



MUNICIPALITY OF CLYDE RIVER BY-LAWS

By-Law Title: Lottery

By-Law Number:

59

Being a by-law for the Municipality of Clyde River in Nunavut to provide for the regulation and licensing of lotteries, pursuant to the provisions of the *Lottery Act* and the *Hamlets Act*.

WHEREAS the Hamlet of Clyde River has acquired the authority to regulate and licence lottery schemes under the Clyde River Lottery Regulation 1998, pursuant to Section 4 b) of the *Lottery Act*, and

WHEREAS the Hamlet of Clyde River, under the authority of the *Hamlets Act*, may provide for the establishment, levy and collection of charges for services provided by the Municipal Corporation, including the issuing of licences and permits;

NOW, THEREFORE, THE COUNCIL OF THE HAMLET OF CLYDE RIVER, at a duly assembled meeting enacts as follows:

SHORT TITLE

1. This by-law may be cited as the “**Lottery By-Law**”.

INTERPRETATION

PART I

2. No person, firm, partnership, company or society shall operate a lottery within the Hamlet unless the Hamlet of Clyde River Licence has been obtained pursuant to the Lottery By-Law.
3. An application for a licence (Lottery License Application) shall be submitted AT LEAST ONE (1) MONTH IN ADVANCE of the scheduled event to the Senior Administrative Officer (SAO) in the form set out in Schedule ‘A’, and shall include the following requirements and provisions:
 - a) An application setting out the details of the lottery;
 - b) A declaration stating the person operating the lottery has not been convicted of an offense or a breach of any related Acts or regulations of those Acts (e.g. *Lotteries Act*, *Liquor Act*, *Criminal Code* or any other federal/provincial/territorial Act or regulation) and no offenses have been committed on the premises where the lottery will take place that would demonstrate it is not in the public interest to conduct a lottery scheme;
 - c) A fee prescribed in Schedule ‘B’;
 - d) Regarding prescribed fees, for single event bingo (or a series of bingo lotteries) involving games which carry over jackpot amounts, only the amount of the opening jackpot shall be used to calculate the total value of the prize offered; and
 - e) In the event an applicant has previously received a licence from the Hamlet of Clyde River, the applicant will be required to submit the financial statements/record of the previous lottery before receiving another licence.
4. Upon being satisfied that an applicant is in compliance with this by-law and that the application is in order, the SAO shall issue a Lottery Licence as set out in Schedule ‘C’ of this by-law.
5. A complete statement of account, showing the total receipts, expenses and profits, and indicating when and how such profits will be spent charitably (set out in the application), shall be



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filed with the SAO within thirty (30) days of the holding of any lottery on the form in Schedule 'D'.

6. The SAO may revoke the Lottery License issued under this by-law where he/she is satisfied that:
 - a) The Lottery Licence was issued in error, whether due to misrepresentation or otherwise;
 - b) The person holding the Lottery License has breached the conditions of the license; or
 - c) The person holding the Lottery License has violated a provision of this by-law or any other applicable statures or regulations.
7. Council may, by regulation, establish guidelines to assist with the administration of this by-law, and such guidelines shall become those additional terms or restrictions the Hamlet may impose on any licence in addition to those in the *Hamlet of Clyde River Lottery Regulations*.
8. The SAO shall ensure a record of all applications for Lottery Licences and all Lottery Licences issued by the Hamlet is kept.
9. Notwithstanding Section 2, for any Lottery Schedule within the Municipality of Clyde River, whereby a Lottery License for such scheme was issued by the Government of Nunavut shall not require a licence is stated for all of Nunavut or the Municipality had been included. **What??????**
10. Any person who contravenes any provision of this by-law is guilty of an offense, and is liable upon summary conviction to:
 - a) a fine not exceeding two hundred and fifty dollars (\$250.00) and the revocation of their license for the first offense; and
 - b) a fine not exceeding five hundred dollars (\$500.00) and a lifetime ban from receiving a Lottery License for a subsequent offense.

PART II

1. All licence fees received during each fiscal year shall be distributed as follows:
 - a) Thirty percent (30%) to the Hamlet of Clyde River to offset costs incurred administering this by-law; and
 - b) Seventy percent (70%) to be equally distributed to each organization of the Clyde River Community Corporation to assist them with the funding of recreational and cultural programs within the boundaries of the Municipal Corporation of the Hamlet of Clyde River. These funds shall be dispersed by resolution upon the approval of Council.
2. The SAO shall ensure a full accounting record of all monies deposited to and withdrawn from the Lottery Fund is kept.



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Date of First Reading	(Day) 17	(Month) 01	(Year) 2001
Date of Second Reading	(Day) 17	(Month) 01	(Year) 2001
_____ Mayor Senior Administrative Officer			
Date of Third Reading and Passed	(Day) 01	(Month) 02	(Year) 2001
_____ Mayor Senior Administrative Officer			



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SCHEDULE A – LICENSE APPLICATION (not attached to the by-law)

SCHEDULE C – LOTTERY LICENCE (not attached to the by-law)

SCHEDULE D – STATEMENT OF ACCOUNT (not attached to the by-law)



SCHEDULE B – FEE SCHEDULE

BINGOS

Fee for a single Bingo, or each Bingo in a series:

Half the House (50/50), Six games or less	\$10.00
Half the House (50/50), Seven games or more	\$5.00 per game
Any games paying a portion of the proceeds, other than (50/50)	\$5.00 per game
Regular games with a total prize value of \$2,500.00 or less	\$50.00
Regular games with a total prize value greater than \$2,500.00 but less than \$10,000.00	2% of pay-out
Regular games with a total prize value greater than \$10,000.00	5% of pay-out

NEVADA

The fee for a single Nevada, or each Nevada in a series	\$50.00
The fee for a six month Clubroom Nevada is	\$2,500.00

CASINOS

The fee for each table or wheel is	\$50.00
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RAFFLES

The fee for a Raffle with a total prize value of \$1,250.00 or less	\$50.00
The fee for a Raffle with a total prize value greater than \$1,250.00	4% of total prize value

TERRITORIAL WIDE RAFFLE

The fee for a Territorial Wide Raffle with a total prize value of \$1,250.00 or less	\$100.00
The fee for a Territorial Wide Raffle with a total prize value greater than \$1,250.00	8% of total prize value

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The fee for a Territorial Wide Raffle with a total prize value of \$1,250.00 or less	\$100.00
The fee for a Territorial Wide Raffle with a total prize value greater than \$1,250.00	8% of total prize value

SPORT DRAFTS

The fee for a Sport Draft Lottery with a total prize value of \$10,000.00 or less	\$400.00
The fee for a Sport Draft Lottery with a total prize value greater than \$10,000.00	8% of total prize value



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AMENDMENTS

An amendment for each existing licence	\$50.00
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LATE FEE

In addition to the applicable fee listed above, the fee payable for a Lottery Licence Application that is received less than one month before the proposed lottery	\$100.00
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