

## AN ORDINANCE REGULATING RAFFLES

**WHEREAS**, Illinois law, specifically 230 ILCS 15/0.01, et seq., authorizes the governing body of any county within the State of Illinois to establish a system for the licensing, operation and regulation of raffles in those areas which are within the borders of the county and outside the borders of any municipality; and

**WHEREAS**, the Effingham County Board deems it desirable to establish such a system so as to provide for the uniform operation and regulation of raffles to be conducted by bona fide religious, charitable, labor, business, fraternal, educational or veterans organizations as hereinafter provided.

**NOW, THEREFORE, BE IT, AND THE SAME IS HEREBY ORDAINED** by the Effingham County Board as follows:

### SECTION I: Title.

This Ordinance shall be known as the "Effingham County Raffle Ordinance."

### SECTION II: Purpose.

The purpose of this Ordinance is to provide for the licensing, operation and regulation of raffles conducted by authorized bona fide organizations in areas within Effingham County, Illinois, as authorized by law.

### SECTION III: Definitions.

*Board.* The County Board of Effingham County, Illinois.

*Business.* 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.* An organization or institution organized and operated to benefit an indefinite number of the public. The service rendered to those eligible for benefits must confer benefit upon the public generally.

*Clerk.* The County Clerk of Effingham County, Illinois.

*County.* The County of Effingham, Illinois.

*Educational Organization.* An organization or institution organized and operated to provide instruction by methods common to schools and institutions of learning

which compare in their scope and intensity but are not necessarily limited to the course of study presented in tax supported public schools.

*Fraternal Organization.* An organization of persons having a common interest, the primary interest of which is to both promote welfare of its members and provide assistance to the general public.

*Labor organization.* An organization of workers with the objective of betterment of the conditions in their respective occupations.

*Licensee.* An organization which has been issued a license to operate a raffle as provided under this Chapter.

*Net Proceeds.* Gross receipts from the conduct of raffles, less sums expended for prizes, license fees, and other normal and reasonable operating expenses incurred as a direct result of the raffle.

*Nonprofit.* An organization which is operated and conducted on a not-for-profit basis with no personal profit inuring to the benefit of any one individual as a result of said operation.

*Person.* Individual, firm, organization, public or private corporation, government, partnership or unincorporated association.

*Raffle.* Raffle is defined in 230 ILCS 15/1.

*Religious organization.* A church congregation, society or organization founded for the purpose of religious worship.

*Veterans Organization.* An organization or association comprised of members who are veterans or spouses, widows or widowers of veterans, the primary purpose of which is to promote the welfare of its members and provide assistance to the public.

#### SECTION IV: License Requirements.

It shall be unlawful to conduct or operate a raffle or to sell, offer for sale, convey, issue or otherwise transfer for value a chance on a raffle unless done in accordance with this ordinance.

#### SECTION V: Application.

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

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 (A), (B) or (C) hereof has a proprietary, equitable or credit interest, or in which such a person is active or employed.

(E) Any organization in which a person defined in (A), (B) or (C) hereof is an officer, director or employee, whether compensated or not.

(F) Any organization in which a person defined in (A), (B) or (C) hereof is to participate in the management or operation of a raffle as defined in this Ordinance.

#### Section VII: License Issuance.

The Clerk shall review all raffle license applications and approve or deny the same within thirty (30) days from the date of application. If an application is approved, the Clerk shall issue a raffle license to be valid for the period of time stated in the application, but in no event longer than one (1) year.

The raffle license shall limit the area in which the raffle chances are to be sold or issued to the borders of the County of Effingham and outside borders of any municipality unless otherwise agreed with said municipality and shall show the period of time during which the raffle chances are to be sold or issued. The license shall also show the date, time and location at which the winning chances are to be determined.

The license shall be prominently displayed at the time and location of the determination of the winning chances.

The fee for each license shall be in an amount to be from time to time, determined by the County Board.

The initial fee established by the Board contemporaneously with the passage of this ordinance shall be \$10.00 for the license of a single raffle and \$25.00 for the license of multiple raffles during a one-year period.

#### SECTION VIII: 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 licensee.

(B) No person except a bona fide member of the licensee may participate in the management or operation of the raffle.

(C) No person shall receive remuneration or profit for participating in the management or operation of the raffle.

(D) Raffle chances may be sold, offered for sale or issued only within the area specified in the license and the winning chances may be determined only at the location specified on the license.

(E) 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) may be within the area where winning chances are being determined only when accompanied by his parent or guardian.

#### Section IX: Raffle Manager.

The operation and conduct of a raffle shall be under the supervision of a single raffle manager designated by the licensee. The manager shall give a fidelity bond equal in the amount to the aggregate retail value of all prizes to be awarded in favor of the licensee, conditioned upon his honesty in the performance of his duties. The terms of the bond shall provide that notice shall be given, in writing, to the County not less than thirty (30) days prior to the cancellation of such bond. The Board may waive the bond requirement by including a waiver provision in the license issued to an organization under this Act, provided that a license containing such waiver provisions shall be granted only by unanimous vote of the members of the licensed organization.

#### Section X: Records.

(A) Each licensee shall keep records of its gross receipts and net proceeds for each raffle. The distribution of net proceeds shall be itemized as to payee, purpose, amount and date of payment.

(B) Raffle records shall be preserved for three (3) years and such records will be made available for inspection by Clerk at reasonable times and places.

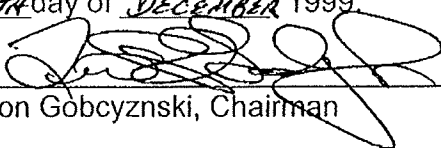
#### Section XI: Enforcement.

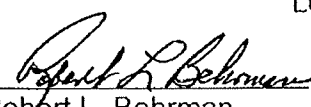
Violation of any provision of this ordinance is a Class C misdemeanor and each day such violation if committed or permitted to continue shall constitute a separate offense and shall be punishable under the provisions of this ordinance.

#### Section XII: Publication.

The County Clerk shall cause this Ordinance to be published once, within ten (10) days after its adoption, in a newspaper of general circulation within Effingham County.

PASSED AND APPROVED this 20TH day of DECEMBER 1999.

  
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Leon Gobczynski, Chairman

ATTEST:   
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Robert L. Behrman  
Clerk and Recorder

**CERTIFICATION**

I, Robert L. Behrman the Clerk and Recorder of the County of Effingham, State of Illinois, do certify that I am the keeper of the books and records of Effingham County and that the foregoing is a true and correct copy of a resolution duly adopted by the Effingham County Board at a special meeting duly convened and held on the 20TH day of DECEMBER 1999.

  
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Robert L. Behrman