

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

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 Florence
☒ Town
☐ Village

Local Law No. 4 of the year 20 08

STATE OF NEW YORK
 DEPARTMENT OF STATE
FILED
 NOV 17 2008

MISCELLANEOUS & STATE RECORD

A local law to authorize certain games of chance pursuant to the General Municipal Law of the State

(Insert Title)

of New York in order to provide such expanded opportunities for not for profit and

charitable organizations.

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

- ☐ County
☐ City of Florence
☒ Town
☐ Village

as follows:

Article 1. - Statement of Authority. The Town Board of the Town of Florence, pursuant to the authority granted under Article 9-A of the General Municipal Law and Sections 10 and 20 the Municipal Home Rule Law hereby enacts as follows:

Article 2. - Statement of Purpose and Findings. The Town Board of the Town of Florence hereby finds that the certain non for profit groups need expanded opportunities in order to raise funds to support their charitable pursuant. It is the purpose of this local law to authorize certain games of chance pursuant to the General Municipal Law of the State of New York in order to provide such expanded opportunities for not for profit and charitable organizations.

Article 3. - Enactment. The Town Board of the Town of Florence hereby enacts as follows:

Section 1. - Title.

This chapter shall be known as the "Game of Chance Law" of the Town of Florence.

Section 2. - Definition.

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

AUTHORIZED ORGANIZATION - An authorized organization as

defined in Subdivision 4 of Section 186 of the General Municipal Law.

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

Section 3. - Authorization; Conduct.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

Section 3. - Authorization; Conduct.

Authorized organizations may, upon obtainment of a license from the Clerk of the Town, conduct games of chance within the village, as provided in Article 9-A of the General Municipal Law and as provided further in this chapter.

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.

Section 4. - Restrictions.

- A. No license shall be issued for the conduct of games of chance in any private home or dwelling
- B. No person under the age of eighteen (18) years may receive a license pursuant to this chapter.

Section 5. - Sunday Games.

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

Section 6. - Enforcement.

Any law enforcement agency may exercise control over and supervision of all games of chance conducted under an appropriately issued license. Such agency shall have all those powers and duties set forth in Article 9-A of the General Municipal Law.

Article 4. - Severability. If any part of this Chapter shall be found to be void, voidable, or unenforceable for any reason whatsoever, it shall not affect the validity or enforceability of any remaining section or provision of this Chapter.

Article 5. - Effective Date. This local law shall take effect immediately upon filing with the Secretary of State after approval at a general or special election by the voters of the Town.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that 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 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, in accordance with the applicable provisions of law.

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

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) _____ (Name of Legislative Body) (repassed after disapproval) by the _____ and was deemed duly adopted on _____ (Elective Chief Executive Officer*) _____ 20____, 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. 21 of 20 08 of the (County)(City)(Town)(Village) of Florence was duly passed by the Town Board on July 16 20 08, and was (approved)(not approved) _____ (Name of Legislative Body) (repassed after disapproval) by the Supervisor on July 16 20 08 _____ (Elective Chief Executive Officer*)

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general) (special)(annual) election held on November 4 20 08, in accordance with the applicable provisions of law.

4. ~~(Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)~~

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) _____ (Name of Legislative Body) (repassed after disapproval) by the _____ on _____ 20____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in accordance with the applicable provisions of law.

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

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 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) 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 _____ 20____, 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 20____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20____, 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 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 paragraph _____, above.


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

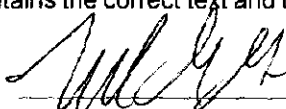
(Seal)

Date: November 7, 2008

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK
COUNTY OF Oneida

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.


Signature
Mark G. Gebo, Town Attorney
Title

of Florence
Town

Date: November 7, 2008