

VILLAGE OF DOWNERS GROVE
Report for the Village

9/10/2019

SUBJECT:	SUBMITTED BY:
Ordinance amending provisions of Raffle Licenses	April Holden, Village Clerk

SYNOPSIS

An ordinance has been prepared to amend provisions of Chapter 8 of the Code relating to raffle licenses.

STRATEGIC PLAN ALIGNMENT

The goals for 2017-2019 include *Exceptional Municipal Services*.

FISCAL IMPACT

N/A

UPDATE & RECOMMENDATION

This item was discussed at the September 3, 2019 Village Council meeting. Staff recommends approval on the September 10, 2019 Active Agenda.

BACKGROUND

Chapter 8 of the Downers Grove Municipal Code includes requirement for conducting and licensing raffles in the Village. The Village's ordinance is based on Illinois State Law regarding raffles. The State Law has recently been amended and this proposed ordinance provides updates to accurately reflect the amendments made by the State. The most significant change relates to when an organization will be required to obtain a raffle license from the Village. Currently, the Village's ordinance requires any organization that wishes to sell chances for the raffle to obtain a Village license. However, under the amendments to the State law and proposed ordinance amendments, the organization sponsoring the raffle is only required to obtain a raffle license from the municipality where the winning chance will be drawn/determined. This will most likely have an effect on the number of raffle licenses issued by the Village each year.

ATTACHMENTS

Ordinance

VILLAGE OF DOWNERS GROVE
COUNCIL ACTION SUMMARY

INITIATED: Village Attorney DATE: September 10, 2019
(Name)

RECOMMENDATION FROM: _____ FILE REF: _____
(Board or Department)

NATURE OF ACTION:

STEPS NEEDED TO IMPLEMENT ACTION:

- Ordinance
- Resolution
- Motion
- Other

Motion to Adopt "AN ORDINANCE AMENDING RAFFLE LICENSE PROVISIONS", as presented.



SUMMARY OF ITEM:

Adoption of the attached ordinance shall make certain amendments to raffle license provisions.

RECORD OF ACTION TAKEN:

Raffle

ORDINANCE NO. _____

AN ORDINANCE AMENDING RAFFLE LICENSE PROVISIONS

BE IT ORDAINED by the Village Council of the Village of Downers Grove in DuPage County, Illinois, as follows: (Additions are indicated by ~~shading~~/underline; deletions by ~~strikeout~~):

Section 1. That Section 8.25. is hereby amended to read as follows:**8.25. License--Required.**

No person, firm or corporation shall conduct a raffle, ~~or sell chances for a raffle,~~ in the Village of Downers Grove without first having obtained a license therefor pursuant to the provisions of this ~~a~~Article. Such licenses shall be issued pursuant and subject to the provisions of the Act. Licenses shall be issued only to bona fide religious, charitable, labor, business, fraternal, educational, ~~or veterans',~~ or other bona fide not-for-profit organizations that operate without profit to their members and which have been in existence continuously for a period of 5 years immediately before making application for a license and which have had during that entire 5-year period ~~a bona fide membership~~been engaged in carrying out their objects, or to a non-profit fundraising organization that the ~~licensing authority~~Village 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, or to any law enforcement agencies and State-wide associations that represent law enforcement officials.

Section 2. That Section 8.26. is hereby amended to read as follows:**8.26. Same--Application.**

Application for a raffle license shall be made on forms provided by the Village at least fourteen (14) calendar days prior to the sale of raffle chances. Such applications shall contain the following information:

- (a) Name and address of the applicant.
- (b) ~~The area or areas within the Village in which raffle chances, tickets, and the like will be sold or issued.~~
- ~~(c) The time period during which raffle chances will be sold or issued.~~
- ~~(d) The time~~ or times of determination of winning chances and the location or locations at which winning chances will be determined.
- ~~(e)~~ A sworn statement attesting to the not-for-profit character of the prospective licensee organization.
- ~~(f)~~ A statement that the applicant agrees to comply with all laws of the State of Illinois, the United States, and the Village in the conduct of the raffle.

Section 3. That Section 8.27. is hereby amended to read as follows:**8.27. Same--Issuance, denial.**

Within fourteen (14) calendar days from the date of an application for a license, the Village Manager or his/her designee shall either issue a license or advise the applicant in writing of the reason for denial of a license. No such license shall be issued except as authorized under the Act. Any appeal from a notice of denial shall be pursuant to Section 8.8 of this Chapter.

Section 4. That Section 8.29. is hereby amended to read as follows:

Raffle

8.29. Raffle manager; bond.

All management operation and conduct of raffles shall be under the supervision of a single raffle manager designated by the organization. The raffle manager shall give a fidelity bond in an amount not less than the anticipated gross receipts for the raffle. The bond shall be in favor of the organization and conditioned upon the raffle manager's honesty and the performance of his/her 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. Provided, the Village Manager may waive this bonding requirement when, due to the nature, past experience or competence of the organization involved, the Village Manager determines that such bond would be unnecessarily burdensome. The Village Manager shall give notice of such waiver to the Mayor and Village Council not less than forty-eight (48) hours before the license becomes effective. Within such 48-hour period, the ~~m~~Mayor or any member of the Village Council may, through notice to the Village Manager, cause this waiver to be stayed. In such case the matter will be formally presented to the Village Council at ~~their~~ next regular council meeting for decision.

Section 5. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 6. That this ordinance shall be in full force and effect from and after its passage and publication in the manner provided by law.

 Mayor

Passed:

Published:

Attest: _____

Village Clerk