

Request For Board Action

REFERRED TO BOARD: October 19, 2015

AGENDA ITEM NO: 5

ORIGINATING DEPARTMENT: Administration

SUBJECT: AN ORDINANCE AMENDING §4-10-2 OF THE MUNICIPAL CODE OF ANTIOCH
ELIMINATING RAFFLE LICENSE FEES

SUMMARY AND BACKGROUND OF SUBJECT MATTER:

The Village of Antioch licenses raffles in accordance with 230 ILCS 15/1. Per state statute, licenses may only be issued to those applicants fitting within a certain specific criteria. Village Code section 4-10-2A requires applicants to pay a \$25.00 license fee to conduct a raffle. It has been the practice of the Village Board to waive license raffle fees for those organizations operating without profit to their members. Since those are typically the only applicants permitted to obtain a raffle license per state statute, license fees are routinely waived.

The proposed ordinance amends our current code to eliminate raffle license fees.

FINANCIAL IMPACT: None

DOCUMENTS ATTACHED:

1. Ordinance

RECOMMENDED MOTION:

Move to waive second reading and approve an ordinance amending §4-10-2 of the Municipal Code of Antioch Eliminating Raffle License Fees

ORDINANCE 15 - _____

**AN ORDINANCE AMENDING §4-10-2
OF THE MUNICIPAL CODE OF ANTIOCH
ELIMINATING RAFFLE LICENSE FEES**

WHEREAS, the Village has long licensed raffles consistent with the provisions of 230 ILCS 15/1 et. seq., and

WHEREAS, there is no provision in that statute requiring that a fee be charged by any unit of local government as a condition of approving a raffle license, and

WHEREAS, the terms and conditions of Chapter 4-10 of the Antioch Municipal Code closely mirror those in that statute, and

WHEREAS, raffle licenses are only available to the following persons or organizations for charitable or other non-profit purposes:

Licenses may be issued only to bona fide religious, charitable, labor, business, fraternal, educational, civic or veterans' organizations that operate without profit to their members and which have been in existence continuously for a period of at least five (5) years 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, or to a nonprofit fundraising organization that the village determines is organized for the sole purpose of providing financial assistance to an identified individual or group of individuals suffering extreme financial hardship as the result of an illness, disability, accident or disaster. (Antioch Code, 4-10-2B), and

WHEREAS, the Village Board finds that at no time in recent memory has a raffle licensee actually paid a fee, it being routine and standard practice of the Village Board to approve resolutions waiving the same, because of the charitable or community-benefit nature of all such raffle requests coming before it, and

WHEREAS, the Village Board finds that whatever purpose there was in imposing a fee on such organizations for holding a raffle, there is no such reason currently in existence, or likely to come into existence in the foreseeable future, and

NOW THEREFORE, BE IT ORDAINED by the Village of Antioch, Lake County, Illinois, as follows:

SECTION ONE: Section 4-10-2A of the Antioch Municipal Code is hereby amended and shall hereafter read as follows (additions underlined, deletions ~~stricken~~):

A. Licenses Required; Fee: Except as provided in section 4-10-3 of this chapter, no person, organization or corporation shall conduct a raffle or sell chances for a raffle within the village without having first obtained a license for that purpose. ~~The fee for a license to conduct a raffle or lottery shall be twenty five dollars (\$25.00).~~ There is no fee for a raffle license.

SECTION TWO: This Ordinance shall be in full force and effect from and after its passage, approval and publication as required by law.

PASSED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF ANTIOCH, ILLINOIS,
ON THIS ____ DAY OF _____, 2015.

ATTEST:

LAWRENCE M. HANSON, MAYOR

LORI K. FOLBRICK, VILLAGE CLERK