

Chapter 189, BINGO AND GAMES OF CHANCE

[HISTORY: Adopted by the City Council of the City of Binghamton as indicated in article histories. Amendments noted where applicable.]

ARTICLE I, Bingo [Adopted 10-5-1970 (Ch. 3, Art. II, §§ 3-17 through 3-26, of the 1970 Code)]

§ 189-1. Conduct of game authorized; license required.

It shall be lawful for any authorized organization, as defined in § 476 of Article 14-H of the General Municipal Law, upon obtaining the required license, to conduct the game of bingo within the territorial limits of the City, subject to the provisions of this article, Article 14-H of the General Municipal Law, and Article 19-B of the Executive Law.

§ 189-2. Conduct of game and leasing of premises restricted.

No person, firm, association, corporation or organization, other than a licensee under the provisions of Article 14-H of the General Municipal Law, shall conduct such game or shall lease or otherwise make available for conducting bingo a hall or other premises for any consideration whatsoever, direct or indirect.

§ 189-3. Conduct of game on leased premises restricted.

No bingo game shall be held, operated or conducted on or within any leased premises if rental under such lease is to be paid, wholly or partly, on the basis of a percentage of the receipts or net profits derived from the operation of such game.

§ 189-4. Purchases from unlicensed suppliers.

No authorized organization licensed under the provisions of Article 14-H of the General Municipal Law shall purchase or receive any supplies or equipment specifically designed or adapted for use in the conduct of bingo games from other than a supplier licensed under the Bingo Control Law or from another authorized organization.

§ 189-5. Use of proceeds.

The entire net proceeds of any game of bingo and of any rental shall be exclusively devoted to the lawful purposes of the organization permitted to conduct the same.

§ 189-6. Maximum prizes. [Amended 12-4-2006 by L.L. No. 2-2006]

- A. No prize shall exceed the sum or value of \$1,000 in any single game of bingo.
- B. No series of prizes on any one bingo occasion shall aggregate more than \$3,000.

§ 189-7. Managers to be members of organization.

No person except a bona fide member of an organization licensed pursuant to the provisions of this article shall participate in the management or operation of a bingo game.

§ 189-8. Compensation of managers.

No person shall receive any remuneration for participating in the management or operation of any game of bingo.

§ 189-9. Violations to constitute misdemeanor.

The unauthorized conduct of a bingo game and any willful violation of any provision of this article shall constitute and be punishable as a misdemeanor.

§ 189-10. Conduct of games on Sunday authorized. [Added 8-16-1976 by Ord. No. 176-76; Amended 3-17-10 by Local Law 1-2010]

A. Pursuant to the provisions of § 485 of the General Municipal Law, bingo games are hereby authorized in the City of Binghamton on Sundays.

B. Those parties presently holding a valid license must file a written application for bingo games on Sunday.

ARTICLE II, Games of Chance [Adopted 4-3-1989 by L.L. No. 9-1989, approved at referendum 11-7-1989 (Sub-Part LXX of the 1970 Code)]

§ 189-11. Conduct of games authorized.

It shall hereinafter be lawful for any authorized organization, upon obtaining a license therefor, to conduct games of chance within the City of Binghamton, subject to the provisions of Article 9-A of the General Municipal Law and subject to the provisions and rules governing such games of chance as set forth by the New York State Racing and Wagering Board.

§ 189-12. Definitions.

The words and terms used in this article shall have the same meaning as such words and terms are used in Article 9-A of the General Municipal Law, unless otherwise provided herein, or the context requires a different meaning:

CITY -- The City of Binghamton.

OFFICER -- The Chief Law Enforcement Officer of the City of Binghamton.

§ 189-13. Games of chance defined.

"Games of chance" shall mean and include only the games known as "merchandise wheels" and "belljars" and such other specific games as may be authorized by the State Racing and Wagering Board in which prizes are awarded on the basis of a designated winning number or numbers, color or colors, symbol or symbols, determined by chance, but not including games commonly known as "bingo" or "lotto" which are controlled under Article 14-H of the General Municipal Law and also not including "slot machines," "policy or number games" and "lottery" as defined in § 225.00 of the Penal Law. No game of chance shall involve wagering of money by one player against another player.

§ 189-14. Authorized organization defined.

"Authorized organization" shall mean and include any bona fide religious or charitable organization or bona fide educational, fraternal or service organization, or bona fide organization of veterans or volunteer fire fighters, which by its charter, certificate of incorporation, constitution or act of the Legislature shall have among its dominant purposes one or more of the lawful purposes as defined in Article 9-A of the General Municipal Law, provided that each shall operate without profit to its members, and provided that each such organization has engaged in serving one or more of the lawful purposes as defined in Article 9-A for a period of three years immediately prior to applying for a license under this article. No organization shall be deemed an authorized organization which is formed primarily for the purpose of conducting games of chance and which does not devote at least 75% of its activities to other than conducting games of chance. No political party shall be deemed an authorized organization.

§ 189-15. Use of proceeds; prize limits; management personnel.

The net proceeds of any game conducted under this article shall be exclusively devoted to the lawful purposes of the authorized organization conducting the games or meetings. No single prize for any game of chance shall exceed \$250. No series of prizes on any one occasion shall aggregate more than \$1,000. No person except a bona fide member of the authorized organization conducting the game shall participate in the management or operation of such game. No person shall receive any remuneration for participating in the management or operation of any such game.

§ 189-16. Conduct of games on Sunday authorized. [Amended by L.L. No. 9-1991]

Games of chance authorized pursuant to this article may be conducted on Sunday, pursuant to the provisions of § 195 of the General Municipal Law of the State of New York.