



A PLACE TO DISCOVER™

27W465 Jewell Road – Winfield, IL 60190

Telephone: (630) 933-7100 – Fax (630) 665-1767

<http://www.villageofwinfield.com>

**WINFIELD RAFFLE LICENSE
PERMIT APPLICATION**

DATE OF APPLICATION _____

APPLICANT NAME _____

APPLICANT PHONE NUMBERS Home: _____ Cell: _____

NUMBER OF YEARS ORGANIZATION HAS BEEN IN BUSINESS _____
(Minimum Five (5) years required)

ORGANIZATION ADDRESS _____

ORGANIZATION PHONE NUMBER _____

DATE(S) OF RAFFLE TICKET SALES _____

LOCATION AND ADDRESS WHERE RAFFLE WILL BE HELD _____

DATE AND TIME OF DRAWING _____

NAME OF RAFFLE MANAGER _____

RAFFLE – BOND MANAGER _____

NOT-FOR-PROFIT AFFIDAVIT

The undersigned, being duly sworn, deposes and says that he/she is

_____ representing _____
President/Secretary Organization

And further states that the aforementioned organization is not for profit as defined in Ordinance No. 665 AN ORDINANCE ESTABLISHING A PROCEDURE FOR THE LICENSING OF LOTTERIES.

_____ Date _____ Signature (President or Secretary)

RAFFLES MANAGER BOND WAIVER

The undersigned, being duly sworn, deposes and says that he/she is

_____ representing _____
President/Secretary Organization

And further states that the aforementioned members of the organization have voted unanimously to waive the raffles manager bond.

_____ Date _____ Signature (President or Secretary)

Receipt of \$25.00 Required Permit Fee: _____
Village Signature

_____ Date License Granted

ARTICLE A. RAFFLES

3-4A-1: DEFINITIONS:

For purposes of this Article, the following definitions apply:

CHARITABLE: An organization or institution organized and operated to benefit an indefinite number of the public. The service rendered to those eligible for benefits must also confer some benefit on the public.

EDUCATIONAL: An 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: 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 that otherwise would be cared for by the government.

LABOR: An organization composed of workers organized with the objective of betterment of the conditions of those engaged in such pursuit and the development of a higher degree of efficiency in their respective occupations.

LOTTERY: Any scheme or procedure whereby one or more prizes are distributed by chance among persons who have paid or promised consideration for a chance to win such prizes, whether such scheme or procedure is called a lottery, raffle, gift, sale or some other name.

NONPROFIT: An organization or institution organized and conducted on a not-for-profit basis with no personal profit incurring to anyone as a result of the operation.

RAFFLE: A form of lottery, as defined in paragraph 28-2(b) of the Criminal Code of Illinois¹, conducted by an organization licensed under this Article, 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 medium, one or more of which chances is to be designated the winning chance.
- 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: Any church, congregation, society or organization founded for the purpose of religious worship.

VETERANS' ORGANIZATION: An organization or association comprised of members 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. (Ord. 674, 9-28-84)

3-4A-2: APPLICATION FOR LICENSE:

- A. Before any such raffle, lottery or similar event, as defined under this Article, is held, an application must be made to the Village Clerk. The application for license must specify the area or areas within the Village in which raffle chances will be sold or issued, the time period during which raffle chances will be sold or

issued, the time of determination of winning chances and the location or locations at which winning chances will be determined.

- B. The license application must contain a sworn statement attesting to the not-for-profit character of the prospective license organization, signed by the presiding officer and the secretary of their organization. (Ord. 674, 9-28-84; 1994 Code)

3-4A-3: RESTRICTIONS ON ISSUANCE OF LICENSE:

Licenses shall be issued only to bona fide religious, charitable, labor, fraternal, educational or veterans' organizations that operate without profit to their members and which have been in existence continuously for a period of five (5) years 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 Article:

- 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 A, B or C above 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 above is an officer, director or employee, whether compensated or not;
- F. Any organization in which a person defined in A, B or C above is to participate in the management or operation of a raffle as defined in this Article. (Ord. 674, 9-28-84)

3-4A-4: LICENSE FEE:

The license fee for the first raffle each organization applies for in each calendar year under the terms of this Article shall be twenty five dollars (\$25.00). No license fee will be required for each subsequent license that an organization may apply for during that same calendar year, but a license is required and an application must be submitted for each raffle to be conducted. A license fee shall not be required of the Village for raffles conducted on property owned by the Village. (Ord. 674, 9-28-84)

3-4A-5: ISSUANCE OF LICENSE; VALIDITY:

When all the requirements of this Article have been met, the license shall be issued by the Village Clerk. Each such license shall be valid for only one raffle. (Ord. 674, 9-28-84)

3-4A-6: CONDUCT OF RAFFLES:

- A. Generally: Raffles shall be conducted only by organizations licensed pursuant to, and in accordance with the requirements of this Article.
- B. Restrictions: The conducting of raffles is subject to the following restrictions:
1. The entire net proceeds of any raffle must be exclusively devoted to the lawful purposes of the organization permitted to conduct that game;
 2. No person except a bona fide member of the sponsoring organization may participate in the management or operation of the raffle;
 3. No person may receive any remuneration or profit for participating in the management or operation of the raffle;
 4. Raffle chances may be sold or issued only within the area specified on the license and winning chances may be determined only at those locations specified on the licenses;
 5. 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;
 6. The aggregate retail value of all prizes and merchandise awarded by a licensee in a single raffle should not exceed two hundred thousand dollars (\$200,000.00);
 7. The maximum retail value of each prize awarded in a single raffle should not exceed two hundred thousand dollars (\$200,000.00);
 8. The maximum price which may be charged for each raffle chance issued or sold shall not exceed one hundred dollars (\$100.00);
 9. The maximum number of days during which chances may be issued or sold shall not exceed one hundred eighty (180) days.
- C. Raffles Manager: All operation of and conduct of raffles shall be under the supervision of a single raffles manager designated by the organization. The manager shall give a fidelity bond in the sum of an amount determined by the Village in favor of the organization conditioned upon his honesty in the performance of his duties. Terms of the bond shall provide that notice shall be given in writing to the licensing authority not less than thirty (30) days prior to its cancellation. The governing body of a local unit of government may waive this bond requirement by including a waiver provision in the license issued to an organization under this Article; provided, that a license containing such waiver provision shall be granted only by unanimous vote of the members of the licensed organization. (Ord. 674, 9-28-84)

3-4A-7: RECORDS, REPORTS AND REVENUES:

- A. Records Kept: Each organization licensed to conduct raffles and chances shall keep the records of its gross receipts, expenses and net proceeds for each single gathering or occasion at which winning chances 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 deductions, and the recipient. The distribution of net proceeds shall be itemized as to payee, purpose, amount and date of payment.

- B. Revenues to be Kept Separate: Gross receipts from the operation of raffles programs shall be segregated from other revenues of the organization, including bingo gross receipts if bingo games are also conducted by the same nonprofit organization pursuant to license therefore issued by the Department of Revenue of the State of Illinois, and placed in a separate account. Each organization 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. Reports Required: Each organization licensed to conduct raffles shall report monthly to its membership, and to the licensing local unit of government, its gross receipts, expenses and net proceeds from the raffles, and the distribution of net proceeds itemized as required in this Section.
- D. Preservation of Records: Records required by this Section shall be preserved for three (3) years, and organizations shall make available their records relating to operation of raffles for public inspection at reasonable times and places. (Ord. 674, 9-28-84)

3-4A-8: VIOLATIONS AND PENALTIES:

A violation of any provision of this Article shall cause the license to be revoked. In addition, a violation may also be subject to the penalty set forth in chapter 720, paragraph 5/9-1 of the Illinois Compiled Statutes, which makes violation of that Act a Class C misdemeanor. (Ord. 674, 9-28-84)

Footnote 1: S.H.A. 720 ILCS.