

LICENCE

Chapter 832 BINGO - LOTTERY - RAFFLE

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**Article 1
INTERPRETATION**

832.1.1 Charitable object or purpose - defined

“Charitable object or purpose” means any object or purpose for:

- (a) the relief of poverty;
- (b) education;
- (c) the advancement of religion; or
- (d) any purpose beneficial to the community.

832.1.2 Charitable organization - defined

“Charitable organization” means an organization which performs services or public good or welfare without profit and includes organizations which meet the definition in the *Charities Account Act* in the following classifications. By-law 13-01, 29 January, 2001.

- (a) the relief of poverty;
- (b) the advancement of education;
- (c) the advancement of religion;
- (d) other charitable purposes beneficial to the community not falling under clauses (a), (b) or (c).

832.1.3 Clerk - defined

“Clerk” means the Clerk of The Corporation of the Town of Richmond Hill.

832.1.4 Deputy Clerk - defined

“Deputy Clerk” means the Deputy Clerk of The Corporation of the Town of Richmond Hill.

832.1.5 Minister - defined

“Minister” means the Minister of Consumer and Commercial Relations.

832.1.6 Lottery Licensing Officer - defined

“Lottery Licensing Officer” means an individual appointed by the Clerk for the purpose of issuing lottery licences and shall include the Clerk and Deputy Clerk. By-law 145-08, 14 July, 2008.

Article 2**GENERAL PROVISIONS****832.2.1 Operation - without licence - prohibited**

No lottery scheme shall be held within the municipality without a licence.

832.2.2 Criminal Code - Gaming Services Act, 1992 - compliance

The licensee shall comply with the Criminal Code of Canada and the *Gaming Services Act, 1992* and regulations.

832.2.3 Terms - conditions - in application - compliance

The licensee shall comply with all terms and conditions set in the application for licence.

832.2.3.1 Licence - issue - authority delegated

The authority of Council to issue licences for the following events is delegated to the Town’s Lottery Licensing Officers:

- (a) bingo events with prize boards \$5,500 and under;
- (b) media bingo events \$5,500 and under;
- (c) merchandise bingo events \$5,500 and under;
- (d) raffle lotteries where prizes are \$50,000 and under;
- (e) all break-open ticket lotteries not licensed by the province;
and
- (f) bazaars.

832.2.3.2 Municipal approval - authority - delegated

The authority of Council to provide municipal approval before the following provincial licences are issued is delegated to the Town's Lottery Licensing Officers:

- (a) bingo events with prize boards over \$5,500;
- (b) super jackpot bingos;
- (c) raffles over \$50,000;
- (d) lotteries held in conjunction with another gaming event licensed by the province;
- (e) all monte-carlo events; and
- (f) all lottery schemes at a fair, exhibition or public place of amusement.

832.2.4 Licence - issue - conditions

Where it is deemed expedient in the best interests of the inhabitants of the municipality, a licence authorizing any charitable organization to conduct and manage a lottery scheme may be issued if the proceeds from the lottery scheme are used for a charitable object or purpose in Ontario.

832.2.5 Licence - refused - bingo - maximum prize value

Despite the provisions of Section 832.2.4, a licence shall not be issued to a charitable organization where the total value of all prizes awarded in the operation of a single occasion lottery scheme exceeds the maximum prize value permitted by Order in Council 2688/93.

832.2.6 Gross receipts - requirements

The gross receipts derived from the management and conduct of any lottery scheme shall be used for the charitable object or purpose as set out by the licensee in the application for licence, less the cost of the prizes awarded and necessary administrative expenses actually incurred in the management and conduct of the lottery scheme, provided:

- (a) the amount expended, exclusive of prizes awarded, in the conduct and management of the lottery scheme shall not exceed that amount which is specified in the terms and conditions for each type of lottery scheme set out by the Gaming Control Commission of Ontario.

832.2.7 Pyramiding - prohibited

Despite the provisions of Section 832.2.4, a licence shall not be issued to a charitable or religious organization where pyramiding of games is to be permitted.

832.2.8 Razzle dazzle - dice - other - prohibited

Despite the provisions of Section 832.2.4, a licence shall not be issued to a charitable or religious organization where games of a type or kind known as razzle dazzle, roll down, three-card monte, punch board, coin table or any dice games or a swinger game are to be operated.

832.2.9 Event location - Town-owned facilities

Where an event is to be conducted on Town-owned facilities, the application shall be accompanied by the following additional documentation:

- (a) written confirmation that the premises have been rented; and
- (b) a copy of the permit indicating that the premises are being used for the purpose of a lottery fund raising event and that the sale of tickets shall be restricted to the area permitted by the Parks, Recreation and Culture Department.

Article 3 LICENCE

832.3.1 Form - prescribed by Minister

The form or licence shall be in the form prescribed by the Minister, Gaming Control Commission for the Province of Ontario and in accordance with such regulations as the Minister may issue from time to time.

832.3.2 Applications - to Lottery Licensing Officer - form

All applications shall be received by the Lottery Licensing Officer of the municipality or such other official as he or she may designate from time to time and shall be in the form prescribed by the Minister and/or the Gaming Control Commission.

832.3.3 Inspection - at all times - unencumbered - permitted

The Municipal Law Enforcement Officer, all peace officers for the municipality and any other official appointed by the municipality shall at all reasonable times have direct and unencumbered access to enquire into the nature, management and conduct of the proceedings for which the licence has been granted, either prior to, during, or after the conclusion of such proceedings.

832.3.4 Report - written - required - within thirty days

The licensee shall submit to the licensing authority, not later than the number of days permitted by the terms and conditions for the type of licence issued after the holding of each licensed lottery, a written report showing:

- (a) the total gross receipts derived from the lottery;
- (b) the total cost of all prizes actually awarded;
- (c) an itemized list of the administrative costs actually incurred in the management and conduct of the lottery; and
- (d) the total cash proceeds donated for charitable or religious purposes as set forth in the application of the licensee and the name and address of the payee.

832.3.5 Operation - only as licensed

The licensee shall conduct or allow to be conducted only the type of game or games provided in the application and the licence.

832.3.6 Licence - produced - on demand

The licensee shall produce the licence upon demand.

**Article 4
FEE**

832.4.1 Set out

The fees for the said licences shall be as follows:

| Licence Type | Fee |
|---------------------|---|
| Bingo | 3% of prize value with a minimum of \$10.00 |
| Raffle | 3% of prize value with a minimum of \$10.00 |
| Nevada Lottery | Junior \$ 8.52 per box |
| Regular | \$18.00 per box |
| Super | \$24.00 per box |

832.4.2 Administrative fees - set out

Commencing September 1, 1996, the administrative fees will be:

| Licence Type | Fee |
|--|---------------------|
| (a) provincial licences requiring municipal approval application fee | \$50 non-refundable |
| (b) amendments to municipal licences of \$50 or over | \$25 per amendment |
| (c) refunds to municipal licences (licences under \$25 are non-refundable) | \$25 per refund |

**Article 5
TRANSITION**

832.5.1 No grandfathering

The provisions of this Chapter shall not operate as, nor be construed so as to confer on any existing business, owner or operator an exemption from the requirement to obtain a licence in accordance with the provisions of this Chapter.

832.5.2 Transition

A licence issued under the applicable by-law in effect immediately prior to the enactment of this Chapter shall remain in effect following the enactment of this Chapter, only until the earlier of its expiry or its revocation.

**Article 6
REPEAL**

832.6.1 By-law - previous

By-laws 24-71, 227-93 and 168-96 are hereby repealed. By-law 13-01, 29 January, 2001.