

# **CITY OF NIAGARA FALLS**

## **A CONSOLIDATED BY-LAW**

Being **By-law No. 2003-172** as amended by:  
By-law 2005-32

**A by-law to establish a municipal bingo policy.**

**WHEREAS** Provincial Order in Council 2688/93 (as amended by OIC 2038/97 and OIC 267/98) authorizes the licensing framework for eligible charitable or religious organizations to hold lottery events and sets out the limits of municipal and provincial licensing; and

**WHEREAS** the municipality may attach terms and conditions, in addition to those established by the province, provided that they do not conflict with provincial Terms and Conditions or policies.

**THE COUNCIL OF THE CORPORATION OF THE CITY OF NIAGARA FALLS ENACTS AS FOLLOWS:**

1. The attached schedule "A" constituting the Municipal Bingo Policy is hereby adopted.
2. That this by-law shall come into force upon passing.

Passed this twenty-second day of September, 2003.

DEAN IORFIDA, CITY CLERK

WAYNE THOMSON, MAYOR

First Reading: September 22, 2003.  
Second Reading: September 22, 2003.  
Third Reading: September 22, 2003.

SCHEDULE 'A'

CITY OF NIAGARA FALLS  
MUNICIPAL BINGO POLICY

SECTION 1	AUXILIARY ORGANIZATIONS DEFINITION
SECTION 2	AMENDMENTS PRICING PROGRAM CHANGES ( <i>revised</i> )
SECTION 3	BANKING PROCEDURES CASHLESS ( <i>revised</i> )
SECTION 4	BONA FIDE MEMBERS
SECTION 5	BONA-FIDE MEMBER/REIMBURSEMENT EXPENSE POLICY “NEW”
SECTION 6	BUSING ( <i>revised</i> )
SECTION 7	ELIGIBILITY
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SECTION 12	PRE-APPROVAL FOR BINGO ORGANIZATIONS
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SECTION 14	PRIZE BOARDS ( <i>revised</i> )
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SECTION 17	SHARE THE WEALTH
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APPENDICES	1. MULTIPLE BINGOS

## **SECTION 1**

### **AUXILIARY ORGANIZATIONS**

#### **DEFINITION FOR LOTTERY LICENSING PURPOSES**

An auxiliary is an organization that is an offshoot of another organization. One organization is referred to as the parent organization and the other organization is the auxiliary. To be considered as a complete separate entity and not an auxiliary, an organization must be able to legitimately stand on its own and the following criteria should be met before consideration will be given to their status.

- Its own Constitution/Bylaws/Charter/Letters Patent
- It should have its own Board of Directors or Principal Officers
- A separate incorporation if organization is incorporated in the Province of Ontario
- It should have its own charitable aims and objectives.

Criteria that would result in an organization being considered auxiliary are:

- Joint financial support of one facility
- Identical signing officers
- Similar aims and objectives
- Joint funding of projects
- No separate incorporation

## **SECTION 2**

### **AMENDMENTS**

#### **PRICING OF CARDS**

- Card pricing to be determined by the bingo hall and subject to the approval of the City of Niagara Falls.
- Policy to be reviewed after a six month period.

#### **PROGRAM CHANGES**

- Program changes will be allowed when requested and upon approval by the Municipality.
- Changes of a minor nature, that do not affect the prices or the total prizes to be awarded, may be done verbally by the licensing authority, with written approval to follow.
- Changes of a significant nature, that affect the prices and/or the total prizes must be approved by the Executive of the Sponsor Association and the Municipality. Changes will be posted in the charity areas of the bingo hall.
- If it is determined that a change has had a detrimental affect to the bingo licensees, a further change may be made upon consultation with the licensing authority.

## SECTION #3

### BANKING PROCEDURES

The bingo procedures, in addition to the Provincial regulations as they relate to the banking practices of the bingo licensees are as follows:

- Copies of the American and Canadian bank statements and copies of the canceled cheques are to be supplied to the Clerk's Department by the 15<sup>th</sup> of the month following the month in which they are issued.
- Where an organization chooses to operate from **one** designated lottery trust account system, in addition to the copies of the bank statements and canceled cheques, copies of the individual ledgers must be submitted monthly.
- Once a year a budget or proposed budget is to be submitted to the licensing authority for the following year. This is to be submitted to the licensing authority prior to the issuance of a bingo licence for the next calendar year. Where a budget year conflicts with the calendar year and no budget is available, written notification of this fact and an indication on when submission of this budget will occur.
- Any organization that ceases to remain in the bingo business, is required to submit all banking documents and/or ledgers on a monthly basis until such time as all funds have been dispersed from the lottery trust account. Proof of account closure will also be required.

## CASHLESS

The following procedures will be the basis of the “cashless” system used in conjunction with bingo events.

### FLOATS

- Floats will consist of: 2 - \$1500.00 floats of each currency and 1 - \$3000.00 float of each currency. The \$1500.00 floats will be rotated amongst each session to ensure that one group is not waiting for the other to refurbish a float. The \$3000.00 float will be used for change and paying out of prizes where necessary. Should prizes be paid out of the \$3000.00 float, a cheque to cash will be written and the float then replenished with those funds.
- Upon arrival at the hall, a designated group member will receive a float from the hall manager. This float will be in a sealed bank bag and will contain a verification sheet from the group who used the float last, which will verify the contents in the bag.
- After the bingo event, the group will make the float back up with the specified denominations and upon completing the verification form, will put the float and verification letter in a bag, seal it and return the float to the hall manager. Should you not have the correct denominations required, it is up to the group to switch larger bills for the required smaller ones. This can be accomplished by dealing with your runner’s cash drop-offs, concession area, mini money, etc. As a last resort, you may ask the hall manager to make the change for you from the change float, while understanding that with 5 sessions a day, constant use of the change float as a first option, may deplete the change float and not leave enough change for you or other sessions that day or weekend.
- If the float is short or over in any way, then the hall manager is to be notified immediately so this shortage/overage can be verified. A float error report will be kept and any discrepancies will be deducted or added to the group split at the end of the month.

## **DEPOSITS**

- Upon completion of each provincial game (i.e. Super Jackpot, Progressive Game and Accumulator Game), as well as for the deposit at the end of the bingo, the group shall make up the required deposit, in Canadian and American cash, give to hall manager, who will issue a receipt for those funds.
- Hall management will make a deposit of all monies received at the end of each day and the deposit dropped in the provided safe. The designated company shall pick-up, each day from Monday-Friday (holidays excluded), the dropped deposits and provide hall management with the respective deposit slips for those monies.
- Any shortages or overages will be applied to the municipal end (last deposit) and will be tracked for each group. At the end of the month, the total shortages or overages will be deducted or added to the split for that individual group.

## **SECTION #4**

### **BONA FIDE MEMBERS**

- An individual may only be involved in the bingo operation of (3) three charitable organizations in Niagara Falls.
- Any changes to an individuals choice of organization's be provided to the City of Niagara Falls, in writing, and that the information be provided to the organizations involved.
- That current municipal policy with respect to penalties be applied to this policy.

## SECTION # 5

### BONA-FIDE MEMBER/REIMBURSEMENT EXPENSE POLICY

- In a pooling situation, to ensure that all sponsor groups are following the same type of honorarium structure and to ensure that the pool deductions are fair and equitable to all groups - regardless of whether or not they use hall runners and that the reduction of charity profit for operating the bingo events, is as minimal as possible, the policy is as follows:
  
- The following chart will explain:
  - 1) The cost to be associated with a group using hall runners.
  - 2) The maximums that the City has deemed acceptable for either situation
  - 3) The explanation of what amounts will be deducted from the pool
  - 4) The explanation of what amounts will be deducted from each charity's profit.

#### A Group who does not use hall runners:

Session	Max. Honor.	Max. Deduct. Before Rent	Max. from Group Profit	Total Pool Cost (60/40 Split)	Total Group Cost
Breakfast	90	65	25	39	64
Afternoon	135	100	35	60	95
Evening	165	110	55	66	121

#### A Group who uses hall runners:

Session	Hall Staff Deduct. Before Rent	Total Pool Cost (60/40 Split)	Maximum Out of Pocket Reimbursement	Maximum Total Group Cost
Breakfast	110	66	40	106
Afternoon	110	66	50	116
Evening	110	66	60	126

## **PROCESS**

Honorarium/Out of Pocket Expense Reimbursements of \$10.00 or less per person are payable without the necessity to provide receipts. Honorarium/Out of Pocket Expense Reimbursement sheet must be signed by each member accepting the \$10.00 fee.

Honorarium/Out of Pocket Expense Reimbursements in excess of \$10.00 to a maximum of \$20.00 will be permitted with proper receipting.

The reimbursement must be for actual expenses incurred.

Acceptable expenses include, but are not limited to: child care (babysitting), meals, transportation (bus, taxi, or mileage [current government rate]).

Actual receipts must be provided. In the event that an expense cannot be receipted (e.g. bus fare), a written receipt from the person claiming the reimbursement must be included with any actual receipts.

The receipts must be attached to the Honorarium/Out of Pocket Expense Reimbursement sheet that is provided to the bingo hall manager to be forwarded to the BSA (Bingo Sponsor Association).

The Honorarium/Out of Pocket Expense Reimbursement sheet (with attached receipts) will be provided to the Lottery Authority monthly, as part of the pooling submission.

Expenses not indicated in the examples above must be approved by the Lottery Licensing Authority, prior to being claimed.

## **SECTION # 6**

### **BUSING OF BINGO PATRONS**

The practice of busing of patrons to bingo will not be permitted, unless specific permission is granted by the Municipality.

## **SECTION #7**

### **ELIGIBILITY**

In order to be eligible for a Provincial bingo licence in the City of Niagara Falls and be granted the necessary municipal approval, organizations must complete the APPLICATION FOR LOTTERY LICENSING IN NIAGARA FALLS and comply with the municipalities SPECIAL REQUIREMENTS

## SECTION #8

### EVENT CALENDAR

The event calendar reads as follows:

MORNING	- Monday thru Sunday	- 1 per day
AFTERNOON	- Monday thru Sunday	- 1 per day
LATE AFTERNOON	- Monday thru Sunday	- 1 per day
EVENING	- Monday thru Sunday	- 1 per day
LATE NIGHT	- Monday thru Sunday	- 1 per day
INDEPENDENT	- Friday	- 1 per week

A morning bingo is operated between the hours of 8:30 a.m. and 12:30 p.m.

An afternoon bingo is operated between the hours of 12:00 noon and 3:30 p.m.

A late afternoon bingo is operated between 3:30 p.m. and 6:30 p.m.

An evening bingo is operated between 6:00 p.m. and 10:00 p.m.

A late night bingo is operated between 9:30 p.m. and 12:30 a.m.

Applications for special bingos (ie monster, long weekends) that would operate at hours not in existing event calendar, will be considered on a per event basis.

## **SECTION #9**

### **GROUP COMMITTEES**

- A group committee (Sponsor Association) is to be established at the Delta Monte Carlo Bingo Hall. The Committee is to be comprised of at least one member and one alternate of each organization holding a bingo event in the bingo hall.
- The Sponsor Association is required to involve themselves in the compliance of its members with respect to the Provincial Terms and Conditions and Municipal Policy.
- The Sponsor Association must submit the minutes of its annual meeting to the licensing authority.

## **SECTION #10**

### **NUMBER OF EVENTS**

No organization will be licensed to conduct more than 52 events in a calendar year. The only exception may occur during a leap year when it is possible for an organization to conduct 53 events in that calendar year.

## SECTION #11

### PENALTIES

Penalties for non-compliance with either Provincial Terms and Conditions and Municipal. Policies that are not “incident specific,” as indicated in this section, will be as follow:

- |                              |                            |
|------------------------------|----------------------------|
| ■ 1 <sup>st</sup> occurrence | Three (3) month suspension |
| ■ 2 <sup>nd</sup> occurrence | Six (6) month suspension   |
| ■ 3 <sup>rd</sup> occurrence | Indefinite suspension      |

### SPECIFIC INCIDENTS

1. Licensee arrives with insufficient number of bona-fide members and a late session start is required:

- |                              |                                                                                                                  |
|------------------------------|------------------------------------------------------------------------------------------------------------------|
| ■ 1 <sup>st</sup> occurrence | Written warning                                                                                                  |
| ■ 2 <sup>nd</sup> occurrence | Probationary licence for 3 months with licence issuance restrictions to be determined by the licensing authority |
| ■ 3 <sup>rd</sup> occurrence | Three (3) month licence suspension                                                                               |
| ■ 4 <sup>th</sup> occurrence | Six (6) month licence suspension                                                                                 |
| ■ 5 <sup>th</sup> occurrence | Indefinite suspension                                                                                            |

2. Licensee arrives with insufficient number of bona-fide members and cannot conduct the event: Bingo hall is allowed to “replace”\* the licensee for that event and the licensee in violation can be subjected to the following:

- |                              |                                                                                                                  |
|------------------------------|------------------------------------------------------------------------------------------------------------------|
| ■ 1 <sup>st</sup> occurrence | Written warning                                                                                                  |
| ■ 2 <sup>nd</sup> occurrence | Probationary licence for 3 months with licence issuance restrictions to be determined by the licensing authority |
| ■ 3 <sup>rd</sup> occurrence | Three (3) or six (6) month suspension                                                                            |

\*Replacement of a charity will require the hall manager to source out a charity and then contact either the city clerk or lottery licensing co-ordinator and make arrangements for a new licence to be picked up and be at the hall prior to the start of the session. If this cannot be arranged, then the event must be canceled for that time slot and the penalty for the “bingo hall going dark” will apply.

\*\* Any combination of the above two situations would result in a ‘2<sup>nd</sup>’ or ‘3<sup>rd</sup>’, etc. action being applied. The “slate” of the licensee would be cleared after an uneventful 1 year time period for the last occurrence.

3. Licensee arrives with insufficient number of bona-fide members and a replacement charity cannot be found and the bingo hall is forced to “go dark” for that session:

- |                              |                                                                    |
|------------------------------|--------------------------------------------------------------------|
| ■ 1 <sup>st</sup> occurrence | Three (3) month licence suspension                                 |
| ■ 2 <sup>nd</sup> occurrence | Six (6) month licence suspension                                   |
| ■ 3 <sup>rd</sup> occurrence | No longer permitted to conduct bingo at that particular bingo hall |

In order to properly apply the penalties with respect to bona-fide members and the ability to conduct the bingo event and provide an opportunity to replace organizations if necessary, the following policy with respect to Arrival Times will apply:

**Three (3) bona-fide members of the licensed organization must arrive at the hall, no later than 1 ½ hours prior to the start of their event. If those members are not present in time, the hall manager will than start the proceedings, as described above, for the “replacement of the licensee.”**

4. Licensee is “written up” for other infractions/incidents by either the hall manager or the sponsor’s association:
  - 1<sup>st</sup> occurrence                      Written warning
  - 2<sup>nd</sup> occurrence                      Probationary licence period for three (3) months with licence issuance restrictions, to be determined by the licensing authority.
  - 3<sup>rd</sup> occurrence                      Three (3) month licence suspension
  - 4<sup>th</sup> occurrence                      Six (6) month licence suspension
  - 5<sup>th</sup> occurrence                      Indefinite suspension
  
5. Licensee is not permitted to conduct an event/barred from the bingo hall for cause:
  - The licensee will lose “ownership” of the time slot, will receive a licence suspension, length of time to be determined by the licensing authority and must then reapply for an opportunity to conduct bingo events. This charity will be placed on the bingo event waiting list and will be treated as a new applicant.

## **INCIDENT REPORTS**

The bingo halls in Niagara Falls will implement an Incident Report Policy. This will consist of preparing a standard form to be used by all bingo halls in Niagara Falls. This form will be used by the bingo halls and the sponsor’s associations to document any incidents that may occur with a particular licensee and copies shall be distributed as follows:

- Issuer
  
- Lottery Licensing Authority
  
- Licensee
  
- Sponsor Association

The form shall indicate whether or not the incident is :

- Non-compliance with Provincial and/or Municipal Terms
- Non-compliance with Bingo Hall and/or Sponsor Association Terms
- Other

The City will implement an Incident Report Policy. This will consist of a standard form to be used in Niagara Falls. This form will be used by the licensing authority to document major violations and incidents that may occur with a particular licensee and copies shall be distributed as follows:

- Issuer
- Licensee
- Bingo Hall
- Sponsor Association

The form shall indicate whether or not the incident is :

- Non-compliance with Provincial and/or Municipal Terms
- Other

## **SECTION #12**

### **PRE-APPROVAL FOR BINGO ORGANIZATIONS**

Any organization wishing to be pre-approved for a bingo licence must comply with Section 5 of this policy.

A list of pre-approved organizations will be administered in the following manner:

- The list will be maintained by the Clerk's Department
- The groups will be placed on the list in the order in which they are approved.
- All openings in the bingo event calendar will be filled from the list of pre-approved organizations in order of their appearance on the waiting list.
- When an opening occurs, the opening will be first offered to currently licensed organizations who have expressed, in writing, a desire to change from their current bingo event. The event that becomes available following this procedure, will then be offered to the first organization on the waiting list. At that time, the organization must satisfy the Lottery Licensing Authority that the factors in determining their eligibility on the waiting list have not changed, thereby making the pre-approval still valid.

Only new openings will follow the above procedure. Temporary openings, including those resulting from licence suspensions, will be filled from the municipal waiting list until such time as a final decision as to the continued licensing of the organization involved has been determined.

## **SECTION #13**

### **POOLING**

Effective October 1, 2003, all bingo organizations operating at the Delta Monte Carlo will operate as a pool.

## SECTION # 14

### PRIZE BOARDS

<u>DAY</u>	<u>TIME</u>	<u>PRIZE BOARD</u>
Monday - Sunday	8:30 a.m. - 12:30 p.m. (Breakfast)	\$2,000.00 (fixed prize) \$2,500.00 (share the wealth)
Monday - Sunday	12:00 noon - 3:30 p.m. (Early Afternoon)	\$2,000.00 (fixed prize) \$2,500.00 (share the wealth)
Monday - Sunday	3:00 p.m. - 6:30 p.m. (Late Afternoon)	\$2,000.00 (fixed prize) \$2,500.00 (share the wealth)
Monday - Sunday	6:00 p.m. - 10:00 p.m. (Early Evening)	\$3,000.00 (fixed prize) \$2,500.00 (share the wealth)
Monday - Sunday	9:30 p.m. - 12:30 a.m. (Late Night)	\$3,000.00 (fixed prize) \$2,500.00 (share the wealth)

## SECTION #15

### REPORTING REQUIREMENTS

An executive list or Board of Directors is to be submitted to the licensing authority on a yearly basis. This is to be submitted to the licensing authority prior to the issuance of a bingo licence for the next calendar year. Where an election of new officers has not taken place, written notification is required which contains the date of election of officers and when the submission of this list will occur.

A budget is to be submitted to the licensing authority on a yearly basis. This is to be submitted to the licensing authority prior to the issuance of a bingo licence for the next calendar year. Where a budget has not been prepared at that time, written notification is required which indicates when the budget submission will be received.

## SECTION #16

### SUPERJACKPOT

The Superjackpot game, licensed by the Alcohol and Gaming Commission of Ontario is to be set with the maximum payout on the full card, in accordance with Provincial regulations.

## SECTION #17

### SHARE THE WEALTH

1. The maximum split for any share the wealth game will be 70/30. A lower share the wealth game is permitted.
  - Example: A 70/30 split allows for a maximum prize payout of 70% of the gross revenues from the specific game and 30% to be retained for profit and expense calculations.
  - The larger portion of any share the wealth game will always be apportioned to the prize.
  - All line prizes must be included in the prize calculation and deducted from the total prize before any full card prize is paid.

### APPENDICES

Provincial Terms and Conditions, Section #14, Rules of Play - Bingo, states the following

**Section 14.1 “The arrangement of numbers required to be covered on bingo paper in order to win the game and the amount of the prize for each game shall be announced to the players immediately before each game begins.”**

As clarification for this rule, the following bingo hall policy with relation to Multiple Bingos is approved and endorsed by the City of Niagara Falls.

**“Should a customer declare a winning bingo in which they have “3 lines” for a one (1) or two (2) line game, then the customer is entitled to only 1 share of the prize i.e “One win per face” for that portion of the game. This does not preclude a customer from winning 2 separate portions of the game with these lines, if the second portion of the game involves a specific grouping of lines i.e. letter L, letter T etc.”**