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GAMES OF CHANCE

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Chapter 52

GAMES OF CHANCE

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[HISTORY: Adopted by the Town Board of the Town of Windsor 8-6-80 as L.L. No, 2-1980, Amended 4-2-97 LL No.1-1997, Amendments noted where applicable.]

GENERAL REFERENCES

Bingo--See Ch. 36.

§ 52-1. Title.

This chapter shall be known as the "Games of Chance Law of the Town of Windsor."

§ 52-2. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

AUTHORIZED ORGANIZATION - An authorized organization as defined in Subdivision 4 of § 186 of the General Municipal Law.

GAMES OF CHANCE - A game of chance as defined in Subdivision 3 of § 186 of the General Municipal Law.

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TOWN - The Town of Windsor, excluding the Village of Windsor unless and until the Village of Windsor enacts a local law permitting such games of chance in accordance with the General Municipal Law.

§ 52-3. Authorization.

Authorized organizations may, upon obtaining a license from the Clerk of the Town of Windsor, conduct games of chance within the Town of Windsor, as provided in Article 9-A of the General Municipal Law and as provided further in this chapter and other applicable laws and regulations of the State of New York. Such games of chance shall be conducted in accordance with the general state law and with the rules and regulations of the New York State Racing and Wagering Board and this chapter.

§ 52-4. Restrictions

- A. No person, firm, association, corporation or organization, other than a licensee, shall conduct such game or shall lease or otherwise make available for conducting games of chance a hall or other premises for any consideration whatsoever, direct or indirect, except as provided in §190 of the General Municipal Law.
- B. No game 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 the receipts or net profits derived from the operation of such game.
- C. No authorized organization licensed under the provisions of this local law shall purchase or receive any supplies or equipment specifically designed or adapted for use in the conduct of games of chance from other than a supplier licensed by the New York State Racing and Wagering Board or from another authorized organization.
- D. The entire net proceeds of any game of chance and of any rental shall be exclusively devoted to the lawful purposes of the organization permitted to conduct the same.
- E. No prize shall exceed the sum or value of one hundred dollars (\$100.) in any operation or conducting of a single game of chance. No single wager shall exceed two dollars (\$2.00).
- F. No series of prizes on any one (1) occasion of games of chance shall aggregate more than one thousand dollars (\$1,000.00)

G. No person, except a bona fide member of any such organization, its auxiliary or affiliated organization, shall participate in the management or operation of such game, as set forth in § 195 of the General Municipal Law.

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

I. The unauthorized conduct of a game of chance shall constitute and be punishable as a misdemeanor.

J. All mandatory restrictions contained in the General Municipal Law are hereby incorporated by reference.

§ 52-5. Conduct of games on Sunday.

Games of chance on the first day of the week, commonly known as "Sunday," may be conducted pursuant to this chapter and the appropriate statute and regulation.

§ 52-6. Enforcement.[Amended 4-2-97 LL No.1-1997]

The Code Enforcement Officer, or other person designated by the Town Board of the Town of Windsor, shall exercise control over and supervision of all games of chance conducted under an appropriately issued license. Such officer shall have all those powers and duties set forth in § 9-A of the General Municipal Law.

§ 52-7. Denial of License. [Amended 4-2-97, LL No.1-1997]

Nothing in this section shall create any obligation by the Town of Windsor to issue such license, and the Town may, at its sole discretion, deny such application.

§ 52-8. Responsibility. [Amended 4-2-97, LL No.1-1997]

The Town shall bear no responsibility or liability to any person, entity, or party for any claim arising out of the issuance of such license or the conduct of any licensed games of chance.

52-9. When Effective.

This chapter shall take effect immediately upon filing with the Secretary of State's office, following its approval at referendum by a majority of qualified voters voting thereon at the General Election to be held in November 1980.¹

¹ Passed at referendum November 4, 1980.