

Home Rule Resolution Regarding Instant Bingo Parlor / Disbursement Regulations

BOARDMAN TOWNSHIP TRUSTEES MAHONING COUNTY, OHIO

AMENDED HOME RULE RESOLUTION 99-01 RESOLUTION AMENDING CODIFIED HOME RULE RESOLUTION 99-01 FOR BOARDMAN TOWNSHIP REGARDING "INSTANT BINGO PARLOR/DISBURSEMENT REGULATIONS".

The Board of Trustees of Boardman Township, Mahoning County, Ohio met in Regular Session at the Boardman Township Government Center on the 12th day of June 2000, with the following members present: Elaine R. Mancini, Thomas P. Costello. Moved by Mr. Costello, seconded by Mrs. Mancini, to approve and adopt Home Rule Resolution 99-01 as amended, to be effective thirty (30) days from the date of adoption upon a First Reading pursuant to Ohio Revised Code Section 504.10 and publication as follows:

WHEREAS, the Boardman Township Board of Trustees adopted a Limited Home Rule Government in accordance with the Ohio Revised Code Section 504.01(B) by Resolution duly adopted and approved October 12, 1999; and,

WHEREAS, the Boardman Township Board of Trustees constitutes an Urban Township with Limited Home Rule Authority as provided in Ohio Revised Code Section 504.01(B)1, vested with the powers, rights and immunities granted therein; and,

WHEREAS, it is the desire of the Boardman Township Board of Trustees to amend the previously adopted Home Rule Resolution 99-01 to address the need for providing for regulations governing the operation of instant bingo parlors and related disbursements being made manually or by mechanical devices as necessary for the general health, safety and welfare of the general public;

NOW, THEREFORE, BE IT RESOLVED, THAT THE FOLLOWING REGULATIONS AMENDING PREVIOUSLY ENACTED HOME RULE RESOLUTION 99-01, BE AND HEREBY ARE ADOPTED AND APPROVED UPON ITS FIRST READING, PUBLICATION AND CODIFICATION:

SECTION 1: OPERATING AN INSTANT BINGO PARLOR/DISBURSEMENT BEING MADE MANUALLY OR BY MECHANICAL DEVICE IS HEREBY ENACTED TO READ AS FOLLOWS:

- A. No person being the owner or lessee, or having custody, control or supervision of premises shall:
 1. Use or occupy premises for sale, transfer or distribution, whether done manually or through any mechanical device, of "Instant Bingo" tickets or similar items in which, in exchange for some consideration, financial or otherwise, one receives a ticket or other item that can immediately reveal that the holder thereof has won a prize in case or otherwise, unless done in conjunction with a bingo game conducted by a charitable organization that has obtained a Bingo License pursuant to the Ohio Revised Code Section 2915.08, which can only be sold during those hours stated on the Bingo License and after having obtained a Conditional Use Permit from the Boardman Township Board of Zoning Appeals. Reference herein is provided in the Boardman Township Zoning Ordinance, Article XII, "Exceptions and Special Provisions", Paragraph X, "Conditionally Permitted Uses", Section 1(A).

- a. Section 1 of this Home Rule Resolution herein shall not apply in the sale, transfer or distribution of any such items by the Ohio Lottery Commission or its authorized agent(s).

SECTION 2: PENALTIES

A violation of this Resolution shall constitute an unclassified civil misdemeanor punishable by a civil fine as follows:

- a. First Offense: \$250.00
- b. Second Offense: \$500.00
- c. Third Offense: \$750.00
- d. Fourth and Subsequent Offenses: \$1000.00

SECTION 3: EFFECTIVE DATE OF RESOLUTION

This Resolution shall be effective thirty (30) days from the date of adoption upon a First Reading, publication and codification thereof; The Roll Call resulted as follows:

Mrs. Elaine R. Mancini Aye
Mr. Thomas P. Costello Aye

Home Rule Resolution 99-01 amended and adopted upon First Reading this 12th day of June 2000.

Date of First Reading: June 12, 2000

Effective Date: July 12, 2000

BY ORDER OF THE BOARDMAN TOWNSHIP BOARD OF TRUSTEES, MAHONING COUNTY, OHIO:

Elaine R. Mancini, Chair

John C. Cox, Vice-Chair

Thomas P. Costello, Trustee

CERTIFICATION

I, William D. Leicht, Clerk of Boardman Township, do hereby that the foregoing is taken and copied from the Minutes of Boardman Township, that the same has been compared by me with Home Rule Resolution 99-01 of said Minutes, and that same is a true copy thereof.

William D. Leicht, Clerk