

THE EFFECTIVE DATE FOR THIS ORDINANCE
IS OCTOBER 1, 2013

ORDINANCE NO. 13-17-645

AN ORDINANCE TO AMEND ARTICLE VIII OF CHAPTER 1-2
OF THE FREDERICK COUNTY CODE (GAMING)

Background

During the 2013 General Assembly Session, the Maryland Legislature adopted Senate Bill 315, which removes limitations on the number of raffles that can be held in a single calendar year in Frederick County. The bill, which allows the Board of County Commissioners (BOCC) to regulate the number of raffles to be held in a single calendar year, was signed into law by the Governor on May 2, 2013, and takes effect on October 1, 2013.

Pursuant to the changes made by Senate Bill 315, the BOCC desires to change the Frederick County gaming regulations (found in Article VIII of Chapter 1-2 of the Frederick County Code) to remove the restrictions on the number of raffles that may be held in a single calendar year by certain organizations (as defined in Chapter 1-2).

This Ordinance was initiated by the BOCC at a public meeting on August 22, 2013.

The BOCC held a duly advertised public hearing on September 12, 2013, at which time the public had a reasonable opportunity to comment on the proposed revisions and amendments.

NOW, THEREFORE, be it enacted and ordained by the Board of County Commissioners for Frederick County, Maryland, that Article VIII of Chapter 1-2 (Gaming) of the Frederick County Code is amended as shown below:

§ 1-2-106. RAFFLES

(A) An organization may hold a raffle for its own benefit in compliance with this article and all other applicable law, provided that:

- (1) No individual may personally benefit from a raffle except for prizes awarded to participants;
- (2) Only 1 major prize may be awarded at each raffle;

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(3) During each calendar year, an organization may hold or receive the proceeds from a ~~maximum of 6 raffles, limited to:~~

~~—(a)—~~ Only 1 raffle where the major prize has the fair market value of more than \$5,000; ~~and~~

~~—(b)—~~ No more than 5 raffles in which the major prize is valued at \$5,000 or less.

(B) Before conducting a raffle, an organization must obtain a permit as described in § 1-2-104. PERMITS SHALL BE VALID FOR ONE CALENDAR YEAR.

(C) The permit issuance fee for raffles to be conducted in Frederick County shall be \$50 per calendar year. The Director of Permits and Inspections shall waive this fee for a raffle if the applicant files and signs a written statement certifying that all money received from the raffle will be paid to or directly benefit the Board of County Commissioners. The applicant receiving such a fee waiver must file a report with the Department of Permits and Inspections accounting for all money received from the raffle.

(D) Each organization receiving a raffle permit shall file an annual report showing for the calendar year the number of raffles held and the fair market value of the major prize awarded for each raffle. This annual report shall be filed with the Department of Permits and Inspections by February 15 of the succeeding year.

~~—(E)—~~ Any raffle permit issued during 1992 shall be valid until December 31, 1993. Permits issued after January 1, 1993, shall be valid for a calendar year.

§ 1-2-109. VOLUNTEER FIRE, RESCUE, AMBULANCE, OR AUXILIARY GROUPS.

(A) A volunteer fire, rescue, ambulance or auxiliary group (as defined in § 1-2-102) is subject to the fee schedule provided in this section notwithstanding any other provision of this article.

(B) A volunteer fire rescue, ambulance, or auxiliary group shall pay \$100 for an annual gaming permit entitling it to operate for its own benefit:

- (1) Bingo games;
- (2) Tip jars and punchboards in conjunction with bingo games;
- (3) Raffles, ~~to a maximum of 6 in a calendar year;~~
- (4) Any gaming event as specified in § 1-2-108;

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(5) Any or all of the above for a 1 week period once annually in conjunction with a volunteer fireman's carnival.

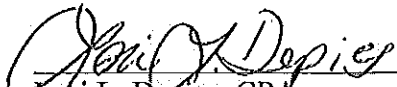
[The remainder of § 1-2-109 remains unchanged.]

AND BE IT FURTHER ENACTED AND ORDAINED that the revisions to Article VIII of Chapter 1-2 shall take effect on October 1, 2013.

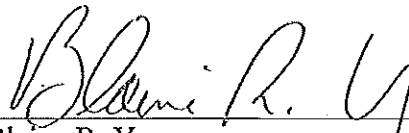
The undersigned hereby certify that this Ordinance was approved and adopted on the 12th day of September, 2013.

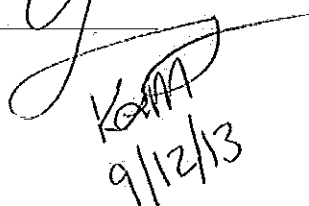
ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF FREDERICK COUNTY, MARYLAND



Lori L. Depies, CPA
County Manager

By: 

Blaine R. Young
President


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