

VILLAGE OF WILLIAMSFIELD  
ORDINANCE REGULATING THE OPERATION OF RAFFLES

WHEREAS, the Village of Williamsfield may, pursuant to P.A. 81-1365 (Ill. Rev. Stat., 1980 Supp., Ch. 85, Sec. 2301 et seq.), establish a system for the licensing of organizations to operate raffles;

NOW THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Williamsfield as follows:

SECTION 1. TITLE. This ordinance shall be known, cited, and referred to as the "Raffle Ordinance of the Village of Williamsfield."

SECTION 2. PURPOSE. The purpose of this ordinance is to regulate and control the conduct of raffles within the corporate limits of the Village of Williamsfield.

SECTION 3. CONSTRUCTION. In the construction of this ordinance, the definitions hereunder shall be observed and applied, except when the context clearly indicates otherwise:

A. Words used in the present tense shall include the future; and words used in the singular number shall include the plural number; and the plural number shall include the singular number.

B. The word "shall" is mandatory and not discretionary.

C. The word "may" is permissive or discretionary.

D. Words not defined shall be interpreted in accordance with definitions contained in Webster's New Collegiate Dictionary (1973 ed.).

SECTION 4. DEFINITIONS. For the purposes of this ordinance, the words and phrases listed hereunder have the meanings designated herein, except when a particular context clearly requires a different meaning:

A. Charitable Organization is 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 upon the public.

B. Village is the Village of Williamsfield, Illinois.

C. Village Board is the Village Board of the Village of Williamsfield, Illinois.

D. Village Clerk is the Village Clerk of the Village of Williamsfield, Illinois.

E. Educational Organization is 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.

F. Fraternal Organization is an organization of persons having a common interest, the primary interest of which is both to 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.

G. Labor Organization is 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.

H. Licensee is an organization which has been issued a license to operate a raffle.

I. Non-Profit means organized, operated, and conducted on a not-for-profit basis with no personal profit incurring to anyone as a result of said operation.

J. Person means an individual, firm, organization, public or private corporation, government, partnership, or unincorporated association.

K. Raffle means a form of lottery, as defined in Sec. 28-2(b) of the "Criminal Code of 1961," conducted by an organization licensed under this ordinance in which:

(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; and

(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.

L. Religious Organization is any church, congregation, society, or organization founded for the purpose of religious worship.

M. Veterans Organization is 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.

SECTION 5. 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 herewith.

SECTION 6. MULTIPLE RAFFLES. A person eligible for license under this ordinance desiring to hold more than one raffle during a calendar year may apply for an annual license; provided no more than fifty-two such raffles shall be held and no more than one raffle per week shall be conducted or operated. For purposes of this paragraph only, a "raffle" is considered to be a single location and time of determining a winning chance(s). Multiple prizes and drawings may be held at any one time and location.

SECTION 7. 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;

B. The name, address, telephone number of the organization's presiding officer, secretary, or raffles manager.

C. The maximum price charged for each raffle chance issued or sold;



D. The time period during which raffle chances will be issued or sold; and

E. The time and location at which winning chances will be determined.

SECTION 8. LICENSEE QUALIFICATIONS. Raffle licenses shall be issued only to bona fide charitable, educational, fraternal, labor, religious, and veterans organizations that operate without profit to their members.

SECTION 9. LICENSE ISSUANCE. The Village Clerk shall review all raffle license applications within ten days from the date of application and shall, within thirty days from the date of application, approve or deny a raffle license application. If an application is approved, the Village Clerk shall forthwith issue a raffle license to the applicant.

SECTION 10. 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; and

B. No person may receive remuneration or profit for participating in the management or operation of the raffle.

SECTION 11. PENALTIES. Failure to comply with any of the requirements of this ordinance shall constitute a violation; and any person, upon conviction thereof, shall be fined not more than \$500 for each offense. Each day the violation continues shall be considered a separate offense.

SECTION 12. SEVERABILITY CLAUSE. If any provision of this ordinance or the application thereof is held to be unconstitutional or otherwise invalid by a court of competent jurisdiction, such ruling shall not affect any other provisions of this ordinance not specifically included in such ruling or which can be given effect without the unconstitutional or invalid provision or application; and to this end, the provisions of this ordinance are declared severable.

SECTION 13. APPEALS. Any person whose application is denied may appeal the denial to the Williamsfield Village Board. Such appeal shall be in writing and must be filed with the Village Clerk within ten days of the date of the written notice of denial. The Mayor shall appoint a committee of said Board members to hear the appeal. Said committee chairman shall preside over such appeal and the majority vote of the committee members present shall prevail. Any person appealing a denial may be represented by an attorney, may call witnesses and may cross examine. The decision of the committee may be appealed to the full Village Board which shall hear no new evidence but may review the proceedings had before the committee. The majority vote of the Village Board members present in favor of issuance or denial shall prevail.

SECTION 14. EFFECTIVE DATE. This ordinance shall be in full force and effect on the 3 day of May, 1982.

PASSED THIS 3rd day of May, 1982.

APPROVED:

William D. Leng  
President of the Board of Trustees

(SEAL)

ATTEST:

Joan T. Smith  
Village Clerk