS: Aldermen Ebersohl, Agne, Niemietz, Roessler, Huch, Reis, Holtkamp and Martens.

NAYS: None.

ABSTENTIONS: None.

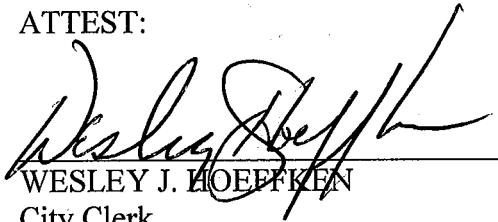
ABSENT: None.

PASSED by the City Council and APPROVED by the Mayor this 18th day of December, 2017.



KEVIN B. HUTCHINSON
Mayor
City of Columbia

ATTEST:



WESLEY J. HOEFTKEN
City Clerk
City of Columbia