

CHAPTER 6
RAFFLES

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3-6-1 TITLE

This Chapter shall be known, cited, and referred to as the “Hebron Raffle Chapter”.

3-6-2 PURPOSE

The purpose of this Chapter is to regulate and control the conduct of raffles within the borders of the Village. Nothing in this Chapter shall be construed to authorize the conducting or operating of any gambling scheme, enterprise, activity, or device other than raffles as provided for herein.

3-6-3 DEFINITIONS

For the purpose of this Chapter, the words and phrases listed hereunder have the meanings designated herein, except when a particular context clearly requires a different meaning:

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| Business Organization | A voluntary organization composed of individuals and business who have joined together to advance the commercial, financial, industrial and civic interests of the community. |
| Educational Organization | An organization or institution organized and operated to provide systemic 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 | 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 who otherwise would be cared for by the government. |
| Labor Organization | An organization composed of workers organized with the objective |

of betterment of the conditions of those engaged in such pursuit in the development of a higher degree of efficiency in their respective occupations.

Licensee	An organization which has been issued a license to operate a raffle.
Net Proceeds	The gross receipts from the conduct of raffles, less sums expended for prizes, local license fees and other reasonable operating expenses incurred as a result of operating a raffle.
Nonprofit	Organized, operated, and conducted on a not-for-profit basis with no personal profit inuring to anyone as a result of such operation.
On-Going Raffle	A raffle in which there is one sale of chances before an initial drawing date; thereafter, the chances shall be valid at subsequent drawings in the same raffle.
Person	An individual, firm, organization, public or private corporation, government, partnership, or incorporated association.
Raffle	<p>A form of lottery, as defined in section 28-2(b) of the “Criminal Code of 1961” (Illinois Revised Statutes, 1983, Chapter 38, Section 28-2), conducted by an organization licensed under this chapter, in which:</p> <ol style="list-style-type: none">1. The player pays or agrees to pay something of value for a chance represented and differentiated by a number or by a combination of numbers or by some other means, 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.
Religious Organization	Any church, congregation, society or organization founded for the purpose of religious worship.
Veterans’ Organization	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.

3-6-4 LICENSE REQUIREMENTS

It shall be unlawful for any person to conduct or operate a raffle or to sell, offer for sale, convey, issue, or otherwise transfer for value a chance on a raffle within the Village, unless conducted pursuant to a license duly issued by the Village and in accordance with the provisions of this Chapter.

3-6-5 APPLICATION FOR LICENSE

A. Any person seeking to conduct or operate a raffle shall file an application therefor with the Village Clerk on forms provided by the Village Clerk. Said application shall contain the following information:

1. The name, 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, social security number, and date of birth of the organization's presiding officer, secretary, raffle's 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 that organization.

B. A fee shall be charged by the Village and paid to the Village Clerk at the time of application for a raffle license, according to the following schedule:

<u>AGGREGATE RETAIL VALUE OF PRIZES</u>	<u>FEE</u>
Less than \$500	\$ 5.00
\$500 or more, but less than \$1,000	\$15.00
\$1,000 or more, but less than \$10,000	\$25.00

In case of an on-going raffle, a licensee need not apply for a new license for each drawing and pay a fee therefor. Said licensee may instead request the Village President to renew said raffle license for a period of time equal to the initial license, and pay a fee of five dollars (\$5.00) for each renewal.

Said application fees are non-refundable even should the application be rejected by the Village President.

3-6-6 LICENSEE QUALIFICATIONS

Raffle licenses shall be issued only to bona fide business, charitable, educational, fraternal, labor, religious, and veterans' organizations that operate without profit to their members and which have been in existence continuously for a period of five (5) years or more 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 objects. 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 who is not of good moral character;
- D. Any firm or corporation in which a person defined in subsections A, B or C hereof, has a proprietary, equitable or credit interest, or in which a person is active or employed;
- E. 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 as defined in this Chapter.

3-6-7 LICENSE ISSUANCE

- A. The Village President shall review all raffle license applications. The Board of Trustees shall, within thirty (30) days from the date of application, accept or reject a raffle license application. If an application is accepted, the Village President shall forthwith issue a raffle license to the applicant. A raffle license shall be valid for a period of thirty (30) days from and after its issuance unless the Village President has specifically authorized a license for a longer period of time, but not for more than ninety (90) days, except for on-going raffles as defined in subsection (B) herein.
- 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. Said license shall be prominently displayed at the time and location of the determination of the winning chances.
- D. A license will be valid for one raffle only; however, multiple licenses may be issued for multiple raffles to a licensee.

3-6-8 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 Village and winning chances may be determined only at those locations specified on the license;
- F. Each raffle chance shall have printed hereon the following:
1. The cost of said charge;
 2. The aggregate retail value of all prizes to be awarded in said raffle;
 3. The maximum number of raffle chances to be issued;
 4. The date (s), time(s), and location(s) 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 such information.

- G. No cash prize in excess of ten thousand dollars (\$10,000.00) may be awarded.

- H. 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 so as to the entire subject real property;
- I. 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.

3-6-9 RECORDS

- A. Each licensee shall keep records of its gross receipts, expenses, and net proceeds for each single gathering or occasion at which winning chances are to be 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. Gross receipts from the operation of raffle programs shall be segregated from other revenues of the license, 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 licensee shall have separate records of its raffles. The person who accounts for gross receipts, expenses, and net proceeds from the operation of raffles shall not be the same person who accounts for other revenues of the organization.
- C. Each licensee shall report within thirty (30) days after the conclusion of each raffle to its membership, and to the Village President, its gross receipts, expenses, and net proceeds for raffles, and the distribution of net proceeds itemized as required herein.
- D. Records required herein shall be preserved for three years, and licensees shall make available their records relating to operation of raffles for public inspection at reasonable times and places.

3-6-10 ENFORCEMENT

- A. Penalties: Anyone convicted of violating this Chapter shall be punished by a fine not to exceed five hundred dollars (\$500.00). Each day the violation continues shall constitute a separate offense. Each member of the sponsoring organization shall be jointly and severally liable with the organization and with each other for any violation.
- B. Abatement: The imposition of the penalties herein prescribed shall not preclude the Village from instituting appropriate action to prevent unlawful raffles or to restrain, enjoin, correct, or abate a violation of this Chapter or of the conditions of a raffle license issued pursuant hereto. (*Ord. 397 1/2, 12-3-84, eff. 1-1-85*)