

ORDINANCE NO. 25-19

**AN ORDINANCE AMENDING TITLE 3, BUSINESS REGULATIONS,
CHAPTER 20, RAFFLES, OF THE VILLAGE OF MANTENO
MUNICIPAL CODE**

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AN ORDINANCE AMENDING TITLE 3, BUSINESS REGULATIONS, CHAPTER 20, RAFFLES, OF THE VILLAGE OF MANTENO MUNICIPAL CODE

BE IT ORDAINED by the President and Board of Trustees of the Village of Manteno, as follows:

Section 1

That Title 3, Business Regulations, of the Village of Manteno Municipal Code, be amended by changing Chapter 20, Raffles, to read as follows:

CHAPTER 20

RAFFLES

SECTION:

- 3-20-1: License Required
- 3-20-2: Definitions
- 3-20-3: Qualifications
- 3-20-4: Ineligibility
- 3-20-5: Application
- 3-20-6: Applicant Convictions
- 3-20-7: License Fee
- 3-20-8: License Issuance
- 3-20-9: License Terms
- 3-20-10: Exemption
- 3-20-11: Conduct of Raffles
- 3-20-12: Manager; Bond
- 3-20-13: Records
- 3-20-14: Suspension and Revocation of Licenses
- 3-20-15: Penalties

3-20-1: **LICENSE REQUIRED:** It shall be unlawful to conduct any raffle, including the sale or issuance of chances, in the Village without first having obtained a raffle license in accordance with the provisions of this Chapter.

3-20-2: **DEFINITIONS:** The following words and phrases shall be given the meanings ascribed herein unless the context clearly denotes a contrary intention:

Act means the Raffles and Poker Runs Act, 230 ILCS 15/0.01, *et seq.*

Board of Trustees means the president and board of trustees of the Village of Manteno.

Business means a voluntary organization composed of individuals and businesses who have joined together to advance the commercial, financial, industrial, and civic interests of a community.

Charitable means an organization or institution organized and operated to benefit an indefinite number of the public. The service rendered to those eligible for benefits must also confer some benefit to the public.

Educational means an organization or institution organized and operated to provide systematic instruction in useful branches of learning by methods common to schools and institutions of learning which compare favorably in their scope and intensity with the course of study presented in tax-supported schools.

Fire protection agency means: (1) an agency of the State of Illinois, unit of local government, or intergovernmental mutual aid entity that is vested by law or intergovernmental agreement with the duty and authority to provide public fire suppression, rescue, or emergency medical services; or (2) an organization that provides support or assistance to an agency of the State of Illinois, unit of local government, or intergovernmental mutual aid entity that is vested by law or intergovernmental agreement with the duty and authority to provide public fire suppression, rescue, or emergency medical services.

Fraternal means an organization of persons having a common interest, the primary interest of which is to both promote the welfare of its members and to provide assistance to the general public in such a way as to lessen the burdens of government by caring for those that otherwise would be cared for by the government.

Key location means the location where the winning chances for a raffle are determined.

Labor means an organization composed of workers organized with the objective of betterment of the conditions of those engaged in such pursuit and the development of a higher degree of efficiency in their respective occupations.

Law enforcement agency means any agency of Illinois or unit of local government which is vested by law or ordinance with the duty to maintain public order and to enforce criminal laws or ordinances.

Net proceeds means the gross receipts from the conduct of raffles, less reasonable sums expended for prizes, local license fees and other reasonable operating expenses incurred as a result of operating a raffle.

Non-profit means an organization or institution organized and conducted on a not-for-profit basis with no personal profit inuring to any one as a result of the operation.

Raffle means a form of lottery, as defined in Section 28-2(b) of the Criminal Code of 2012, conducted by an organization licensed under this Chapter, in which: (1) a person pays or agrees to pay something of value for a chance, represented and differentiated by a number or by a combination of numbers or by some other medium, one or more of which chances is to be designated the winning chance; and (2) the winning chance is determined through drawing or by some other method based on an element of chance by an act or set of acts on the part of persons conducting or connected with the lottery, except that the winning chance shall not be determined by the outcome of a publicly exhibited sporting contest. *Raffle* does not include any game designed to simulate: (1) gambling games as defined in the Illinois Gambling Act, (2) any casino game approved for play by the Illinois Gaming Board, (3) any games provided by a video gaming terminal, as defined in the Video Gaming Act, or (4) a savings promotion raffle authorized under Section 5g of the Illinois Banking Act, Section 7008 of the Savings Bank Act, Section 42.7 of the Illinois Credit Union Act, Section 5136B of the National Bank Act (12 U.S.C. 25a), or Section 4 of the Home Owner's Loan Act.

Religious means any church, congregation, society, or organization founded for the purpose of religious worship.

Veterans means an organization or association comprised of members of which substantially all are individuals who are veterans or spouses, widows, or widowers of veterans, the primary purpose of which is to promote the welfare of its members and to provide assistance to the general public in such a way as to confer a public benefit.

3-20-3: **QUALIFICATIONS:** Only bona fide religious, charitable, labor, business, fraternal, educational, veterans', or other bona fide not-for-profit organizations that operate without profit to their members and which have been in existence continuously for a period of five (5) years immediately before making an application for a raffle license and which have had during that entire five (5) year period a bona fide membership engaged in carrying out their objects, non-profit fundraising organizations that the board of trustees determines is organized for the sole purpose of providing financial assistance to an identified individual or group of individuals suffering extreme financial hardship as a result of illness, disability, accident or disaster, law enforcement agencies and statewide associations that represent law enforcement officials, or fire protection agencies and associations that represent fire protection officials, shall be qualified for the issuance of a raffle license.

3-20-4: **INELIGIBILITY:** The following persons/organizations shall be ineligible for a raffle license:

- (a) any person whose felony conviction will impair the person's ability to engage in the licensed position;
- (b) any person who is or has been a professional gambler or gambling promoter;
- (c) any person who is not of good moral character;

(d) organization in which a person defined in subsection (a), (b), or (c) has a proprietary, equitable or credit interest, or in which such a person is active or employed;

(e) any organization in which a person defined in subsection (a), (b), or (c) is an officer, director, or employee, whether compensated or not;

(f) any organization in which a person defined in subsection (a), (b), or (c) is to participate in the management or operation of a raffle;

(g) any organization that has a debt due and owing the Village, including fines and penalties for violations of this Chapter; and,

(h) any organization that has had a raffle license revoked that has not eliminated the basis for such revocation.

3-20-5: **APPLICATION:** Any organization desirous of conducting a raffle within the Village shall complete and file with the Village Clerk an application that shall include the following information:

(a) the name, address and telephone number of the organization, including the manager;

(b) proof of eligibility for a raffle license;

(c) the time period during which raffle chances are to be sold or issued;

(d) the time of determination of winning chances;

(e) the location or locations where winning chances are to be determined;

(f) a sworn statement on the letterhead of the organization executed by the presiding officer and secretary of the organization attesting: (i) to the not-for-profit character of the applicant; and (ii) that upon reasonable inquiry, there exists no basis for the denial of such license under Section 3-20-4 of this Chapter; and,

(g) the name of any other jurisdiction in the State of Illinois in which the organization is licensed to conduct raffles.

3-20-6: **APPLICANT CONVICTIONS:**

(a) No organization applying for a raffle license shall be obligated to report the following information, nor shall such criminal history records be considered in connection with the application for licensure:

- (1) juvenile adjudications of delinquent minors as defined in Section 5-105 of the Juvenile Court Act of 1987, subject to the restrictions set forth in Section 5-130 of the Juvenile Court Act of 1987;
- (2) law enforcement records, court records, and conviction records of an individual who was seventeen (17) years old at the time of the offense and before January 1, 2014, unless the nature of the offense required the individual to be tried as an adult;
- (3) records of arrest not followed by a conviction;
- (4) convictions overturned by a higher court; and,
- (5) convictions or arrests that have been sealed or expunged.

(b) The Village Clerk, upon a finding that an applicant for a license was previously convicted of a felony, shall forward the application and all matters in his/her possession related thereto to the Board of Trustees who shall consider any evidence of rehabilitation and mitigating factors contained in the applicant's record, including any of the following factors and evidence, to determine if the conviction will impair the ability of the applicant to engage in the position for which a license is sought:

- (1) the lack of direct relation of the offense for which the applicant was previously convicted to the duties, functions, and responsibilities of the position for which a license is sought;
- (2) whether five (5) years since a felony conviction or three (3) years since release from confinement for the conviction, whichever is later, have passed without a subsequent conviction;
- (3) if the applicant was previously licensed or employed in Illinois or other states or jurisdictions, then the lack of prior misconduct arising from or related to the licensed position or position of employment;
- (4) the age of the person at the time of the criminal offense;
- (5) successful completion of sentence and, for applicants serving a term of parole or probation, a progress report provided by the applicant's probation or parole officer that documents the applicant's compliance with conditions of supervision;
- (6) evidence of the applicant's present fitness and professional character;
- (7) evidence of rehabilitation or rehabilitative effort during or after incarceration, or during or after a term of supervision, including, but

not limited to, a certificate of good conduct under Section 5-5.5-25 of the Unified Code of Corrections or a certificate of relief from disabilities under Section 5-5.5-10 of the Unified Code of Corrections; and

- (8) any other mitigating factors that contribute to the person's potential and current ability to perform the duties and responsibilities of the position for which a license or employment is sought.

(c) If the Board of Trustees directs the Village Clerk to deny the license to the applicant, then the applicant shall be notified of the denial in writing with the following included in the notice of denial:

- (1) a statement about the decision to refuse to issue a license;
- (2) a list of the convictions that the Village determined will impair the applicant's ability to engage in the position for which a license is sought;
- (3) a list of convictions that formed the sole or partial basis for the refusal to issue a license; and
- (4) a summary of the appeal process or the earliest the applicant may reapply for a license, whichever is applicable.

(d) No later than May 1 of each year, the Village shall prepare, publicly announce, and publish a report of summary statistical information relating to new and renewal license applications during the preceding calendar year. Each report shall show, at a minimum:

- (1) the number of applicants for a new or renewal license under this chapter within the previous calendar year;
- (2) the number of applicants for a new or renewal license under this chapter within the previous calendar year who had any criminal conviction;
- (3) the number of applicants for a new or renewal license under this chapter in the previous calendar year who were granted a license;
- (4) the number of applicants for a new or renewal license with a criminal conviction who were granted a license under this chapter within the previous calendar year;

- (5) the number of applicants for a new or renewal license under this chapter within the previous calendar year who were denied a license; and
- (6) the number of applicants for a new or renewal license with a criminal conviction who were denied a license under this chapter in the previous calendar year in whole or in part because of a prior conviction.

3-20-7: **LICENSE FEE:** Unless waived by the Village Board at the request of the applicant, the fee for a raffle license shall be twenty-five dollars (\$25.00) for each raffle to be conducted. The license fee shall be tendered with the prospective licensee's application. The license fee shall be non-refundable unless the applicant is denied a license. A request for a license waiver may cause delays in the review, processing, and approval of an application.

3-20-8: **LICENSE ISSUANCE:** A raffle license shall be issued to qualified organizations not otherwise ineligible that have completed and filed an application therefor, have tendered the applicable license fee, and have tendered a copy of the fidelity bond for its manager in conformance with the provisions of this Chapter. Raffle licenses shall be granted or denied by the Village within thirty (30) days after the date of filing of the application.

3-20-9: **LICENSE TERMS:** Each raffle license shall be valid for one raffle or for a specified number of raffles to be conducted within a specified period of a calendar year as identified on the raffle license. Raffle licenses are not assignable or transferable.

3-20-10: **EXEMPTION:** No raffle license shall be required for a political committee conducting a raffle within the Village that has a valid raffle license issued by the Illinois State Board of Elections, nor shall a raffle license be required for the sale or issuance of raffle chances by organizations that are otherwise licensed by another jurisdiction so long as the key location of the raffle is located outside of the Village.

3-20-11: **CONDUCT OF RAFFLES:** Raffles conducted in Village shall be subject to the following restrictions:

- (a) the entire net proceeds of any raffle shall be exclusively devoted to the lawful purposes of the organization permitted to conduct that raffle;

- (b) no person except a bona fide director, officer, employee, or member of the sponsoring organization may manage or participate in the management or operation of a raffle;

- (c) no person may receive any remuneration or profit for managing or participating in the management or operation of a raffle;

(d) the licensee may contract with third parties who, acting at the direction and under the supervision of the licensee, provide bona fide services to the licensee in connection with the operation of a raffle and may pay reasonable compensation for said service. Such services include the following: (1) advertising, marketing and promotion, (2) legal, (3) procurement of goods, prizes, wares and merchandise for the purpose of operating the raffle, (4) rent, if the premises upon which the raffle will be held is rented, (5) accounting, auditing and bookkeeping, (6) website hosting, (7) mailing and delivery, (8) banking and payment processing, and (9) other services relating to the operation of the raffle;

(e) A licensee may rent a premises on which to determine the winning chance or chances in a raffle provided that the rent is not determined as a percentage of receipts or profits from the raffle;

(f) raffle chances may be sold throughout the State of Illinois, but the key location shall be located in the Village;

(g) a person under the age of eighteen (18) years shall not participate in the conducting of a raffle without the written permission of a parent or guardian;

(h) a person under the age of eighteen (18) years shall only be within the area where winning chances are determined when accompanied by a parent or guardian;

(i) if a lessor rents a premises where a winning chance or chances on a raffle is determined, the lessor shall not be criminally liable if the person who uses the premises for the determining of winning chances does not hold a license issued by the Village;

(j) the aggregate retail value of all prizes and merchandise awarded by a licensee in a single raffle shall not exceed one million dollars (\$1,000,000.00);

(k) the maximum retail value of each prize awarded in a single raffle shall not exceed one million dollars (\$1,000,000.00);

(l) the maximum price that may be charged for a raffle chance shall not exceed two hundred dollars (\$200.00); and,

(m) the maximum period for which chances may be issued or sold shall not exceed nine (9) months.

3-20-12: **MANAGER; BOND:** The operation and conduct of each raffle shall be under the supervision of a single manager designated by the organization, and bonded in accordance with the provision of this section. The manager shall provide a fidelity bond in favor of the licensee conditioned upon his honesty in the performance of his duties in the amount of 50% of the anticipated aggregate value of all raffle prizes and merchandise to be awarded by the licensee in the license year. The term of the bond shall provide that notice shall be given in writing to the Village not less than thirty (30) days prior to its cancellation or amendment. The bond shall be waived, and a waiver provision shall be included in the license, if the organization applying for the license provides proof it has

authorized a waiver for its manager for the specific raffle by an affirmative vote of the requisite number of members of the licensed organization or, if the licensed organization does not have members, of members of the governing board of the organization, so as to constitute an affirmative action of the licensed organization. Proof of such authorization shall be in writing and documented in accordance with applicable laws and the organization's operating requirements.

3-20-13: RECORDS:

- (A) Each organization licensed to conduct raffles shall maintain the records of its gross receipts, expenses, and net proceeds for each single gathering or occasion at which winning chances are determined. All deductions from gross receipts for each single gathering or occasion shall be documented with receipts or other records indicating the amount, a description of the purchased item or service or other reason for the deductions, and the recipient. The distribution of net proceeds shall be itemized as to payee, purpose, amount and date of payment.
- (B) Gross receipts from the operation of raffle programs shall be segregated from other revenues of the organization, including bingo gross receipts, if bingo games are also conducted by the organization pursuant to license therefor issued by the Department of Revenue of the State of Illinois, and placed in a separate account. Each organization shall have separate records of its raffles. The person who accounts for gross receipts, expenses, and net proceeds from the operation of raffles shall not be the same person who accounts for other revenues of the organization.
- (C) Each organization licensed to conduct raffles shall report to the Village and its membership within seven (7) days after the conclusion of each raffle its gross receipts, expenses and net proceeds from raffles, and the distribution of net proceeds itemized as required in this Chapter.
- (D) Records shall be preserved for three (3) years, and organizations shall make available their records relating to operation of raffles for public inspection at reasonable times and places.

3-20-14: SUSPENSION AND REVOCATION OF LICENSES: A raffle license issued under this Chapter may be revoked or suspended by the Village Clerk for a violation of this Chapter, or any other provision of this Code, upon notice and an opportunity to be heard before the Board of Trustees.

3-20-15: PENALTIES: Any person, firm, corporation or organization violating any provision of this Chapter shall be fined not less than fifty dollars (\$250.00) nor more than seven hundred and fifty dollars (\$750.00) for each offense. A separate offense shall be deemed committed on each day during or on which the violation occurs or continues.

Section 2

If any section, paragraph, clause, or provision of this ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this ordinance.

Section 3

All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed insofar as they conflict herewith.

Section 4

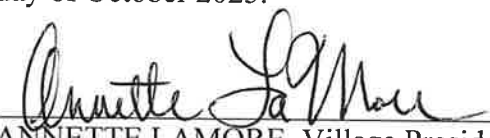
This ordinance shall be immediately in full force and effect after passage, approval and publication as provided by law. This ordinance is authorized to be published in pamphlet form.

PASSED by the Board of Trustees of the Village of Manteno, Illinois and deposited in the office of the Village Clerk this 6th day of October 2025.

DEPOSITED with the Village Clerk this
6th day of October, 2025.


KERRI ROLNIAK, Village Clerk

APPROVED by me this 6th
day of October 2025.


ANNETTE LAMORE, Village President

I DO HEREBY CERTIFY that this Ordinance was, after its passage and approval, published in pamphlet form by authority of the Village of Manteno, in accordance with law, this 6th day of October 2025.


KERRI ROLNIAK, Village Clerk