THE CORPORATION OF THE MUNICIPALITY OF CALLANDER

BY-LAW NO. 2025-2036

Being a By-law to Adopt a Lottery Licensing Policy for the Municipality of Callander

WHEREAS Section 8(1) of the *Municipal Act*¸ 2001, S.O. 2001, c.25, ("*Municipal Act*") as amended, provides that the powers of a municipality shall be interpreted broadly so as to confer broad authority on municipalities to enable them to govern their affairs as they consider appropriate, and to enhance their ability to respond to municipal issues;

AND WHEREAS on 14th day of October 2025, the Council of the Municipality of Callander passed a Resolution directing staff to bring forward a by-law to adopt the By-Lottery Licensing Policy;

NOW THEREFORE BE IT RESOLVED THAT the Council of The Corporation of the Municipality of Callander hereby enacts as follows:

1. That Council hereby adopts Policy No.041, *Lottery Licensing Policy,* attached hereto as Schedule A and forming part of this By-law.

2. That minor modifications or corrections of a grammatical or typographical nature where such modifications or corrections do not alter the intent of the by-law may be made by resolution of Council.

3. That this By-law shall come into full force and effect on the date of passing.

TAKEN AS READ A FIRST TIME THIS 14TH DAY OF OCTOBER 2025.

READ A SECOND TIME THIS 14TH DAY OF OCTOBER 2025.

READ A THIRD TIME AND FINALLY PASSED THIS 14TH DAY OF OCTOBER 2025.

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Robb Noon, Mayor

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Cindy Pigeau, Municipal Clerk

POLICY

NAME OF POLICY:	**LOTTERY LICENSING**
POLICY NUMBER:	**041**
BY-LAW / RESOLUTION NUMBER:	**2025-2036**
APPROVAL DATE:	**OCTOBER 14, 2025**
ADMINISTRATIVE RESPONSIBILITY:	**CLERK'S DEPARTMENT**
NEXT REVIEW DATE:	**SEPTEMBER 2030**

Policy Statement

Ensuring the Municipality of Callander staff provide an excellent level of customer service is a key priority for Council. The Municipality values Charitable Organizations and their contributions to the community. It is in the best interest of the public to ensure trust is maintained in the conduct of charitable gaming. This policy serves as a reference for Charitable Organizations and the public throughout the licensing process. This ensures compliance with the legislation and avoids unnecessary roadblocks, in turn increasing the quality of customer service. It will also assist staff with processing documents in a quicker more efficient manner, avoiding unnecessary back and forth, which will speed up processing and delivery times.

Purpose

This policy is to provide guidelines and assists Charitable Organizations which are eligible, to receive lottery licences within the Lottery Licensing Policies of the *Alcohol and Gaming Commissions of Ontario (AGCO).*

Section 1.4.1 (B) of the Lottery Licensing Policy Manual issued by the *Alcohol and Gaming Commission of Ontario* permits municipalities to develop additional criteria, through By-laws and policies, for making licensing decisions and administering lottery licensing in their municipality.

Definitions

The words, phrases and terms defined in this section have the following meaning:

"Alcohol and Gaming Commission of Ontario (AGCO)" is the regulatory authority responsible for overseeing the conduct and management of lottery schemes in Ontario.

"Applicant" is a member of a Charitable Organization, Religious Organization or a member of the public who is eligible to participate in Charitable Gaming as set out the Alcohol Gaming Commissions Lottery Licensing Policy Manual.

“Bazaar Lottery” means a lottery scheme where any combination of the following lotteries may be conducted: (a) a raffle not exceeding $500 in prizes, (b) a bingo not exceeding $500 in prizes, (c) a maximum of three wheels of fortune with a maximum $2 bet.

“Bingo Lottery” means a lottery where consideration is given for a chance to win a prize or prizes consisting of cash or merchandise by being the first to complete a specified arrangement of numbers or symbols on pre-printed disposable paper, cards or books or reusable hardboard or plastic cards from numbers or symbols selected at random.

“Blanket Raffle Licence” allows an eligible organization to obtain one licence to conduct and manage more than one type of raffle event within a fixed time period and within a capped prize amount.

“Bona Fide Member” is a member designated to manage a lottery, must be at least 18 years of age and are responsible for supervising lottery events, ensuring compliance, maintaining records, and submitting financial reports.

“Break Open Ticket Lottery” means a lottery scheme where consideration is paid for a chance to win prizes by revealing a specified arrangement of numbers or symbols on a break open ticket (also known as a Nevada ticket).

“Charitable Organization” means a corporation, organization (including a religious organization), association, or partnership that is created primarily for a charitable object or purpose in Ontario and is not operated for profit.

“Golf Ball Drop” Raffle Lottery—a lottery in which participants buy a numbered ticket that matches a numbered golf ball. The numbered golf balls are lifted into the air and dropped, with the ball falling onto a designated spot determining the winner.

“Licence” means a licence issued to an eligible charitable organization, to conduct or manage a lottery scheme.

“Licensee” means a charitable organization to which a licence is issued.

“Lottery scheme” means any gaming scheme that has the following three components: a prize; payment of a fee; and a chance to win.

“Lottery Licensing Officer” means a person designated by the Municipality of Callander that is responsible for issuing and administering lottery licenses ensuring compliance with the AGCO’s Lottery Licensing Policy Manual.

“Municipality” means The Corporation of the Municipality of Callander.

“No Objection Letter” means a letter issued by the Lottery Licensing Officer confirming that the Municipality does not object to an event occurring within the municipal limits for which a licence is issued by another municipal jurisdiction.

“Officer” means any person authorized by the Corporation of the Municipality of Callander to enforce lottery licensing and shall include the Lottery Licensing Officer and their designate, a municipal law enforcement officer, Ontario Provincial Police Services Officer and any person with authority under law to enforce lottery licensing.

“Person” means an individual, corporation, organization, association or partnership.

“Raffle Lottery” means a lottery scheme where tickets are sold for a chance to win a prize at a draw.

“Registrar” means the Registrar made under the Alcohol, Cannabis and Gaming Regulation and Public Protection Act, 1996.

1.0 Prohibitions

1.1. No Person shall conduct or manage a Lottery within the Municipality without a Licence.

1.2. No Person shall conduct or manage a Lottery within the Municipality for which a Licence has been issued by another municipal jurisdiction without a No Objection Letter.

1.3 No Person shall conduct or manage a Lottery if a Licence, or No Objection Letter has been refused, suspended or cancelled for that Lottery.

1.4 No Licensee or person associated with the operation of a lottery event shall have a personal pecuniary interest or other interest that could influence the outcome of that lottery event.

2.0 Licensee’s Obligations

2.1 Every Licensee is responsible for ensuring that:

a) all legislative, regulatory and policy requirements of the Province of Ontario are satisfied;
b) all conditions imposed by the Lottery Licensing Officer are satisfied;
c) all proceeds from any Licenced Lottery benefit residents of the Municipality;
d) only Persons eighteen (18) years of age or older participate in the Lottery;
e) the Licensee and persons under the Licencee’s direction shall not participate in the Lottery for personal gain;
f) the value of each prize, the collective value of all prizes or the consideration given for a chance to win a prize shall not exceed the maximum amounts specified in the Licence;
g) any required financial reporting is completed and submitted to the Lottery Licensing Officer:

    i. within the required time;
    ii. with all revenues and expenditures documented in writing;

iii. with itemized invoices and receipts for any single expenditure of $500 or more;

h) net Lottery proceeds shall only be used for purposes authorized in the Licence;
i) net Lottery proceeds may not accumulate beyond two (2) years without the Lottery Licensing Officer's written consent;
j) all financial records of the Licensee are accurate, complete and available for inspection and audit at the Lottery Licensing Officer's request;
k) the Licence and any other relevant documents are available for inspection by and upon request of an Officer.

3.0 Application

3.1 An eligibility review shall be made to the Lottery Licensing Officer at least thirty (30) days prior to the event.

3.2 An application for a new Licence or a renewal of an existing Licence shall be made to the Lottery Licensing Officer at least seven (7) days prior to required date.

3.3 A request for a No Objection Letter shall be made in writing to the Lottery Licensing Officer at least fourteen (14) days prior to the event.

3.4 An application for a Licence shall be in the form prescribed by the Registrar.

3.5 The applicant shall ensure that the application is complete and accurate.

3.6 The applicant shall provide any additional information and documentation requested by the Lottery Licensing Officer in order to evaluate the application.

4.0 Requirements and Eligibility

4.1 When an organization applies for a Licence, the following documents are required to be appended to the Application Questionnaire so that the municipality can further review the eligibility of the organization:

a) Incorporation Papers – Letters of Patent;
b) Constitution and By-laws;
c) Budget for Current Year;
d) Financial Statement for Previous Fiscal Year, audited where applicable;
e) Annual Report;
f) List of Board of Directors;
g) Designated List of Members in Charge of the proposed lottery event;
h) Notification of Charitable Registration (Canada Revenue Agency), if applicable; and or;
i) The most recent Registered Charity Information Return and Public Information return, as submitted to Canada Customs and Revenue Agency, if applicable.

5.0 Eligibility Review

5.1 Where a Charitable Organization has never been issued a Licence or has not been issued a Licence in the previous two (2) years, the Lottery Licensing Officer shall initiate an eligibility review in accordance with Provincial standards to determine if a Charitable Organization is eligible to hold a Licence.

5.2 The Lottery Licensing Officer may initiate an eligibility review at his or her discretion in accordance with Provincial standards to determine if a Licensee is eligible to continue to hold a Licence or authorization.

5.3 Where an eligibility review is initiated, the Charitable Organization shall provide all information requested by the Lottery Licensing Officer in order to complete the review in accordance with Provincial standards.

5.4 Once the eligibility review is complete, the Lottery Licensing Officer shall provide a written response to the Charitable Organization outlining the results of the review and whether or not the Charitable Organization may apply for a Licence or continue to hold a Licence as applicable.

6.0 Annual Review

6.1 Annually or in the event of any changes within the organizations structure or mandate, the organization shall complete a “Lottery Licencing Review & Update” attached hereto as “Schedule A”.

6.2 Each organization shall submit annually, at the organization’s fiscal year end, a copy of their constitution/mandate outlining programs of service, list of executives and appointed lottery officials.

7.0 Raffles

7.1 Raffle Lottery Licences shall be subject to the following conditions:

a) All Licensees shall provide the Lottery Licensing Officer with a sample of the Raffle Lottery tickets to be used;
b) All Licensees shall provide a financial guarantee for the full value of the prizes if the total value of the prizes is $5,000.00 or more;
c) The Lottery Licensing Officer may, at his or her discretion, require a financial guarantee for prizes with a total value of less than $5,000.00;
d) The financial guarantee identified in subsections (b) and (c) shall be in the form of a letter of credit, certified cheque or other form as determined by the Lottery Licensing Officer consistent with Provincial requirements.

8.0 Break Open Tickets

8.1 In addition to all other provisions of this By-law, Break Open Ticket Lottery Licence shall be subject to the following conditions:

a) Break Open Tickets shall be purchased only from registered gaming equipment suppliers or registered Break Open Ticket manufacturers authorized by the Registrar;
b) Licencees that change Break Open Tickets suppliers or manufacturers must notify the Lottery Licensing Officer, in writing, within 5 working days;
c) Unsold tickets under seal are not transferable and cannot be credited to another Licence unless approved by the Lottery Licensing Officer at his or her discretion.

9.0 Enforcement

9.1 The provisions of this policy may be enforced by an Officer.

9.2 An Officer may, at any reasonable time, enter the land, building or place before, during or after an Event for the purpose of carrying out an inspection to determine compliance with this policy.

9.3 For the purposes of an inspection pursuant to section 38, the Municipality may:

a) Require the production for inspection of documents or things relevant to the inspection;
b) Inspect and remove documents or things relevant to the inspection for the purpose of making copies or extracts;
c) Require information from any person concerning a matter related to the inspection; and
d) Alone or in conjunction with a person possessing special or expert knowledge, make examinations or take tests, samples or photographs necessary for the purposes of the inspection.

Legislative & Administrative Authorities

Section 23.1 of the Municipal Act, 2001, S.O. 2001, c. 25 authorizes a municipality to delegate its powers and duties, subject to certain statutory restrictions. Pursuant to this authority, and in accordance with Order-In-Council 208/2024 (as amended), which grants municipalities the power to issue Licences, Council wishes to delegate its lottery licensing powers and duties to a Lottery Licensing Officer.

The Gaming Control Act 1992.

The Criminal Code of Canada defines what types of gaming activities are legal in Canada and the provinces are assigned responsibility to operate, licence and regulate legal forms of gaming.

The Alcohol and Gaming Commission of Ontario (AGCO) is responsible for administering the Lottery Licensing Program in the Province of Ontario.

Definitions and policies prescribed by the AGCO, including those in the Lottery Licensing Policy Manual and related Terms and Conditions, shall prevail over municipal definitions in the event of a conflict.

Policy Requirements

The Policy will be accomplished by:

The Lottery Licensing Officer shall be responsible for interpreting and administering this policy.

The Lottery Licensing Officer has the authority to make minor technical amendments to this procedure as may be required from time to time to ensure compliance with legislation.

Responsibilities

A Lottery Licensing Officer is a Municipal employee who has been appointed by By-law to administer the Municipality's roles and responsibilities as set out in the *Gaming Control Act*, 1992 and the *Order-in-Council 1413/08*. The Municipality is responsible for:

a) reporting any information required by the Registrar;
b) enforcing licensing policies;
c) ensuring that Licences comply with the terms and conditions of their Licences;
d) investigating any breaches of the terms and conditions;
e) a Municipal Council may refuse, suspend or cancel Licences, in accordance with the *Order-in-Council* and the Registrar's policies. The AGCO is available to assist the municipality in any compliance and investigation matters.

The Lottery Licensing Officer may issue Licenses allowing Charitable Organizations to conduct and manage lotteries.

The Lottery Licensing Officer may issue a No Objection Letter to a Person seeking to operate a Lottery within the Municipality pursuant to a Licence issued in a different municipal jurisdiction.

The Lottery Licensing Officer may impose conditions on a Licence if, in their opinion, such conditions are in the best interest of the Municipality's inhabitants.

The Lottery Licensing Officer may refuse, suspend or cancel a Licence if:

a) the application requirements are not satisfied;
b) the applicant is not eligible to hold a Licence;
c) there has been a breach of any condition of the Licence;
d) there are reasonable grounds to believe that the applicant or Licensee will not conduct the Lottery in accordance with the law or honesty or integrity;
e) In their opinion, it is in the public interest to do so;
f) an applicant or Licensee fails to submit requested financial reports;
g) an applicant or Licensee fails to comply with any Provincial requirement.

The Lottery Licensing Officer shall notify an applicant or Licensee of any refusal, suspension or cancellation of a Licence in writing, to the address indicated in the application.

10 . Attachments

10.1 Appendix A – Lottery Licensing Review and Update

Appendix A

LOTTERY LICENCING REVIEW AND UPDATE

Name of Organization: _____

Municipal Address: _____

Mailing Address: _____

Date of Financial Year End: _____

CURRENT Board of Directors/Executive

Name and Position Title	Mailing Address	Phone No.	Email address

CURRENT Signing Authorities for Lottery Trust Account:

Name and Position Title	Mailing Address	Phone No.	Email address