

BY-LAW NUMBER 40 (1970)

THE CORPORATION OF THE TOWN OF PELHAM

BEING A BY-LAW TO PROVIDE FOR THE  
LICENSING OF CHARITY, OR RELIGIOUS  
ORGANIZATIONS TO CONDUCT BINGO  
LOTTERIES, RAFFLE LOTTERIES, OR  
LOTTERY SCHEMES HELD AT BAZAARS,  
WITHIN THE TOWN OF PELHAM.

WHEREAS, his Honour the Lieutenant-Governor of Ontario, under authority of Section 179A of the Criminal Code has, by order-in-council No. 274/70, named municipal councils as agents to issue licenses authorizing any charitable or religious organization to conduct and manage a bingo lottery, a raffle lottery, or a lottery scheme held at a bazaar in accordance with the requirements contained in such order-in-council:

AND WHEREAS, the said order-in-council further provides that a municipal council may set and charge fees for the issuing of licenses, provided the fees charged do not exceed such limits as may be prescribed by the Minister of Financial and Commercial Affairs:

AND WHEREAS the said Municipal Act provides that the councils of all municipalities may pass by-laws to appoint such officers and servants as may be necessary for the purpose of the Corporation:

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF PELHAM ENACTS AS FOLLOWS:

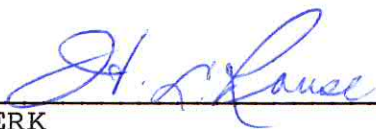
1. That those persons who, from time to time, hold the offices of Town Clerk, and Deputy Town Clerk, are hereby appointed as lottery licensing officers for the Town of Pelham.


2. That each such lottery licensing officer shall hold office during the pleasure of the Council and shall exercise all the authority, powers and rights and shall perform all the duties and obligations which, by statute or by-laws, are or may be conferred or imposed upon the lottery licensing officer any other duties that may be imposed by council.

3. That the fees applicable to the issue of licenses as above recited, shall be as set out in Schedule "B" attached to and forming part of this by-law

4. That all the terms and conditions as required by the Department of Financial and Commercial Affairs, Province of Ontario as enumerated in Schedule "A" attached to and forming part of this by-law, be incorporated as requisite to issuance of any lottery license.

READ A FIRST, SECOND AND THIRD TIME THIS 27th DAY  
OF APRIL, 1970.

  
Dep. CLERK

  
MAYOR

T O W N    O F    P E L H A M

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SCHEDULE "A"

TERMS AND CONDITIONS UNDER WHICH THE LOTTERY LICENCE IS ISSUED

It is a condition of each licence that:

- (a) the licensee shall comply with sections 179 and 179A of the Criminal Code of Canada;
- (b) the licensee shall comply with all the terms and provisions set out in the application for licence;
- (c) the licensee shall maintain all funds raised in a separate account and shall maintain such records for such period of time as may be prescribed by the Minister;
- (d) the gross receipts derived from the lottery shall be used for the charitable or religious object or purpose as set out by the licensee in the application for licence, less the cost of the prizes awarded and such reasonable and necessary administrative expenses actually incurred in the management and conduct of the lottery, provided the expenses do not exceed such limits as may be prescribed by the Minister;
- (e) such officers as the municipal council or the Minister may appoint, and all Peace Officers 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;
- (f) the licensee shall conduct or allow to be conducted only the type of game or games provided in the application and the licence;
- (g) the licensee shall produce the licence upon demand;
- (h) the licensee shall submit to the licencing authority, not later than 30 days after the holding of each licenced lottery, a written report showing,
  - (i) the total gross receipts deriving from the lottery,
  - (ii) the total value of all prizes actually awarded,
  - (iii) an itemized listing of the administrative costs actually incurred in the management and conduct of such lottery,
  - (iv) the total of 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.



Each raffle lottery shall also be subject to the following additional terms and conditions:

- (a) each individual raffle lottery must have a licence;
- (b) the winner or winners shall be determined and publicized in the manner set out in the application;
- (c) the charitable or religious organization managing and conducting the licenced raffle shall,
  - (i) indicate on the face of the tickets the name and address of the organization, the location, the date, the time at which the draw is to be held, the number and nature of the prizes to be awarded, the number of the ticket, and the name of the printer,
- q (ii) provide for the consecutive numbering of tickets,
- (iii) retain all unsold tickets and counterfoils of sold tickets for a period of not less than 90 days from the date of the draw, and produce them to a Peace Officer or such other person as the municipal council or the Minister may appoint,
- (iv) indicate in its application the number of tickets to be printed for sale.

NOTE:

A licensee shall not:

- (a) use the services of a person or organization to conduct and manage the lottery on its behalf, for a fee or other valuable consideration;
- (b) permit the pyramiding of games;
- (c) permit games of a type or kind known as razzle dazzle, roll down, three card monte, punch board, coin table, or any dice games;
- (d) in the case of a licenced lottery type scheme at a bazaar, offer any prize having a value in excess of \$100 or charge in excess of fifty (50) cents for a chance to secure a prize.

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SCHEDULE "B"

BINGO LOTTERIES

(a) for a single occasion

<u>Sum Value of Prizes</u>	<u>License Fee</u>
\$500.00 or less	2.00
\$500.00 to \$1,000.00	10.00
\$1,001.00 to \$2,000.00	15.00
\$2,001.00 to \$3,500.00	20.00

(b) for a series of occasions

The same schedule as enumerated in Section "A" times the number of occasions; but in no case shall the fee exceed \$100.00

RAFFLE LOTTERIES

<u>Sum Value of Prizes</u>	<u>License Fee</u>
\$500.00 or less	2.00
\$500.00 to \$1,000.00	10.00
\$1,001.00 to \$2,000.00	15.00
\$2,001.00 to \$3,500.00	20.00

BAZAAR LOTTERIES

<u>Sum Value of Prizes</u>	<u>License Fee</u>
For each separate operation	5.00