

VILLAGE PRESIDENT
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VILLAGE CLERK
Jerry Menard

VILLAGE TRUSTEES
Ray Matchett, Jr.
Lisa Meehling
Mike Blaies
Tom Carpenter
Dana Miller
Robert Kaiser

VILLAGE TREASURER
Bryan A. Vogel

VILLAGE OF FREEBURG

FREEBURG MUNICIPAL CENTER
14 SOUTHGATE CENTER, FREEBURG, IL 62243
PHONE: (618) 539-5545 • FAX: (618) 539-5590
Web Site: www.freeburg.com

VILLAGE ADMINISTRATOR
Matt Trout

PUBLIC WORKS DIRECTOR
John Tolan

POLICE CHIEF
Michael J. Schutzenhofer

ESDA COORDINATOR
Eugene Kramer

VILLAGE ENGINEER
Tim Pruett, P.E.

VILLAGE ATTORNEY
Weilmuenster Keck Brown, P.C.

RAFFLE LICENSE APPLICATION

FEE DUE ON APPROVAL - \$2.00

1. Name of organization: _____
2. Mailing address: _____
City: _____ State: _____ Zip: _____
3. Date incorporated or first organized: _____
4. Classification of organization: Religious _____ Charitable _____
Labor _____ Business _____ Educational _____ Veterans _____ Other _____
5. Presiding Officer: _____
Address: _____
City: _____ State _____ Zip _____
Phone: _____
6. Secretary: _____
Address: _____
City: _____ State _____ Zip _____
Phone: _____
7. Raffle Manager: _____
Address: _____
City: _____ State _____ Zip _____
Phone: _____

In the entire five (5) year period preceding this application, has the organization named above maintained a bona fide membership engaged in carrying out the organization's objectives? () Yes () No

IF AN INDIVIDUAL, have you ever been

Convicted of a felony? () Yes () No

A professional gambler or gambling promoter? () Yes () No

Determined to Not be of good moral character? () Yes () No

IF A FIRM OR CORPORATION, has anyone with a proprietary, equitable or credit interest in your firm or corporation, OR anyone active in or employed by your firm or corporation, ever been

Convicted of felony? () Yes () No

A professional gambler or gambling promoter? () Yes () No

Determined to Not be of good moral character? () Yes () No

IF AN ORGANIZATION, has anyone who is an officer, director or employee, whether compensated or not, OR anyone who is to participate in the management or operation of this raffle ever been.

Convicted of a felony? () Yes () No

A professional gambler or gambling promoter? () Yes () No

Determined to Not be of good moral character? () Yes () No

Date of this application: _____

Date, time and location of raffle drawing: _____

Purpose for which proceeds will be used: _____

Total value of prizes/merchandise to be awarded: _____

Single value of most costly prize: _____

Cost of a single chance: _____

Location(s) in Village of Freeburg at which chances will be sold or issued _____

Last date on which applicant applied for license _____

Village President

Date

WE, THE UNDERSIGNED, DO HEREBY ATTEST TO THE FOLLOWING:

That we are the Presiding Officer and Secretary of the organization named herein, possessing full authority to submit this application; and

That the organization named herein is classified by the State of Illinois as not-for-profit, that documentation of such has been submitted and is on file with the Village of Freeburg, and that said documentation is current and accurate; and

That the Organization named herein has been in existence for at least five (5) years, that documentation of incorporation or initial organization has been submitted and is on file with the Village of Freeburg, and that said documentation is current and accurate; and

That a copy of Fidelity Bond in the sum of \$1,000.00 has been obtained by the Raffle Manager named herein, in favor of the Organization that said Bond has been submitted to the Village of Freeburg and is on file with the Village of Freeburg, and that said Bond is current and accurate; and

That the Organization named herein shall maintain records of each raffle as specified by Chapter 7, Article VIII, RAFFLES of the Municipal Code of Ordinances of the Village of Freeburg and that all required reports shall be submitted to the Village at 14 Southgate Center, Freeburg, Illinois, by the first day of each month; and

That we have read, understand and will abide by the provisions of Chapter 7, ARTICLE VIII, RAFFLES, of the Municipal Code of Ordinances of the Village of Freeburg, Illinois; and that the information contained in this application is true and correct to the best of our knowledge.

Signature of Presiding Officer

Date

Signature of Secretary

Date

OFFICE USE ONLY

License # _____ Date Paid _____

Date Issued _____



Celebrate Remember Fight Back

Village of Freeburg
14 Southgate Center
Freeburg, IL 62243

February 17, 2010

Dear Sirs:

I have filed a Raffle License Application with the Village of Freeburg to allow the Relay for Life Freeburg Teams to conduct raffles for the 2010 American Cancer Society Relay for Life of St. Clair County - East Freeburg. I am hereby requesting a waiver of the \$1000 Fidelity Bond required by the application.

I appreciate your consideration in this matter.

Yours truly,

Donna Arras
Event Chair, Relay for Life of St. Clair County - East/Freeburg

machines enumerated in this Chapter under tournament, league, or any other individual or competitive play unless authorized by the Video Gaming Act as adopted by the Village in Ord. No. 1426.

ARTICLE VI. RAFFLES AND POKER RUNS

7-6-1. DEFINITIONS.

The following words, terms and phrases, when used in this Chapter, shall have the meanings ascribed to them in this Section, except where the context clearly indicates a different meaning:

Business means a voluntary organization composed of individuals and businesses who have joined together to advance the commercial, financial, industrial and civic interests of a community.

Charitable organization means 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.

Educational organization means 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.

Fraternal organization means an organization of persons having a common interest, the primary interest of which is to both promote the welfare of its members and to provide assistance to the general public in such a way as to lessen the burdens of government by caring for those that otherwise would be cared for by the government.

Hardship means a non-profit fundraising organization that has not been in existence continuously for a period of five years immediately before making application for a license that the County determines to be organized for the sole purpose of providing financial assistance to an identified individual or group of individuals suffering extreme financial hardship as the result of an illness, disability, accident, or disaster.

Key location means the location where the poker run concludes and the prize or prizes are awarded.

Labor organization means an organization composed of workers organized with the objective of betterment of the conditions of those engaged in such pursuit and the development of a higher degree of efficiency in their respective occupations.

Licensee means an organization which has been issued a license to operate a raffle.

Net proceeds means the gross receipts from the conduct of raffles, less reasonable sums expended for prizes, local license fees and other reasonable operating expenses incurred as a result of operating a raffle or poker run.

Non-profit means an organization or institution organized and conducted on a not-for-profit basis with no personal profit inuring to any one as a result of the operation.

Poker run means an event organized by an organization licensed under this Chapter in which participants travel to multiple predetermined locations, including a key location, drawing a playing card or equivalent item at each location, in order to assemble a facsimile of a poker hand or other numeric score. "Poker run" includes dice runs, marble runs, or other events where the objective is to build the best hand or highest score by obtaining an item at each location.

Raffle means a form of lottery, as defined in 720 ILCS 5/28-2, conducted by an organization licensed under this Act, in which:

- (1) The player pays or agrees to pay something of value for a chance, represented and differentiated by as number or by a combination of numbers or by some other medium, one or more of which chances is to be designated 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 exhibited sporting contest.

State law reference—230 ILCS § 15/1.

Religious organization means any church, congregation, society, or organization founded for the purpose of religious worship.

Veterans' organization means 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.

7-6-2. REQUIREMENT OF LICENSE.

(A) It shall be unlawful for any person, firm, business, corporation, organization or other entity to conduct or operate a raffle, or to sell, offer for sale, convey, issue, or otherwise transfer for value a chance on a raffle without having first obtained a license therefore pursuant to this Article and the "Raffles and Poker Runs Act."

(B) It shall be unlawful for any person, firm, business, corporation, organization or other entity to conduct or operate a poker run without having first obtained a license therefore pursuant to this Article and the "Raffles and Poker Runs Act."

7-6-3. APPLICATION FOR A LICENSE FOR A RAFFLE.

(A) Any person, firm, business, corporation, organization or other entity seeking to conduct or operate a raffle shall file an application therefore with the Village Clerk on the forms provided by the Village Clerk.

(B) Applications for licenses under this Article must contain the following information:

- (1) The name and address of the applicant organization;
- (2) The type of organization that is conducting the raffle, i.e., religious, charitable, labor, fraternal, educational, veterans or other;
- (3) The length of existence of the organization and, if incorporated, the date and state of incorporation;
- (4) The name, address, telephone number, and date of birth of the organization's presiding officer, secretary, raffles manager and any other members responsible for the conduct and operation of the raffle;
- (5) The area in which raffle chances will be sold or issued;
- (6) The time period during which raffle chances will be sold or issued;
- (7) The date, time, and name and address of the location or locations at which winning chances will be determined;
- (8) 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; and
- (9) 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.
- (10) The aggregate retail value of all prizes or merchandise awarded by a licensee in a single raffle shall not exceed \$400,000.00.
 - (a) Once the prize amount reaches \$100,000.00 the organization is required to pay for one Village of Freeburg Police Officer, at the rate of \$50.00 an hour and a minimum of four hours, for the event.
 - (b) Once the prize amount reaches \$200,000.00 the organization is required to pay for two Village of Freeburg Police Officers, at the rate of \$50.00 an hour per officer and a minimum of four hours, for the event.
 - (c) Once the prize amount reaches \$300,000.00 the organization is required to pay for three Village of Freeburg Police Officers, at the rate of \$50.00 an hour per officer and a minimum of four hours, for the event.

- (d) Once the prize limit reaches \$400,000.00 the organization is required to pay for four Village of Freeburg Police Officer, at the rate of \$50.00 an hour per officer and a minimum of four hours, for the event.
 - (11) The maximum retail value of each prize awarded by a licensee in a single raffle shall not exceed \$400,000.00.
 - (12) The maximum price which may be charged for each raffle chance issued or sold shall not exceed \$25.00.
 - (13) The maximum number of weeks during which chances may be issued or sold shall not exceed 54 weeks.
- (C) An application for a license to conduct or operate a raffle shall be accompanied by a non-refundable filing fee. Such fee shall be paid by cash, credit card or cashier's check. The Village Clerk shall refer the application to the Mayor.
- (Ord. No. 1668, 10-15-18)

7-6-4. APPLICATION FOR A LICENSE FOR A POKER RUN.

(A) Any person, firm, business, corporation, organization or other entity seeking to conduct or operate a poker run shall file an application therefore with the Village Clerk on the forms provided by the Village Clerk.

- (B) Applications for licenses under this Article must contain the following information:
- (1) The name and address of the applicant organization;
 - (2) The type of organization that is conducting the raffle or poker run, i.e., religious, charitable, labor, fraternal, educational, veterans or other;
 - (3) The length of existence of the organization and, if incorporated, the date and state of incorporation;
 - (4) The name, address, telephone number, and date of birth of the organization's presiding officer, secretary, and any other members responsible for the conduct and operation of the raffle or poker run;
 - (5) The name, address, and telephone number of all locations at which the poker run will be conducted;
 - (6) The time period during which the poker run will be conducted;
 - (7) The time of determination of winning chances and the location or locations at which the winning chances will be determined;
 - (8) 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; and

- (9) 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.

(C) An application for a license to conduct or operate a poker run shall be accompanied by a non-refundable \$25.00 filing fee. Such fee shall be paid by cash, cashier's check, or credit card. The Village Clerk or the Office Manager shall refer the application to the Mayor. The fee may be waived by the Mayor.

7-6-5. LICENSEE QUALIFICATIONS.

(A) Raffle licenses and poker run licenses shall be issued only to bona fide religious, charitable, labor, business, fraternal, educational or veterans' organizations 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 bona fide membership engaged in carrying out their objects, or to a non-profit fundraising organization that the Mayor determines is organized for the sole purpose of providing financial assistance to an identified individual or group of individuals

suffering extreme financial hardship as the result of an illness, disability, accident or disaster. The Mayor may waive the five year requirement under this Section for a bona fide religious, charitable, labor, business, fraternal, educational, or veterans' organization that applies for a license to conduct a raffle or poker run if the organization is a local organization that is affiliated with and chartered by a national or state organization that meets the five year requirement. The following are ineligible for any raffle or poker run license:

- (1) Any person who has been convicted of a felony;
- (2) Any person who is or has been a professional gambler or gambling promoter;
- (3) Any person who is not of good moral character;
- (4) Any organization in which a person defined in subsection (1), (2) or (3) of this Section has a proprietary, equitable, or credit interest or in which such person is active or employed;
- (5) Any organization in which a person defined in subsection (1), (2) or (3) of this Section is an officer, director, or employee, whether compensated or not; and
- (6) Any organization in which a person defined in subsection (1), (2) or (3) of this Section is to participate in the management or operation of a poker run as defined in this Section.

7-6-6. LICENSE ISSUANCE.

(A) The Mayor shall review all raffle license applications and all poker run license applications. The Mayor shall, within 30 days from the date of application, accept or reject a raffle or poker run license application. If an application is accepted, the Mayor shall forthwith issue a raffle or poker run license to the applicant.

(B) A raffle license or poker run license shall specify:

- (1) The area or areas within the County in which raffle chances will be sold or issued or a poker run will be conducted;
- (2) The time period during which raffle chances will be sold or issued or a poker run will be conducted; and
- (3) The time of determination of winning chances and the location or locations at which the winning chances will be determined.

(C) Any license issued under this Article shall be non-transferable.

(D) A license shall be valid for one raffle event or one poker run only, unless the Mayor specifically authorized a specified number of raffles or poker runs to be conducted during a specified period not to exceed one year.

(E) A raffle license or poker run license may be suspended or revoked for any misrepresentation on the application, any violation of this Article or State law, or when such raffle or poker run or portion thereof is conducted so as to constitute a public nuisance or to disturb the peace, health, safety or welfare.

(F) Prominent Display of License.

- (1) A raffle license shall be prominently displayed at the time and location of the determination of the winning chances.
- (2) A poker run license shall be prominently displayed at each location at which the poker run is conducted or operated.

(G) Miscellaneous Provision for Poker Run License. Any poker run license issued shall cover the entire poker run, including locations other than the key location. Each license issued shall include the name and address of each location at which the poker run will be conducted.

7-6-7. CONDUCT OF RAFFLES AND POKER RUNS.

(A) The operation and conduct of raffles and poker runs are subject to the following restrictions:

- (1) The entire net proceeds of any raffle or poker run must be exclusively devoted to the lawful purposes of the organization permitted to conduct that game.
- (2) No person except a bona fide member of the sponsoring organization may participate in the management or operation of the raffle or poker run.
- (3) No person may receive any remuneration or profit for participating in the management or operation of the raffle or poker run.
- (4) 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 Article. A premises where a poker run is held is not required to obtain a license if the name and location of the premises is listed as a predetermined location on the license issued for the poker run and the premises does not charge for use of the premises.
- (5) Raffle chances may be sold or issued only within the area specified on the raffle license and winning chances may be determined only at those locations specified on the license for a raffle. A playing card or equivalent item may be drawn only within the area specified on the poker run license and winning hands or scores may be determined only at those locations specified on said license.
- (6) A person under the age of 18 years may participate in the conducting of raffles or chances or poker runs only with the permission of a parent or guardian. A person

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under the age of 18 years may be within the area where winning chances in a raffle or winning hands or scores in a poker run are being determined only when accompanied by his parent or guardian.

(B) If a lessor rents premises where a winning chance on a raffle or a winning hand or score in a poker run is determined, the lessor shall not be criminally liable if the person who uses the premises for the determining of winning chances does not hold a license issued by the Village.

7-6-8. MANAGER—BOND.

(A) All operations of and conduct of raffles and poker runs shall be under the supervision of a single poker run manager designated by the organization. The manager or operator of the raffle or poker run must be a bona fide member of the organization holding the license for such a raffle or poker run and may not receive any remuneration or profit for participating in the management or operation of the raffle or poker run.

(B) The manager shall give a fidelity bond in the sum of \$1,000.00 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 not less than 30 days prior to its cancellation.

(C) The Mayor is authorized to waive this bond requirement by including a waiver provision in the license issued to an organization under this Article provided that a license containing such waiver provision shall be granted only by unanimous vote of the members of the licensed organization.

7-6-9. RECORDS.

(A) Each organization licensed to conduct raffles and chances or poker runs shall keep records of its gross receipts, expenses and net proceeds for each single gathering or occasion at which winning chances in a raffle or winning hands or scores in a poker run are determined. All deductions from the 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) Gross receipts from the operation of raffles or poker runs shall be segregated from other revenues of the organization, including bingo gross receipts, if bingo games are also conducted by the same non-profit organization pursuant to license therefor issued by the Department of Revenue of the State of Illinois, and placed in a separate account. Each organization shall have separate records of its raffles or poker runs. The person who

accounts for the gross receipts, expenses, and net proceeds from the operation of raffles or poker runs shall not be the same person who accounts for other revenues of the organization.

(C) Each organization licensed to conduct raffles or poker runs shall report monthly to its membership, and to the Village Clerk, its gross receipts, expenses and net proceeds from raffles or poker runs, and the distribution of net proceeds itemized as required by this Section.

(D) Records required by this Section shall be preserved for three years, and the organization shall make available their records relating to operation of poker runs for public inspection at reasonable times and places.

(E) The Village shall maintain the records required by this Section in compliance with the "Raffles and Poker Runs Act" and the Local Records Act, 50 ILCS 205/1 et seq.

7-6-10. LIMITED CONSTRUCTION.

Nothing in this Article shall be construed to authorize the conducting or operating of any gambling scheme, enterprise, activity, or device other than raffles or poker runs as provided for herein.