

THE CORPORATION OF THE TOWN OF AMHERSTBURG

BY-LAW NO. 2007-65

Being a By-law to provide for Lottery Licensing procedures and regulations in the Town of Amherstburg

WHEREAS the Province of Ontario has enacted the *Gaming Control Act*, 1992, S.O. 1992, c.24, to regulate the supply of goods, services and equipment to charitable and religious organizations that are licensed to conduct lottery schemes;

AND WHEREAS the Province of Ontario has enacted an Order-in-Council 2688193 to establish regulations for the issuance of lottery licences for charitable purposes for the benefit of residents of Ontario which includes delegated authority for municipalities to issue licences to charitable or religious organizations to conduct and manage lottery schemes in accordance with standard terms and conditions, and to impose additional terms and conditions which are relevant to the type of lottery being conducted and local conditions;

AND WHEREAS the Province of Ontario has established the Alcohol and Gaming Commission of Ontario to establish policies for the regulation of the charitable gaming sector;

AND WHEREAS it is deemed expedient and necessary for the adoption of additional procedures and regulations for lotteries operated in the Town of Amherstburg;

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF
THE TOWN OF AMHERSTBURG HEREBY ENACTS AS FOLLOWS:**

SECTION 1: SHORT TITLE

This By-law may be cited as the Lottery Licensing By-law

SECTION 2: DELEGATION

1. The Town Clerk is hereby appointed Lottery Licensing Officer for the Town of Amherstburg, and further that in the absence of the Town Clerk, the Deputy-Clerk and the Treasurer shall be authorized to exercise the same power and authority.
2. The said Clerk, Deputy-Clerk and Treasurer shall hold office during the pleasure of Council and shall exercise all the authority, powers and rights and shall perform all the duties and obligations which by statute or by-laws are or may be conferred or imposed upon the Lottery Licensing Officer and any other duties that may be imposed by Council.

SECTION 3: GENERAL REGULATIONS

1. No person shall conduct a bingo, break-open ticket, or raffle lottery within the Town of Amherstburg until such person or organization has made application to the Lottery Licence Officer and received a licence from the municipality or the Alcohol and Gaming Commission of Ontario.
2. Charitable organizations shall be permitted licences for fifty-two (52) regular bingo events in a calendar year. Instances where the lottery revenue from 52 events will not meet the organization's financial needs, the organization may apply for additional bingo events. The allocation of additional events, if granted, will be based upon demonstrated need as it relates to approved use of lottery

proceeds as determined by the Lottery Licensing Officer. No charitable or non-profit organization will be permitted to operate more than 100 events in a calendar year.

3. All lottery licences shall be issued by a Lottery Licensing Officer but the Lottery Licensing Officer shall only issue lottery licences in accordance with this by-law.
4. If all information received by the Lottery Licensing Officer on an application is favourable and there is no reason why such application should not be granted, the proper fee having been paid, the license may be issued.
5. When all information on an application is not favourable or the Lottery Licensing Officer knows of any reason why the licence should be refused, it will not be issued, subject to final disposition by Council, on appeal.

SECTION 4: FEES

The fee for a lottery licence is prescribed in Schedule "A" of this by-law.

SECTION 5: SCHEDULE

Schedule "A" attached hereto forms part of this by-law.

SECTION 6: PENALTIES

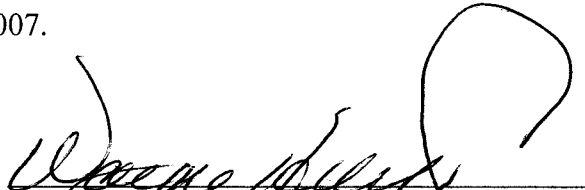
Where a licensee breaches the terms and conditions of a licence for a bingo lottery, eligibility for licences may be suspended for a four month period and eligibility for seventeen licences be forfeited of the 52 licences permitted in a year pursuant to Section 3(2) of this by-law.

SECTION 7: REPEAL


By-Law No. 2000-06 as amended by by-law 2007-53, being a by-law to appoint Lottery Licensing Officers, being the same, is hereby repealed.

This by-law shall come into force and effect on the date of final passage thereof.

Finally passed this 24th day of September, 2007.



MAYOR



CLERK

1st Reading: September 24th, 2007
2nd Reading: September 24th, 2007
3rd Reading: September 24th, 2007

Certified to be a true copy of By-law
No. 2007-65 passed by the Council of the
Town of Amherstburg on the 24th
day of September, 2007.

Schedule "A" to By-Law 2007-65

LOTTERY LICENSING FEES

EVENT	FEE
Bazaar Gaming Event	3% of prizes for a raffle
Bingo (Regular)	\$ 35.00 per session from Nov 1st, 2007 to April 30 th , 2008 \$ 45.00 per session from May 1 st , 2008 thereafter
Break Open Ticket	3% of prizes
Raffle	3% of prizes