

## **Housekeeping Amendments to Toronto Municipal Code Chapter 553 (Lottery Licensing)**

<b>Date:</b>	April 27, 2009
<b>To:</b>	Government Management Committee
<b>From:</b>	City Clerk
<b>Wards:</b>	All
<b>Reference Number:</b>	

### **SUMMARY**

---

Amendments are required to Chapter 553 of the Toronto Municipal Code, Lottery Licensing, to incorporate new provincial charitable gaming provisions and to make the City Clerk responsible for the duties under Chapter 553.

### **RECOMMENDATIONS**

---

The City Clerk's Office recommends that City Council:

1. Amend Chapter 553 of the Toronto Municipal Code, Lottery Licensing to reflect:
  - a. the new Order-in-Council 1413/08 which clarifies the respective roles and responsibilities of the AGCO and municipalities in issuing lottery licences;
  - b. the transfer of delegated responsibilities from a Director in the City Clerk's Division to the City Clerk for duties under Chapter 553 of the Toronto Municipal Code;
  - c. the provision to permit the City Clerk to waive administration fees under extenuating circumstances beyond the control of the licensee (e.g. cancellation of events due to weather conditions); and
  - d. the payment of the fees when an application is submitted rather than when the licence or authorization is issued.
2. Authorize and direct the appropriate City Officials to take whatever action is deemed necessary to implement the foregoing, including the introduction in Council of a bill substantially in the form of Appendix B.

## **Financial Impact**

There is no financial impact resulting from this report.

## **ISSUE BACKGROUND**

Legal forms of gaming are provincially regulated through the Alcohol and Gaming Commission of Ontario (AGCO) under the Gaming Control Act, 1992. The Registrar of the AGCO is responsible for administration of the regulatory framework governing the issuance of lottery licences to religious and charitable organizations. By Order-in-Council 1413/08, municipalities in the province are delegated the authority to issue licences or authorizations for certain lottery events to eligible charitable and religious organizations.

In December 2005, the Alcohol and Gaming Commission of Ontario released a directional document entitled the Modernization of Charitable Gaming. As a result of this report, the AGCO implemented a bingo revenue model in all bingo halls where bingo proceeds are shared among all participating charitable organizations on a per event basis (pooling bingo hall).

To reflect this new model and establish a new licensing framework for eligible charitable or religious organizations, the Ontario Cabinet passed Order-in-Council 1413/08. This new Order-in-Council clarifies the respective roles and responsibilities of the AGCO and municipalities in issuing lottery licences.

## **COMMENTS**

Amendments to Chapter 553 of the City of Toronto Municipal Code are necessary in order to incorporate the requirements of the new Order-in-Council including:

- referencing the new Order-in-Council 1413/08,
- referencing the issuance of authorizations for the purpose of bingo lottery events at a pooling bingo hall, and
- reflecting the revised terminology.

Under this new model, a municipality may issue an authorization authorizing a charitable organization to submit an application to the provincial Registrar for a licence to conduct and manage a bingo lottery event at a pooling bingo hall.

Since the last amendments to Chapter 553, the City Clerk's Office merged two work units, Election Services and Legislative Services into one, Elections and Registry Services. As work unit names and staff titles may change from time to time, the City Clerk should be designated as the person responsible for the performance of the duties under Chapter 553. The City Clerk can delegate the administration of Chapter 553 to the appropriate staff.

An administration fee is required for any amendments to a licence or authorization. The current by-law does not address the ability to waive administration fees. It is recommended that the waiver would only be granted under extenuating circumstances beyond the control of the licensee (e.g. cancellation of events due to weather conditions).

Under the current by-law the charitable organization is required to pay the fees at the time the licence is issued. It is recommended that the fees be paid at the time the application form is submitted.

Appendix A substantially represents the form Chapter 553 will take if amended as recommended in this report.

## **CONTACT**

Bonita Pietrangelo, Acting Director, Elections and Registry Services

Phone: 416-392-8019; Fax: 416-392-3781

Email: bpietran@toronto.ca

## **SIGNATURE**

---

Ulli S. Watkiss, City Clerk

## **ATTACHMENTS**

Appendix A: Chapter 553

Appendix B: Draft Bill