

ORDINANCE NO. ONE OF THE
14th DAY OF FEBRUARY,
1977 OF THE TOWN BOARD OF
THE TOWN OF LEE, AUTHORIZING
THE CONDUCT OF GAMES OF CHANCE.

Moved by:

Howard Meyers

Seconded by:

Chester Martin

WHEREAS, Article 9-A of the General Municipal Law does now allow conduct of games of chance by certain organizations located within certain townships and municipalities within the State of New York; and

WHEREAS, the conduct of said games of chance is authorized by ordinance, subject to the approval of a majority of voters in the local municipal district; and

WHEREAS, the Town of Lee has had a request to authorize the local operation for the conduct of games of chance pursuant to Article 9-A of the General Municipal Law.

NOW, THEREFORE, be it

ORDAINED, by the Town Board of the Town of Lee that said town enact an ordinance authorizing the conduct of games of chance and pursuant to the authority of Section 130 of the Town Law and Article 9-A of the General Municipal Law, the Town Board of the Town of Lee, County of Oneida and State of New York, does ordain and enact as follows:

Section 1. TERRITORY AFFECTED: This ordinance shall be applicable to all territory within the limits of the Town of Lee, County of Oneida and State of New York.

Section 2. LEGALIZATION OF GAMES OF CHANCE: It shall be lawful for any authorized organization, namely a bona fide religious or charitable organization, a bona fide educational or service or a bona fide organization of

veterans or volunteer firemen, which, by its charter, certificate of incorporation, constitution or act of the legislature, shall have among its purposes, one or more of the lawful purposes as defined in Article 9-A of the General Municipal Law, and upon obtaining a license therefor as provided by Article 9-A of the General Municipal Law and the rules and regulations adopted by the New York State Racing and Wagering Board to conduct certain games of chance in the territory of the Town of Lee.

Section 3. RESTRICTIONS UPON CONDUCT OF GAMES OF CHANCE:

A. Games may be conducted on the first day of the week, commonly called Sunday.

B. No person, firm, association, corporation or organization other than an authorized organization licensed under the provisions of said Article 9-A of the General Municipal Law shall be permitted to conduct such games.

C. The entire net proceeds of any games shall be exclusively devoted to the lawful purposes of the organization permitted to conduct the same.

D. No single prize shall exceed the maximum sum as allowed in Section 189 of the General Municipal Law.

E. No series of prizes on any one occasion shall aggregate more than the maximum allowed in Section 189 of the General Municipal Law.

F. No person, except a bona fide member of any such organization shall participate in the management or organization of such games.

G. No person shall receive any remuneration for participating in the management or operation of any such games.

H. The unauthorized conduct of games of chance and any lawful violation of any provision of this ordinance shall constitute and be punishable as a misdemeanor.

I. No games of chance shall be held, operated or conducted on or within any leased premises if rental under such lease is to be paid wholly or partly on the basis of a percentage of receipts or net proceeds derived from the operation of such games.

Section 4. DELEGATION OF AUTHORITY: The Town Board of the Town of Lee may, pursuant to Section 191 of the General Municipal Law, delegate to the Clerk of said Town or to such other officials as authorized by Article 9-A of the General Municipal Law, the authority in relation to the issuance, amendment and cancellation of licenses, the conduct of investigations and hearings, the supervision of operations of games of chance and the collection and transmission of fees.

Section 5. PENALTIES FOR VIOLATION: The making of any false statement in any application for a license or in any statement annexed thereto, or any other violation of the provisions of said Article 9-A of the General Municipal Law or any violation of the terms of such a license, shall constitute a misdemeanor and shall subject the offender to forfeiture of the license and shall render the offender ineligible to apply for a license for one year thereafter, all pursuant to the provisions of Section 195-J of the General Municipal Law.

Section 6. EFFECTIVE DATE: This ordinance shall become effective:

A. Upon approval of the same by a majority of the qualified electors of the Town voting on a proposition duly submitted at a special election held within the Town as provided by law; and

B. Upon filing with the State Racing and Wagering Board, a copy of such ordinance within ten (10) days after its adoption as provided above.

Section 7. REPEAL OF PRIOR ORDINANCES AND REGULATIONS: Any and all

ordinances or regulations in conflict with this ordinance at any time heretofore adopted are hereby duly and fully repealed.

SUPERVISOR John C. Uertz

JUSTICE Howard Meyers

JUSTICE Howard Van Wageningen

COUNCILMAN Herbert Marsh

COUNCILMAN Chester Martin