

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

~~County~~
~~City~~ of FORESTPORT
~~Town~~
~~Village~~

Local Law No. 2 of the year 19 85

A local law regarding games of chance
(Insert title)

Be it enacted by the Town Board of the
(Name of Legislative Body)

~~County~~
~~City~~ of Forestport as follows:
~~Town~~
~~Village~~

GAMES OF CHANCE

Section I STATUTORY AUTHORITY

This Local Law is enacted pursuant to the authority granted by Chapter 960, Laws of the State of New York, 1976, which amended the General Municipal Law of the State of New York by adding a new Article, Article 9-A, thereto.

Section II LEGISLATIVE INTENT

a) The New York State Legislature has declared in adopting Article 9-A of the General Municipal Law entitled "Local Option for Conduct of Games of Chance by Certain Organizations", that the raising of funds for the promotion of a bona fide charitable, educational, scientific, health, religious, and patriotic causes and undertakings where the beneficiariers are undetermined, is in the public interest; and

b) The Legislature of the State of New York has declared it to be the policy of said Legislature that all phases of the supervision, licensing, and regulations of games of chance and the conduct of games of chance should be closely controlled and the laws and regulations pertaining thereto should be strictly construed for the purpose of discouraging commercialism in such games and to insure a maximum availability of the net proceeds of games of chance exclusively for the application of worthy causes; and

c) The Town Board of the Town of Forestport deems it in the best interests of the citizens of the Town of Forestport that said games of chance should be permitted in the Town of Forestport as authorized by Article 9-A of the General Municipal Law.

Section III TERRITORIAL APPLICABILITY

This ordinance shall apply only within the limits of the Town of Forestport, County of Oneida, and State of New York.

Section IV DEFINITION OF TERMS

All terms used herein shall be given their ordinary and common meaning, unless said terms are specifically defined by Article 9-A of the General Municipal Law, or the rules and regulations of the State of New York Racing and Wagering Board.

Section V INCORPORATION OF STATUTORY PROVISIONS

This Local Law shall be deemed to include all of the provisions of Article 9-A of the General Municipal Law, and the Rules and Regulations of the State of New York Racing and Wagering Board adopted pursuant to said Article 9-A, except as otherwise provided in this Local Law; and all amendments to the provisions of said Article 9-A or said Rules and Regulations are hereby deemed to be incorporated into this Local Law to the extent such amendments are otherwise applicable to games of chance authorized under this Local Law.

Section VI GAMES OF CHANCE AUTHORIZED

Authorized organizations, may, upon obtaining a license from the Town Clerk, conduct games of chance within the corporate limits of the Town of Forestport. Such games of chance shall be conducted in accordance with the laws of the State of New York and with the rules and regulations adopted by the New York State Racing and Wagering Board, and pursuant to this Local Law.

Section VII RESTRICTIONS- INCORPORATION OF STATUTE

This Local Law shall be deemed to include all of the provisions of Article 9-A of the General Municipal Law, and the rules and regulations of the State of New York Racing and Wagering Board, except as otherwise provided by this Local Law; and any amendments to said Article 9-A or said rules and regulations are hereby deemed to be incorporated into this Local Law.

Section VIII SUNDAY GAMES

Games of chance may be conducted on the first day of the week, commonly known and designated as Sunday, pursuant to this Local Law, but only between the hours of noon and midnight of the next succeeding day, commonly known as Monday.

Section IX ENFORCEMENT

The sheriff of the County of Oneida shall exercise control over and supervision of all games of chance conducted under a duly authorized license, and the sheriff shall have all the powers and duties set forth in Section 194 of the General Municipal Law for the enforcement of Article 9-A of the General Municipal Law.

Section X PENALTY

Any violation of Article 9-A of the General Municipal Law of the State of New York, the rules and regulations of the State of New York Racing and Wagering Board as it applies to games of chance, or of this Local Law, shall constitute a misdemeanor, and shall cause the forfeiture of any license issued pursuant to this local law, and shall cause the licensee to be ineligible to apply for a license to conduct games of chance for a minimum period of one year after the conviction, all pursuant to Section 195-j of the General Municipal Law.

Section XI EFFECTIVE DATE

This Local Law shall become effective:

a) Upon the approval of said ordinance by a majority of the electors voting on a proposition submitted at a general or special election held within such municipality who are qualified to vote for offices of such municipality, pursuant to Section 188(2) of the General Municipal Law, and

b) Upon filing with the State of New York Racing and Wagering Board, a certified copy of said ordinance within ten (10) days after its adoption as provided above.

Section XIII REPEAL OF PRIOR ORDINANCES AND REGULATIONS

Any and all ordinances or regulations in conflict with this Local Law at any time heretofore adopted are hereby repealed in their entirety.

(Complete the certification in the paragraph which applies to the filing of this local law and strike out the matter therein which is not applicable.)

1. ~~(Final adoption by local legislative body only.)~~

I hereby certify that the local law annexed hereto, designated as local law No. of 19.....
County
City
of the Town of was duly passed by the
Village (Name of Legislative Body)
on 19..... in accordance with the applicable provisions of law.

2. ~~(Passage by local legislative body with approval or no disapproval by Elective Chief Executive Officer, or repassage after disapproval.)~~

I hereby certify that the local law annexed hereto, designated as local law No. of 19.....
County
City
of the Town of was duly passed by the
Village (Name of Legislative Body)
on 19..... not disapproved
and was approved by the
repassed after disapproval Elective Chief Executive Officer *
and was deemed duly adopted on 19....., in accordance with the applicable
~~provisions of law.~~

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No.2..... of 1985...
County
City
of the Town of Forestport was duly passed by the Town Board
Village (Name of Legislative Body)
on August 14, 1985 not disapproved
and was approved by the Supervisor
repassed after disapproval Elective Chief Executive Officer *
on August 14, 1985. Such local law was submitted to the people by reason of a
mandatory referendum, and received the affirmative vote of a majority of the qualified electors voting
permissive general
thereon at the special election held on November 5, 1985, in accordance with the appli-
cable provisions of law.

5. ~~(City local law concerning Charter revision proposed by petition.)~~

I hereby certify that the local law annexed hereto, designated as local law No. of 19..... of the City of..... having been submitted to referendum pursuant to the provisions of § 36 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the ^{special} ~~general~~ election held on 19 became operative.

6. ~~(County local law concerning adoption of Charter.)~~

I hereby certify that the local law annexed hereto, designated as Local Law No. of 19..... of the County of, State of New York, having been submitted to the Electors at the General Election of November, 19, pursuant to subdivisions 5 and 7 of Section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and of a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph3..... above.

Barbara R. Smith

Clerk of the County legislative body, City, Town or Village Clerk or
officer designated by local legislative body

BARBARA SMITH, Town Clerk, Town of

Forestport

Date: December 26 , 1985.

(Seal)