

Introduced by Commissioner George W. COOPER

AN ORDINANCE REGULATING THE OPERATION OF BINGO OR LOTTO BY CHARITABLE, FRATERNAL OR RELIGIOUS ORGANIZATIONS; **PROVIDING PENALTIES**

The City of Warrenton ordains as follows:

Section 1. Charitable, fraternal and religious organizations which are located within the city and which comply with the provisions of all other applicable laws and regulations including but not limited to ORS 465.100 may engage in bingo or lotto when no person other than the organization or a player profits in any manner from the operation of the lottery. Bingo or lotto means a game played with cards bearing lines of numbers, in which a player covers or uncovers a number selected from a container, and which is won by a player who is present during the game and who first covers or uncovers the selected numbers in a designated combination, sequence or pattern. As used in this section, "charitable, fraternal or religious organization" means any person or persons organized and existing for charitable, benevolent, eleemosynary, humane, patriotic, religious, philanthropic, recreational, social, educational, civic, fraternal or other nonprofit purposes, and who is also exempt from payment of federal income taxes because of its charitable, fraternal or religious purposes. The fact that contributions to an organization profiting from the contest do not qualify for charitable deductions for tax purposes or that the organization is not otherwise exempt from payment of federal income taxes pursuant to the Internal Revenue Code of 1954, as amended, constitutes prima facie evidence that the organization is not a bona fide charitable, fraternal or religious organization.

Section 2. Violation - Penalty

A. A violation of this chapter shall be punishable by a fine not to exceed five hundred dollars, by imprisonment not to exceed six months, or by both.

B. Each violation of a separate provision of this chapter shall constitute a separate offense, and each day that a violation of this chapter is committed or permitted to continue shall constitute a separate offense.

C. The maximum penalty for violation of this chapter shall not exceed the maximum penalty prescribed for violation of a substantially similar offense prescribed by Oregon Revised Statutes.

Passed by the City Commission of the City of Warrenton, Oregon this 18th day of June, 1986.

Examined and approved by the Mayor of the City of Warrenton this 18th day of June, 1986.



Mayor

ATTEST:



Auditor and Police Judge