

GAMES OF CHANCE

LOCAL LAW NO. 10 OF THE YEAR 1989

A Local Law Authorizing Games of Chance by Authorized Organizations within the Town of Kirkwood

Adopted June 6, 1989

Be it enacted by the Town Board of the Town of Kirkwood as follows:

Section 1. Statutory authority; title.

This Local Law is adopted pursuant to the authority of Article 9-A of the General Municipal Law of the State of New York and shall be known as the ‘Games of Chance Local Law of the Town of Kirkwood’.

Section 2. Definitions.

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

B. As used in this Local Law, the following terms shall have the meanings indicated:

The Chief Law Enforcement Officer of the County of Broome -- The Sheriff of Broome County.

TOWN ----The Town of Kirkwood.

Section 3. Games of Chance Authorized; restrictions.

Pursuant to, and in accordance with, the provisions of Section 188(1) of the General Municipal Law of the State of New York and other applicable provisions of law, it shall be lawful for any authorized organization, upon obtaining a license therefor (as provided in Article 9-A of said General Municipal Law) to conduct games of chance within the territorial limits of the Town of Kirkwood, subject to the provisions of this local law, the provisions of Article 9-A of said General Municipal Law, and the rules and regulations set forth by the New York State Racing and Wagering Board. The conduct of games of chance shall be subject to the restrictions imposed by Section 189 of the General Municipal Law.

Section 4. Sunday Games.

Games of chance may be commenced under any license issued pursuant to this Local Law on Sunday between the hours of noon and midnight only, except that the application for a license may request approval to conduct such games of chance beyond midnight if the following day is a legal holiday. Notwithstanding the foregoing provisions of this section, no games of chance shall be conducted on Easter Sunday, Christmas Day or New Year’s Eve.

Section 5. Control and supervision.

The powers and duties set forth in subdivisions 1 and 2, Section 194 of the General Municipal Law shall be exercised by the Chief Law Enforcement Officer of the County of Broome.

Section 6. When effective.

In accordance with the provisions of Section 188(2) of the General Municipal Law and Section 23(1) of the Municipal Home Rule Law, this Local Law shall not become operative or effective unless and until it shall have been approved at the next general election held within the Town by the affirmative vote of a majority of the qualified electors of the Town voting upon the proposition.

* Submitted to the people by reason of a mandatory referendum, and received the affirmative vote of the majority of the qualified electors voting thereon at the General Election held on November 7, 1989 in accordance with the applicable provisions of law.