

**REPEALED BY BY-LAW NO. 7470/99
MAY 26, 1999**

CONSOLIDATION UPDATE: MARCH 1, 1995

THE CITY OF WINNIPEG

BY-LAW NO. 145/72

**A By-law of THE CITY OF WINNIPEG to
regulate the licensing of raffle lotteries.**

amended 6595/95

WHEREAS by Manitoba Order-in-Council No. 332/1994, The City of Winnipeg is authorized to license charitable organizations and religious organizations located within its boundaries to conduct and manage a raffle lottery where the total prizes for each raffle lottery do not exceed \$3000.

amended 6595/95

NOW THEREFORE THE CITY OF WINNIPEG, in Council assembled, enacts as follows:

1. No person shall conduct a raffle lottery without having a valid and subsisting licence.

amended 6595/95

2. Any charitable or religious organization may make application for a license under this By-law in the form attached as Schedule D.

amended 6595/95

3. The fee payable on each application for a license under this By-law shall be 1% of the total value of prizes to be awarded.

amended 6595/95

4. *repealed 6539/94*

5. **SCHEDULES**

Schedules "A", "B", "D" and "F" form part of this By-law.

amended 2454/79, 6595/95

6. **ADMINISTRATION**

This By-law shall be administered by the Chief Licence Inspector.

amended 6595/95

7. **REPEAL**

(1) Subject to subsection 2, all by-laws, regulations, resolutions and orders in force within the City on the coming into force of this By-law, regulating the issue of licenses in pursuance of the said Order-in-Council No. 282/70 are hereby repealed, including the following:

- (a) The City of West Kildonan By-law numbered 21/70/B.
- (b) The City of St. James-Assiniboia By-law numbered 427/70.
- (c) The Rural Municipality of Charleswood By-law numbered 1707.
- (d) The Town of Tuxedo By-law numbered 1217.
- (e) The City of East Kildonan By-law numbered 4869.
- (f) The City of Transcona By-law numbered 65/70.
- (g) The City of St. Boniface By-law numbered 4879.
- (h) The Rural Municipality of Fort Garry By-law numbered 5427.
- (i) The City of St. Vital By-law numbered 8461.
- (j) The City of Winnipeg By-laws numbered 19773 and 19845.

(2) This section does not affect the validity of any license granted pursuant to any of the by-laws referred to in subsection 1, before the coming into force of this By-law.

8. This By-law shall come into force on the 1st day of January, 1973.

DONE AND PASSED in Council assembled, this 9th day of June, 1972.

SCHEDULE "A" TO BY-LAW NO. 145/72
OF THE CITY OF WINNIPEG

amended 6595/95

INTERPRETATION

1. **"Charitable object or purpose"** means any object or purpose for
 - (a) the relief of poverty,
 - (b) education,
 - (c) the advancement or religion, or
 - (d) any purpose beneficial to the community.

2. **"Charitable organization"** means an organization which performs services of public good or welfare without profit.

AUTHORITY TO LICENCE

3. Licences may be issued authorizing any charitable or religious organization located within the boundaries of The City of Winnipeg to conduct and manage a raffle lottery where
 - (a) the proceeds from the raffle are to be used for a charitable or religious purpose in Manitoba, and
amended 6595/95
 - (b) the total value of all prizes to be awarded for each raffle does not exceed \$3000. in cash or retail market value (excluding taxes).
amended 6595/95

4. Notwithstanding section 3, no licence shall be issued where the organization proposes to use the services of a person or organization to conduct and manage the raffle on its behalf for a fee or other consideration.
amended 6595/95

5. *repealed 6595/95*

APPLICATION FOR LICENCE

6. The application for a licence shall be in the form attached as Schedule "D".
amended 6595/95

LICENSES

7. The licence issued by the municipality shall be in the form attached as Schedule "B".
amended 6595/95

8. *repealed 6595/95*

9. *repealed 6595/95*

OPERATION OF LOTTERIES

10. The following conditions apply to the operation of a raffle lottery licensed under this By-law;
amended 6595/95

- (a) The licensee shall comply with section 207 of the Criminal Code;
amended 6595/95
- (b) The licensee shall conduct or allow to be conducted only the type of lottery provided in the application and the licence;
- (c) The licensee shall comply with all the terms and provisions set out in the application and the licence;
- (d) Such officers as the municipality may appoint, and all Peace Officers shall, at all reasonable times, have direct and unencumbered access to enquire into the nature, management and conduct of the proceedings for which the licence has been granted, either prior to, during or after the conclusion of such proceedings;
- (e) The licensee shall produce the licence upon demand.

11. In addition to the terms and conditions set out in paragraph 10 above, each raffle lottery shall be subject to the following terms and conditions:
amended 6595/95

- (a) each individual raffle lottery must have a licence;
- (b) the winner or winners shall be determined and publicized in the manner set out in the application;
- (c) the licensee shall:
 - (i) indicate on the face of the tickets the licence number, the name and address of the organization, the location, date and time at which the draw will be held, the number and nature of the prizes to be awarded, the ticket number and the name of the printer;
 - (ii) provide for the consecutive numbering of tickets;
 - (iii) retain all unsold tickets and counter foils of sold tickets for a period of not less than 90 days from the date of the draw and produce them to such persons as may be authorized under paragraph 10 (d), and,
 - (iv) indicate in its application the numbers of tickets printed for sale.

FINANCIAL ACCOUNTING AND REPORTING

12. The licensee shall keep and maintain financial records of the lottery scheme, and shall keep all funds raised in a separate account.

13. The gross receipts derived from the lottery scheme shall be used for the charitable or religious purpose or object 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 such expenses do not exceed 20% of the gross receipts.

14. The licensee shall submit to the municipality, not later than 30 days after the holding of each licensed lottery, a financial statements in the form attached as Schedule "F".

amended 2454/79, 6595/95

15. The financial statement submitted by the licensee shall, if so ordered by the municipality, be subject to audit, and when an audit is required, the costs of such audit shall be borne by the licensee.

16. The municipality may, at its discretion require the licensee to post a fidelity bond in a form and of a nature satisfactory to the municipality.

LICENCE FEE

17. Every organization which applies for a licence shall submit, with the application, the licence fee prescribed under this By-law.

amended 6595/95

SUSPENSION OR CANCELLATION OF LICENSE

18. The Chief Licence Inspector may suspend or cancel a licence for the breach of any term or condition.

amended 6595/95

19.

repealed 6595/95

SCHEDULE "B" TO BY-LAW NO. 145/72
OF THE CITY OF WINNIPEG

License No. _____

Council of The City of Winnipeg

L I C E N C E

_____ is licensed to manage and conduct a _____ Lottery

Scheme at or from the premises municipally known as _____ and situated in the City of Winnipeg subject to all the terms and conditions as agreed to by the Licensee in its application, and upon the date, or during the period and within the hours and to the limits set out herein.

- 1) Date or Period _____
- 2) Frequency _____
- 3) Hours - From _____ To _____
- 4) Total value of all prizes in ay lottery conducted under this licence not to exceed \$ _____ in cash, or merchandise or articles at equivalent market value.

Date of issue _____ 19 _____. Licence Fee \$ _____

Authorized Licensing Officer

(Not Transferable)

amended 6595/95

SCHEDULE "C" TO BY-LAW NO. 145/72
OF THE CITY OF WINNIPEG

repealed 6595/95

SCHEDULE "D" TO BY-LAW NO. 145/72
OF THE CITY OF WINNIPEG

Council of The City of Winnipeg

APPLICATION TO MANAGE AND CONDUCT A RAFFLE LOTTERY

We, the undersigned, as two principal officers of record of (organization) _____

(address) _____

apply for a licence to manage and conduct a Raffle Lottery from the premises municipality known as

_____ and situated in the City of Winnipeg between the dates specified, and for the charitable or religious objects or purposes, and in the manner described herein.

1. The charitable or religious objects or purposes to which proceeds are to be devoted are described as _____

_____.
2. The total value of all prizes to be awarded in the Raffle Lottery for which this application is made is not to exceed \$ _____ cash value, or merchandise or articles at equivalent market retail value.
3. Closing date for the sale of tickets will be _____ and the draw for a winner or winners will be made at (address) _____
_____ on (date) _____ at (time) _____.
4. A winner or winners will be determined by (describe) _____
_____ and the name (s) and address (es) of the winner or winners will be publicized by (describe) _____.
5. The total number of tickets to be printed will be _____ and all tickets printed to this total will be numbered consecutively from _____ to _____.
6. We have read, and have in our possession, and agree to comply with, the provisions of Schedule "A" - Terms and Conditions under which the Lottery Licence is issued.

SIGNED _____

SIGNED _____

SCHEDULE "D" TO BY-LAW NO. 145/72
OF THE CITY OF WINNIPEG

(continued)

CERTIFICATE

We, (name) _____ and (name) _____
of (organization) _____
of the City of Winnipeg, jointly and severally, hereby certify that:

- (1) We have knowledge of the matters herein set out,
- (2) We have read over this application,
- (3) All facts stated and information furnished herein are true and correct,
- (4) We are the holders of the offices with descriptive title as set out and appearing under our respective signatures below,
- (5) If a licence is granted, we undertake to comply with all the terms and conditions of such licence.

Signed _____

Signed _____

Print Name _____

Print Name _____

Title _____

Title _____

Address _____

Address _____

Date _____

Date _____

Witness (sign) _____

Witness (sign) _____

amended 6595/95

SCHEDULE "E" TO BY-LAW NO. 145/72
OF THE CITY OF WINNIPEG

repealed 6595/95

SCHEDULE "F" TO BY-LAW NO. 145/72
OF THE CITY OF WINNIPEG

FINANCIAL STATEMENT OF RAFFLE LOTTERY SCHEME

Conducted by _____
(Name of Organization)

(Address of Organization)

for the Lottery completed _____ as authorized by licence number _____ issued by
(Date)
the City of Winnipeg, Province of Manitoba, on _____ .

(State number)

_____, 19 _____.
(Date of License)

Date Winners Declared _____ Prize per tickets \$ _____

Total number of tickets

Printed	_____
Sold	_____
Unsold	_____

Total Gross Receipts \$ _____

Total Retail Value of Prizes \$ _____

Cost of Prizes \$ _____

Expenses

Advertising	\$	_____
Printing	\$	_____
Distribution	\$	_____
License Fee	\$	_____
Other (specify)		
	\$	_____
	\$	_____

TOTAL \$

Total Expenses \$ _____

NET PROCEEDS \$ _____

(continued)

(Name and Address of Bank or Trust Company)

- ## List of Winners

ADDRESS

[illegible]

We, the undersigned, certify that the foregoing is a true and correct statement, account for the funds of the lottery scheme conducted by

(Name and Address of Organization)

SIGNED _____

SIGNED _____

PRINT NAME _____

PRINT NAME _____

TITLE _____

TITLE _____

ADDRESS _____

ADDRESS _____

POSTAL CODE _____

POSTAL CODE _____

TELEPHONE _____

TELEPHONE _____

WITNESS _____

WITNESS _____

DATED this _____ day of _____ 19 ____ .

added 2454/79

SCHEDULE "G" TO BY-LAW NO. 145/72
OF THE CITY OF WINNIPEG

repealed 6595/95

SCHEDULE "H" TO BY-LAW NO. 145/72
OF THE CITY OF WINNIPEG

repealed 6595/95

SCHEDULE "I" TO BY-LAW NO. 145/72
OF THE CITY OF WINNIPEG

repealed 6595/95

SCHEDULE "J" TO BY-LAW NO. 145/72
OF THE CITY OF WINNIPEG

repealed 6595/95