

AUG 7 1989

BOARD OF SUPERVISORS
JAMES CITY COUNTY
VIRGINIA

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 5, BINGO AND RAFFLES, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING SECTION 5-5, CONDUCT OF BINGO GAMES; SECTION 5-6, "INSTANT BINGO;" AND SECTION 5-7. REPORT OF GROSS RECEIPTS AND DISBURSEMENTS REQUIRED.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 5, Bingo and Raffles, is hereby amended and reordained by amending Section 5-5. Conduct of bingo games; Section 5-6. "Instant Bingo;" and Section 5-7. Report of gross receipts and disbursements required.

Chapter 5. Bingo and Raffles.

Section 5-5. Conduct of bingo games.

No organization may hold bingo games more frequently than two calendar days in any one calendar week, except that a special permit may be granted an organization which entitles an organization to conduct more frequent operations during carnivals, fairs and other similar events at its principal meeting place or any other site selected by such organization which is located in the jurisdiction issuing the permit and which is not in violation of Chapter 20, Zoning. The sponsoring organization shall accept only cash in payment of any charges or assessments for players to participate in bingo games. (Ord. No. 133, 9-10-79)

Section 5-6. "Instant bingo."

Any organization qualified to conduct bingo games pursuant to the provisions of this chapter is authorized to play "instant bingo" as a part of such bingo game; and only at such location and at such times as are specified in the bingo application permit for regular bingo games as defined in Section 5-1.

The gross receipts in the course of a reporting year from the playing of "instant bingo" shall not exceed thirty-three and one-third per centum of the gross receipts of an organization's bingo operation.

Any organization playing "instant bingo" shall maintain a record of the date, quantity and card value of instant bingo supplies purchased as well as the name and address of the supplier of such instant bingo supplies. The organization shall also maintain a written invoice or receipt from a nonmember of the organization verifying any information required by this section.

No organization shall sell an "instant bingo" card to any individual below 16 years of age. (Ord. No. 133,9-10-79)

Section 5-7. Reports of gross receipts and disbursements required.

Complete records of all receipts and disbursements shall be kept and shall be filed annually under oath with the office of the county attorney or commissioner of revenue. All annual or quarterly financial reports and other items required to be filed under this section shall be a matter of public record. All accountings shall be made on or before the first day of November of each calendar year for which a permit has been issued. The accounting shall include a record of the gross receipts and disbursements of an organization for the year period which commenced on the first day of October of the previous year and a record of all money in the possession of the organization that was derived from bingo or instant bingo, regardless of when the money was received. Provided, however, any organization whose gross receipts exceed \$50,000.00 during any calendar quarter shall be required to file an additional accounting of its receipts and disbursements during such quarter no later than sixty days following the last day of such quarter. "Gross receipts," as used in this section, shall mean the total amount of money received from bingo and "instant bingo" operations before the deduction of expenses or prizes.

All such reports and receipts and disbursements shall be made on a form provided by the county and acknowledged in the presence of a duly authorized notary public. The failure to file such reports when due shall cause the automatic revocation of the permit and no such organization shall conduct any bingo game or raffle thereafter until such report is properly filed and a new permit is obtained.

Such financial report shall be accompanied by a certificate, verified under oath, by the board of directors that the proceeds of any bingo games or raffles have been used for those lawful, religious, charitable, community or educational purposes for which the organization is specifically chartered or organized and that the operation of bingo games or raffles has been in accordance with the provisions of Chapter 5.

Any organization having annual gross receipts from bingo games or raffles in excess of \$200,000, as shown on its annual financial report, shall attach to such report an opinion executed by a licensed certified public accountant that: (i) the statement of receipts and disbursements is true and correct; (ii) the proceeds of any bingo games or raffles have been used for

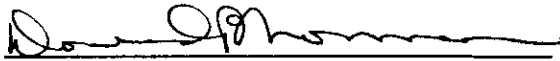
those lawful, religious, charitable, community or educational purposes for which the organization is specifically chartered or organized; and (iii) the gross receipts have been used in all respects in accordance with the provisions of this article. The failure to file the opinion of a licensed certified public accountant, when required, shall cause the automatic revocation of the permit and no organization shall conduct any bingo game or raffle thereafter until the opinion is properly filed with the report and a new permit is obtained.

Notwithstanding the provisions of this chapter requiring an annual audit, the provisions of this section shall not be construed so as to prohibit the county administrator or his designee from performing unannounced audits or restrict any right to secure records required to be maintained by the provisions of this chapter. The county administrator or his designee shall have the authority to go upon the premises on which any organization is conducting a bingo game for the purpose of carrying out the duties imposed by this chapter. The application for the bingo permit shall constitute permission from, and authority granted by, such organization to any law enforcement officer to enter upon such premises.

The organization shall maintain a record in writing for three years of the dates on which bingo is played, the number of people in attendance on each date and the amount of the receipts and prizes paid on each such day. The organization shall also maintain a record of the name and address of each individual to whom a door prize, regular or special bingo game prize or jackpot from the playing of bingo is awarded, as well as the amount of such award. The organization playing bingo shall also maintain an itemized record of all receipts and disbursements, including operating costs and use of proceeds incurred in operating bingo games. (Ord. No. 133, 9-10-79; Ord. No. 133A-1, 9-13-82; Ord. No. 133A-2, 12-2-85; Ord. No. 133A-3, 8-1-88)

Thomas D. Mahone
Thomas D. Mahone, Chairman
Board of Supervisors

ATTEST:


David B. Norman
Clerk to the Board

<u>SUPERVISOR</u>	<u>VOTE</u>
NORMENT	AYE
TAYLOR	AYE
EDWARDS	AYE
DEPUE	AYE
MAHONE	AYE

Adopted by the Board of Supervisors of James City County, Virginia,
this 7th day of August, 1989.

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