

ORDINANCE # 2003-05
CHARITABLE GAMBLING ORDINANCE

**THE CITY COUNCIL OF THE CITY OF ROCKVILLE, STEARNS COUNTY, MINNESOTA
DOES HEREBY ORDAIN:**

SECTION 1: Provision of the State Law Adopted. There is hereby adopted and incorporated herein by reference, as an ordinance of the city, the provisions of Chapter 349, Minnesota Statutes, relating to the conduct of bingo occasions, the operation of gambling devices and the conduct of raffles, except as such provisions may be made more restrictive by the following provisions of the ordinance.

SECTION 2: License Required. The City Council of ROCKVILLE, under the authority of Minnesota Statutes, Chapter 349, hereby ordains that gambling license applications shall be approved by the city only for fraternal, religious, veterans, or other non-profit organizations. Such organizations must:

- A: Have been in existence for more than 3 years
- B: Have more than (15) fifteen members
- C: Have thirty (30%) percent of their members residents of the city limits of ROCKVILLE or located within the Rockville trade area.
- D: And have their headquarters located in the city or trade area. Said trade area is defined as the city limits, Cities of Waite Park, St. Augusta, & St. Cloud and Townships of Maine Prairie, Wakefield, & St. Joseph. Upon application for approval, it will be the duty of the organization to submit a current list of members to the Administrator/Clerk. An updated list shall be submitted with each renewal application. Because of the nuisance prone nature of gambling compared to other licensing activities within the City of Rockville, the City is requiring the residency requirement for charitable organizations so as to facilitate investigation of applicants, and the investigation and arrest of any violators.

SECTION 3: License Limitation. The Rockville City Council will allow no more than one license approval per on-sale liquor license establishment. It is anticipated that there may be more charitable organizations applying for licensing than there are on-sale liquor license establishments. Therefore, licenses will be approved on a first-come first-served basis. If two or more organizations who meet the criteria of acceptance for approval apply for approval, the council will approve the organization who applied first. The establishment owner who denies a request from an organization to lease said premises, shall submit in writing, to the City Council the reasons for such denial. The City Council reserves the right to approve the charitable organization to receive the license at the City's sole discretion.

SECTION 4: Contributions. Each organization conducting lawful gambling shall expend or contribute at least fifty (50%) percent of its profits derived from charitable gambling for lawful purpose expenditures within, or for the benefit of the City of Rockville or trade area by the end of each premise permit year.

SECTION 5: Reporting. A monthly gambling report from each organization shall be required to be submitted to the Administrator/Clerk by the 20th day following each month.

SECTION 6: Fine, Penalty, Suspension. If any organization shall fail to make any payments required by this ordinance, or fail to provide the Administrator/Clerk with reports as required by this ordinance, such failure shall be grounds for the City to recommend to the Charitable Gambling Control Board, that the gambling license for the organization be suspended, revoked, or not renewed.

SECTION 7: Effective Date. This ordinance shall be effective and apply to all lawful gambling conducted in the City upon passage and publication in the official newspaper.

Dated this _____ Day of _____, 2003.

ATTEST:

VERENA M. WEBER-CMC
ADMINISTRATOR/CLERK

ROGER SCHMIDT
MAYOR

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SEAL: