

THE CORPORATION OF THE TOWNSHIP OF DOURO-DUMMER

BY-LAW NUMBER 2002 - 36

BEING A BY-LAW TO APPOINT LOTTERY LICENCING OFFICERS FOR THE CORPORATION OF THE TOWNSHIP OF DOURO-DUMMER AND TO PROVIDE FOR THE ISSUANCE OF LICENCES TO MANAGE AND CONDUCT BINGO LOTTERIES, BREAK OPEN TICKET LOTTERIES (NEVADA), LOTTERY SCHEMES AT BAZAARS AND RAFFLE LOTTERIES UNDER THE TERMS AND CONDITIONS AS SET OUT IN THE CRIMINAL CODE OF CANADA, THE ORDER-IN-COUNCIL AND THE POLICIES OF THE ALCOHOL AND GAMING COMMISSION OF ONTARIO

WHEREAS the Lieutenant Governor of Ontario by Order in Council 2688/93 assented and authorized municipal licencing of lotteries for the relief of poverty, the advancement of religion, the advancement of education or other charitable purposes beneficial to the community;

AND WHEREAS the Alcohol and Gaming Commission of Ontario has set out terms and conditions under which a lottery licence is issued;

AND WHEREAS the Council of the Corporation of the Township of Douro-Dummer deems it expedient to authorize the licencing of charitable or religious organizations to conduct and manage bingo lotteries, raffle lotteries, break open ticket lotteries, or a scheme of lotteries at a bazaar;

AND WHEREAS the Ontario Municipal Act., R.S.O., 1990, as amended, Section 102.1(1) states that the Council of a municipality may by by-law, delegate to a committee of Council or to an employee of the municipality any powers, duties or functions that are administrative in nature;

AND WHEREAS it is deemed expedient that the Lottery Licencing Officer carry out the requirements in respect of granting lottery licences on behalf of the municipality for charitable or religious purposes;

NOW THEREFORE the Council of the Corporation of the Township of Douro-Dummer **HEREBY ENACTS AS FOLLOWS:**

1. In this by-law:
 - (a) "Charitable object or purpose" means any object or purpose relating to:
 - (i) the relief of poverty
 - (ii) the advancement of education
 - (iii) the advancement of religion; or
 - (iv) any other purpose beneficial to the community.
 - (b) "Charitable Organization" means an organization which performs services of public good or welfare without profit and includes an organization designated as such by the Minister of Consumer and Commercial Relations.
2. The Deputy Treasurer and the Deputy Clerk are hereby appointed Lottery Licencing Officers for the Corporation of the Township of Douro-Dummer.
3. The Lottery Licencing Officer shall:
 - (a) Receive all lottery licence applications and financial reports from eligible charitable organizations.
 - (b) Upon receipt of such an application, together with all required documentation determine the eligibility of the organization using the criteria set out in the Lottery Licencing Policy Manual and any subsequent correspondence or bulletins issued by the Alcohol and Gaming Commission of Ontario.
 - (c) Review all lottery reports and financial statements and enforce compliance with any lottery licence issued.

4. The Lottery Licencing Officer may, upon determination of eligibility and where it is deemed expedient and in the best interest of the inhabitants of the municipality and upon payment of the appropriate fee, issue a licence authorizing any charitable or religious organization to conduct and manage a break open ticket (Nevada) lottery, a bingo lottery, a raffle lottery, or a lottery scheme at a bazaar under the Terms and Conditions set out by the Alcohol and Gaming Commission of Ontario.

(2) In addition to such special terms and conditions as set out by the Alcohol and Gaming Commission, each licence shall be subject to the following terms and conditions:

- a) the licensee shall maintain all funds raised in a separate Trust Account and shall provide such records to the Lottery Licencing Officer on an annual basis, or upon request;
 - b) The gross receipts derived from the lottery shall be used for the charitable or religious object or purpose as set out by the licensee in the application for licence, less the cost of the prizes awarded and such reasonable and necessary administrative expenses actually incurred in the management and conduct of the lottery, provided the expenses do not exceed such limits as may be prescribed by the Alcohol and Gaming Commission of Ontario.
5. All applications shall be made in the form prescribed by the Alcohol and Gaming Commission of Ontario
 6. The Lottery Licencing Officer, on behalf of the Corporation of the Township of Douro-Dummer, may suspend or cancel a licence for the breach of any term or condition.
 7. The Alcohol and Gaming Commission of Ontario may at any time suspend or cancel a licence where, in their opinion, to do so is in the public interest.
 8. The fees charged for the issuing of licences shall be 3% of the prize value.
 9. That any by-law or part thereof which conflicts with this by-law be hereby repealed.
 10. This by-law shall come into full force and effect on the date of passage thereof.

ENACTED AND PASSED THIS 14th DAY OF MAY, 2002.

Reeve

Clerk