

ORDINANCE NO. 2024-263.3

**ORDINANCE AMENDING CHAPTER 16, ARTICLE XIII, DIVISION 8  
RELATING TO THE CITY OF ROCK FALLS RAFFLES ORDINANCE**

**WHEREAS**, the Raffles and Poker Runs Act, 230 ILCS 15/1 et. seq. (the “Act”), authorizes the licensure and operation of raffles and poker runs by licensed not-for-profit organizations throughout the State of Illinois; and

**WHEREAS**, pursuant to Chapter 16, Article XIII, Division 8, the City of Rock Falls (the “City”), has authorized the licensure and operation of raffles and poker runs within the corporate limits of the City by qualifying not-for-profit organizations; and

**WHEREAS**, the state legislature recently amended the Act to provide for a change as to the organizations which may conduct raffles under the Act; and

**WHEREAS**, to conform with said amendments to the Act, the Mayor and City Council of the City (collectively, the “Corporate Authorities”) desire to amend the City’s raffle ordinance as more specifically set forth herein.

**NOW, THEREFORE, BE IT ORDAINED**, by the Mayor and City Council of the City of Rock Falls, Whiteside County, Illinois as follows:

**SECTION 1:** The preambles to this Ordinance are true and correct and are hereby incorporated into this Section 1 as if more fully set forth herein.

**SECTION 2:** Chapter 16, Article XIII, Section 16-1480 of the Rock Falls Municipal Code, as amended, shall be further amended to read as follows:

**“Sec. 16-1480. – Definitions.**

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Business organization* means a voluntary organization composed of individuals and businesses who have joined together to advance the commercial, financial, industrial or civic interest of a community.

*Charitable organization* means an organization or institution organized and operated to benefit an indefinite number of the public. The service rendered to those eligible for benefits must also confer some benefit on the public.

*Educational organization* means an organization or institution organized and operated to provide systematic instruction in useful branches of learning by methods common to schools and institutions of learning which compare favorably in their scope and intensity with the course of study presented in tax-supported schools.

*Fire protection agency* means: (1) an agency of the State of Illinois, unit of local government, or intergovernmental mutual aid entity that is vested by law or intergovernmental agreement with the duty and authority to provide public fire suppression, rescue, or emergency medical services; or (2) an organization that provides support or assistance to an agency of the State of Illinois, unit of local government, or intergovernmental mutual aid entity that is vested by law or intergovernmental agreement with the duty and authority to provide public fire suppression, rescue, or emergency medical services.

*Fraternal organization* means an organization of persons having a common interest, the primary interest of which is to both promote the welfare of its members and to provide assistance to the general public in such a way as to lessen the burdens of government by caring for those who otherwise would be cared for by the government.

*Key location* means:

- (1) For a poker run, the location where the poker run concludes and the prizes are awarded.
- (2) For a raffle, the location where the winning chances in the raffle are determined.

*Labor organization* means an organization composed of workers organized with the objective of betterment of the conditions of those engaged in such pursuit and the development of a higher degree of efficiency in their respective occupations.

*Law enforcement agency* means an agency of the State of Illinois or a unit of local government in the State of Illinois that is vested by law or ordinance with the duty to maintain public order and to enforce criminal laws or ordinances.

*Licensee* means an organization which has been issued a license to operate a raffle.

*Net proceeds* means the gross receipts from the conduct of raffles, less sums expended for prizes, local license fees and other reasonable operating expenses incurred as a result of operating a raffle.

*Nonprofit* means organized, operated and conducted on a not-for-profit basis with no personal profit inuring to anyone as a result of the operation.

*Person* means an individual, firm, organization, public or private corporation, government, partnership or unincorporated association.

*Raffle* means a form of lottery, as defined in subsection (b) of Section 28-2 of the Criminal Code of 2012 (720 ILCS 5/28-2), conducted by an organization licensed under this division in which:

- (1) The player pays or agrees to pay something of value for a chance, represented and differentiated by a number or by a combination of numbers or by some other means, one or more of which chances is to be designated the winning chance; and
- (2) The winning chance is to be determined through a drawing or by some other method based on an element of chance by an act or set of acts on the part of persons conducting or connected with the lottery, except that the winning chance shall not be determined by the outcome of a publicly exhibited sporting contest.

“Raffle” does not include any game designed to simulate: (1) gambling games as defined in the Illinois Gambling Act, (2) any casino game approved for play by the Illinois Gaming Board, (3) any games provided by a video gaming terminal, as defined in the Video Gaming Act, or (4) a savings promotion raffle authorized under Section 5g of the Illinois Banking Act, Section 7008 of the Savings Bank Act, Section 42.7 of the Illinois Credit Union Act, Section 5136B of the National Bank Act, or Section 4 of the Home Owners' Loan Act.

*Religious organization* means any church, congregation, society or organization founded for the purpose of religious worship.

*Veterans organization* means an organization or association comprised of members of which substantially all are individuals who are veterans or spouses, widows or widowers of veterans, the primary purpose of which is to promote the welfare of its members and to provide assistance to the general public in such a way as to confer a public benefit.”

**SECTION 3:** Chapter 16, Article XIII, Section 16-1485 of the Rock Falls Municipal Code, as amended, shall be further amended to read as follows:

**“Sec. 16-1485. – Licensee qualifications.**

(a) Raffle licenses shall be issued only (1) to bona fide religious, charitable, labor, business, fraternal, educational, veterans', or other bona fide not-for-profit organizations that operate without profit to their members and which have been in existence continuously for a period of five (5) years immediately before making application for a raffle license and which have during that entire 5-year period been engaged in carrying out their objects, (2) to a non-profit fundraising organization that the licensing authority determines is organized for the sole purpose of providing financial assistance to an identified individual or group of individuals suffering extreme financial hardship as the result of an illness, disability, accident, or disaster, (3) to any law enforcement agencies and associations that represent law enforcement officials, or (4) to any fire protection agencies and associations that represent fire protection officials.

(b) Poker run licenses shall be issued only to bona fide religious, charitable, labor, business, fraternal, educational, veterans', or other bona fide not-for-profit organizations that operate without profit to their members and which have been in existence continuously for a

period of 5 years immediately before making application for a poker run license and which have during that entire 5-year period been engaged in carrying out their objects. Licenses for poker runs shall be issued for the following purposes: (1) providing financial assistance to an identified individual or group of individuals suffering extreme financial hardship as the result of an illness, disability, accident, or disaster or (2) to maintain the financial stability of the organization.

(c) The city may waive the 5-year requirement under subsections (a) or (b) for a bona fide religious, charitable, labor, business, fraternal, educational, or veterans' organization that applies for a license to conduct a raffle or a poker run if the organization is a local organization that is affiliated with and chartered by a national or State organization that meets the 5-year requirement.

(d) The following are ineligible for any license under this division:

- (1) Any person whose felony conviction will impair the person's ability to engage in the licensed position, provided, however, that the city shall have the right to refuse to issue a license to any applicant found to have been previously convicted of a felony as provided in Section 3.1 of the Raffles and Poker Runs Act (230 ILCS 15/3.1);
- (2) Any person who is or has been a professional gambler or gambling promoter;
- (3) Any person who is not of good moral character;
- (4) Any organization in which a person defined in subsections (1), (2) or (3) of this subsection has a proprietary, equitable or credit interest, or in which such person is active or employed;
- (5) Any organization in which a person defined in subsections (1), (2) or (3) of this subsection is an officer, director, or employee, whether compensated or not; and
- (6) Any organization in which a person defined in subsections (1), (2) or (3) of this subsection is to participate in the management or operation of a raffle as defined herein."


**SECTION 4:** In all other respects, Chapter 16, Article XIII, Division 8 of the Rock Falls Municipal Code shall remain in full force and effect as previously adopted and/or amended.


**SECTION 5:** The provisions and sections of this Ordinance shall be deemed to be separable and the invalidity of any portion of this ordinance shall not affect the validity of the remainder.

**SECTION 6:** The City Clerk is directed to publish this Ordinance in pamphlet form.

**SECTION 7:** This Ordinance shall be in full force and effect from and after its passage and approval and publication as required by law.

Approved this 2nd day of January, 2024.

  
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Mayor

ATTEST:  
  
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City Clerk

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NAY

McKanna

None

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Byrd

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