

ORDINANCE NO. 1 of 1983
GAMES OF CHANCE ORDINANCE

The Town Board of the Town of Johnsbury hereby ordains and enacts a Games of Chance Ordinance, as follows :

Section 1. TITLE.

This ordinance shall be known as the Games of Chance Ordinance of the Town of Johnsbury.

Section 2. STATUTORY AUTHORITY.

This ordinance is enacted pursuant to the authority granted by Article 9-A of the General Municipal Law of the State of New York.

Section 3. DEFINITION OF TERMS.

All terms used herein shall be given their ordinary and common meaning, unless said terms are specifically defined by Article 9-A of the General Municipal Law, or the rules and regulations of the State of New York Racing and Wagering Board.

Section 4. INCORPORATION OF STATUTORY PROVISIONS.

This ordinance shall be deemed to include all of the provisions of Article 9-A of the General Municipal Law, and the rules and regulations of the State of New York Racing and Wagering Board adopted pursuant to said Article 9-A, except as otherwise provided in this ordinance; and all amendments to the provisions of said Article 9-A or said Rules and Regulations are hereby deemed to be incorporated into this ordinance, to the extent such amendments are otherwise applicable to games of chance authorized under this ordinance.

Section 5. GAMES OF CHANCE AUTHORIZED.

Authorized organizations may, upon obtaining a license from the Town Clerk, conduct games of chance within the corporate limits of the Town of Johnsbury. Such games of chance shall be conducted in accordance with the laws of the State of New York and with the rules and regulations adopted by the New York State Racing and Wagering Board, and pursuant to this ordinance.

Section 6. RESTRICTIONS - INCORPORATION OF STATUTE.

This ordinance shall be deemed to include all of the provisions of Article 9-A of the General Municipal Law, and the rules and regulations of the State of New York Racing and Wagering Board, except as otherwise provided by this ordinance; and any amendments to said Article 9-A or said rules and regulations are hereby deemed to be incorporated into this ordinance.

Section 7. SUNDAY GAMES.

Games of chance may be conducted on the first day of the week, commonly known and designated as Sunday, pursuant to this ordinance, but only between the hours of noon and midnight of the next succeeding day, commonly known as Monday.

Section 8. PENALTY.

Any violation of Article 9-A of the General Municipal Law of the State of New York, the rules and regulations of the State of New York Racing and Wagering Board as it applies to games of chance, or of this ordinance, shall constitute a misdemeanor, and shall cause the forfeiture of any license issued pursuant to this ordinance, and shall cause the licensee to be ineligible to apply for a license to conduct games of chance for a minimum period of one year after the conviction, all pursuant to Section 195-j of the General Municipal Law.

Section 9. EFFECTIVE DATE.

This ordinance shall become effective

a) Upon the approval of said ordinance by a majority of the electors voting on a proposition submitted at a general or special election held within such municipality who are qualified to vote for offices of such municipality, pursuant to Section 188(2) of the General Municipal Law.

b) Upon filing with the State of New York Racing and Wagering Board, a certified copy of said ordinance within ten (10) days after its adoption as provided above.

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