

**COPY**

VILLAGE OF LADD, BUREAU COUNTY, ILLINOIS

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**ORDINANCE # 1149**

**AN ORDINANCE ADDING CHAPTER 5.30,  
RAFFLES TO TITLE 5, BUSINESS TAXES, LICENSES  
AND REGULATIONS OF THE MUNICIPAL CODE  
OF THE VILLAGE OF LADD, BUREAU COUNTY, ILLINOIS**

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ADOPTED BY THE BOARD OF TRUSTEES  
OF THE VILLAGE, OF LADD, BUREAU COUNTY, ILLINOIS,  
THIS 27<sup>TH</sup> DAY OF JUNE, 2023.

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Published in pamphlet form by authority of the Board of  
Trustees of the Village of Ladd, Bureau County, Illinois,

this 27<sup>th</sup> day of June, 2023.

ORDINANCE NO. 1149

**AN ORDINANCE ADDING CHAPTER 5.30,  
RAFFLES TO TITLE 5, BUSINESS TAXES, LICENSES  
AND REGULATIONS OF THE MUNICIPAL CODE  
OF THE VILLAGE OF LADD, BUREAU COUNTY, ILLINOIS**

**WHEREAS**, the Raffles and Poker Runs Act (230 ILCS 15/) authorizes the governing body of a municipality to establish a system for the licensing of organizations to operate raffles; and

**WHEREAS**, the Municipal Authorities of the Village of Ladd desire to establish such a system for the licensing of organizations to operate raffles in the Village of Ladd,

**NOW THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LADD, BUREAU COUNTY, ILLINOIS, AS FOLLOWS:**

**SECTION ONE:** A new Chapter 5.30, Raffles, shall be added to Title 5, Business Taxes, Licenses and Regulations, of the Municipal Code of the Village of Ladd, Bureau County, Illinois, and shall read as follows:

**5.30.010 Definitions.**

For the purposes of this chapter the words and phrases listed hereunder shall have the following meanings designated herein, except where a particular context clearly requires a different meaning:

**BUSINESS ORGANIZATION:** A voluntary nonprofit organization composed of individuals and businesses who have joined together to advance the commercial, financial, industrial, and/or civic interests of a community.

**CHARITABLE ORGANIZATION:** A nonprofit organization or institution organized and operated to benefit and indefinite number of the public. The service rendered to those eligible for benefits must also confer some benefit upon the public.

**EDUCATIONAL ORGANIZATION:** A nonprofit 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:** A nonprofit 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:** A nonprofit organization composed of workers organized with the objective of the betterment of the conditions of those engaged in such pursuit and the development of a higher degree of efficiency in their respective professions.

**LICENSEE:** An authorized nonprofit organization which has been issued a license to operate a raffle.

**NONPROFIT:** An entity organized, operated, and conducted on a not-for-profit basis with no personal profit incurring to anyone as a result of said operation.

**PERSON:** An individual, firm, organization, public or private corporation, unit of government, partnership, or unincorporated association.

**RAFFLE:** A form of lottery, as defined in 720 ILCS 5/28-2, conducted by an organization licensed under this chapter in which:

- (A) 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; and
- (B) 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 nonprofit church, congregation, society or organization founded for the purpose of religious worship

**VETERANS' ORGANIZATION:** A nonprofit organization or association comprised of members of which substantially all are individuals who are veterans or their 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.

5.30.020 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 said raffle has been licensed in accordance with this Chapter.

5.30.030 Multiple Raffles.

A license issued under this chapter shall apply for all raffles conducted by the licensee for the calendar year for which the license is issued.

5.30.040 Application.

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:

- (A) The name, address, and type of organization applying to conduct the raffle;
- (B) The length of existence of the organization and, if incorporated, the date and state of incorporation;
- (C) The name, address, telephone number, social security 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;
- (D) The estimated annual aggregate retail value of all the prizes to be awarded, which cannot exceed one million Dollars (\$1,000,000.00);
- (E) The maximum retail value of each prize to be awarded;
- (F) The maximum price charged for each raffle chance issued or sold;
- (G) The estimated gross annual sales of chances;
- (H) The geographic area or areas in which raffle chances will be sold or issued;
- (I) The maximum number of days during which raffle chances are sold;
- (J) The times and locations at which winning chances will be determined;
- (K) A sworn statement attesting to the not-for-profit character of the applicant organization signed by its presiding officer and secretary; and
- (L) 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.

5.30.050 Licensee Qualifications.

Raffle licenses shall be issued only to bona fide charitable, educational, fraternal, labor, business, religious, and/or 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

applying for a license and which have had during that five (5) year period a bona fide membership engaged in carrying out their objectives, or to a nonprofit fundraising organization that the Village Clerk 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 illness, disability, accident, or disaster. The formation of an Illinois not-for-profit shall not disqualify an organization that has been in existence for a period of five (5) years prior to incorporation.

The following are ineligible for any raffle license:

- (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 organization in which a person defined in Subsections (A), (B), or (C) of this Section has a proprietary, equitable, or credit interest, or in which such person is active or employed;
- (E) Any organization in which a person defined in Subsections (A), (B), or (C) of this Section is an officer, director, or employee, whether or not they are compensated; and
- (F) Any organization in which a person defined in Subsections (A), (B), or (C) of this section is to participate in the management or operation of a raffle as defined herein.

#### 5.30.060 License Issuance.

The Village Clerk shall review all license applications within ten (10) days from the date of application and shall, within thirty (30) days from the date of application, approve or deny a raffle license application. If an application is approved, the Village Clerk shall issue a raffle license to the applicant. A raffle license shall be valid for the calendar year in which it is issued.

#### 5.30.070 License Revocation .

The Village President and Village Board may revoke any license issued by the Village if it is determined that the licensee has violated any provisions of this chapter for other than good cause. However, no such license shall be revoked except after a public hearing by the Village President and Village Board with a three (3) day written notice to the licensee of the hearing date, affording the licensee an opportunity to appear and defend themselves at said hearing.

The Village President and the Village Board shall, within three (3) days after such hearing, if they determine after such hearing that the license

shall be revoked, state their reason(s) for their determination in a written letter of revocation and shall service a copy of such letter within three (3) days upon the licensee.

#### 5.30.080 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 may receive remuneration or profit for participating in the management or operation of the raffle;
- (d) A licensee may rent 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 area specified on the license, and the winning chances may be determined only at the location specified on the license;
- (f) No person under the age under the age of eighteen (18) years may participate in the operation or conduct of raffles. A person under the age of eighteen (18) years may be within the area where winning chances are being determined only when accompanied by a parent or legal guardian.

#### 5.30.090 Raffles 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 their honesty in the performance of their duties. The terms of the bond shall provide that notice shall be given in writing to the Village not less than thirty (30) days prior to its cancellation.

#### 5.30.100 Records.

- (A) Each licensee shall keep records of its gross receipts, expenses, and net proceeds for each single gathering or occasion at which winners are 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 raffles shall be segregated from other revenues of the licensee, including bingo gross receipts. If bingo games are also conducted by the same nonprofit organization pursuant to a license therefore issued by the Illinois Department of Revenue, proceeds must be placed in a separate account. Each licensee shall keep 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 license.
- (C) Each licensee shall report to its membership and to the Village its gross receipts, expenses, and net proceeds from the raffle, and the distribution of the net proceeds itemized as required herein. Such report shall be made promptly after the conclusion of each raffle.
- (D) Raffle records shall be preserved for three (3) years and organizations shall make available their records relating to the operation of raffles for public inspection at reasonable times and places.

#### 5.30.110 Fee Schedule.

A licensing fee of twenty-five Dollars (\$25.00) shall be paid to the Village Clerk at the time the application for a raffle license is filed. All application fees are nonrefundable, even if the license is denied. The license shall be applicable only for the calendar year in which it is issued and there shall be no proration of application fees for any partial calendar year.

#### 5.30.120 Penalties.

Failure to comply with any of the requirements of this Chapter shall constitute a violation, and any person, upon conviction thereof, shall be fined not more than five hundred Dollars (\$500.00). Each day the violation continues shall be considered a separate offense.

#### 5.30.130 Appeals.

Any person whose application is denied may appeal the denial to the Village Board. Such appeal shall be in writing and must be filed with the Village Clerk within ten (10) days of the date of the written notice of denial. The Village Board shall hear the appeal at its next regularly scheduled meeting. Any person appealing a denial may be represented by an attorney, may call witnesses, and may cross-examine witnesses. The Village President shall

preside over such an appeal, and the majority vote of the Village Board Members present in favor of issuance or denial shall prevail, with the Village President voting in the event of any tie vote of the Village Board.

**SECTION TWO: Severability** If any section, clause, provision or portion of this Ordinance is adjudged unconstitutional or invalid by a Court of competent jurisdiction or by any agency of any kind or by anyone else, the remainder of this Ordinance shall not be affected.

**SECTION THREE: Repeal**

All ordinance or parts of ordinances in conflict with this Ordinance are hereby repealed insofar as they are in conflict with this Ordinance.

**SECTION FOUR: Invalidity**


If any provision of this Ordinance or its application to any person or under any circumstances is adjudged invalid, such adjudication shall not affect the validity of the Ordinance as a whole or of any portion not adjudged invalid.

**SECTION FIVE: Effective Date**

This Ordinance shall be in full force and effect from and after its passage, approval and publication as required by law.

**PASSED AND ADOPTED** by the President and Board of Trustees of the Village of Ladd, Bureau County, Illinois this 27<sup>th</sup> day of June, A.D. 2023.

<u>TRUSTEE</u>	<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>	<u>ABSTAIN</u>
<b>Thrasher</b>	✓	—	—	—
<b>Nelson</b>	✓	—	—	—
<b>Nicholson</b>	✓	—	—	—
<b>Martin</b>	✓	—	—	—
<b>Margherio</b>	✓	—	—	—
<b>Ruggerio</b>	✓	—	—	—
President <b>Cattani</b>	✓	—	—	—

  
**FRANK CATTANI**, President,  
 Village of Ladd, Bureau County, IL



STATE OF ILLINOIS        )  
  ) SS.  
COUNTY OF BUREAU        )

**CERTIFICATE**

I, **RHONDA BEZELY**, certify that I am the duly elected and acting Village Clerk of the Village of Ladd, Bureau County, Illinois.

I further certify that on June 27, 2023, the Board of Trustees of the Village of Ladd, Bureau County, Illinois, passed and approved Ordinance 1149, entitled:

**AN ORDINANCE ADDING CHAPTER 5.30,  
RAFFLES TO TITLE 5, BUSINESS TAXES, LICENSES  
AND REGULATIONS OF THE MUNICIPAL CODE  
OF THE VILLAGE OF LADD, BUREAU COUNTY, ILLINOIS**

The pamphlet form of said Ordinance, including the Ordinance and a cover sheet thereof, was prepared and a copy of such Ordinance was posted in the Village Hall, Ladd, Illinois, commencing June 28<sup>th</sup>, 2023, and continuing for at least 10 days thereafter. Copies of such Ordinance were also available for public inspection upon request in the Office of the Village Clerk.

Dated at Ladd, Illinois, this 27<sup>th</sup> day of June, 2023.



**RHONDA BEZELY**, Village Clerk,  
Village of Ladd  
Bureau County, IL

ATTEST:

*Rhonda J. Bezely*  
\_\_\_\_\_  
RHONDA BEZELY, Village Clerk

