






Town of Fort Smith
Special Town Council Meeting
SP-05-22
Agenda

Monday, October 24, 2022 at 12:00 pm – Council Chambers

- A. Call to Order and Confirmation of Quorum
- B. Approval of Agenda
- C. Discussion
 - a. Lottery and Chase the Ace Bylaw 1037 – Third Reading
 - 
 - Bylaw 1037 Lottery
and Chase the Ace.
 - b. Appointment of Bylaw Officer Raji Cavala Bylaw 1038 – Third Reading
 - 
 - Bylaw 1038 Appoint
a Bylaw Officer Raji
 - c. Land Acquisition Lot 870, Plan 837 Bylaw 1039 – Third Reading
 - 
 - Bylaw 1039 Land
Acquisition Lot 087C
- D. Absence of Council Members
- E. Adjournment
- F. Question Period



THE MUNICIPAL CORPORATION OF THE TOWN OF FORT SMITH
BYLAW #1037

A BYLAW OF THE MUNICIPAL CORPORATION OF THE TOWN OF FORT SMITH, IN THE NORTHWEST TERRITORIES, TO PROVIDE FOR THE REGULATION AND LICENSING OF LOTTERY SCHEMES INCLUDING CHASE THE ACE STYLE LOTTERY SCHEMES WITHIN THE TOWN OF FORT SMITH, PURSUANT TO SECTIONS 1 AND 4 OF THE LOTTERIES ACT R.S.N.W.T. 1988, c. L-11.

WHEREAS, the Town of Fort Smith, in the Northwest Territories, has been granted the authority to regulate and licence lottery schemes pursuant to the *Lotteries Act, R.S.N.W.T. 1988, c. L-11* and *Fort Smith Delegation Regulation R.R.N.W.T. , 1996*;

AND WHEREAS the Council of the Municipal Corporation of the Town of Fort Smith deems it desirable to regulate lottery schemes including, but not limited to chase the ace schemes within the Town of Fort Smith;

NOW THEREFORE, the Council of the Town of Fort Smith, at a duly assembled meeting, enacts as follows;

1. SHORT TITLE

THAT the short title of the Bylaw may be cited as the "Lottery and Chase the Ace License Bylaw."

2. INTERPRETATION

Definitions

- a. "Applicant" means an organization, or corporation, or a co-operative association who submits an application to the Senior Administrative Officer;
- b. "Authorized Representative" means an individual who represents an Applicant or a Licence Holder, who is responsible for ensuring that the Lottery is held in accordance with this bylaw;
- c. "Bingo" means a game of chance played with cards having numbered squares corresponding to numbered balls drawn at random;
- d. "Casino" means a Lottery that may include games of Blackjack, Wheel of Fortune, or Roulette;
- e. "Charitable or religious object or purpose" includes objects or purposes which:
 - i. Promote the relief of poverty or disease, or including, but not limited to, providing relief to the poor; activities for the elderly so they stay active in society; or social and education activities for the emotionally or physically disabled;



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- ii. Promote the advancement of religion or education, including, but not limited to, providing student scholarships; providing aid to schools; libraries; museums and the arts; assistance on participating in educational trips abroad; and advancement of the preservation of cultural heritage;
 - iii. Are of charitable or religious nature and are beneficial to the community as a whole; including, but not limited to, making improvements to the quality of health; supporting and promoting culture; supporting medical research; aiding medical treatment activities; providing a facility for a community's use; supporting amateur athletics; or providing places for public worship and other religious activities.
- f. "Charitable or religious organization" means an incorporated or unincorporated organization or foundation with a charitable or religious object or purpose; meeting one of the following requirements:
- i. Registered as a charitable or religious organization under the Income Tax Act (Canada); or
 - ii. Registered for a charitable or religious purpose under the *Societies Act*; or
 - iii. Designated as a charitable or religious organization by the Senior Administrative Officer or the Council of the Town of Fort Smith, having a charitable or religious object or purpose.
- g. "Chase the Ace-Style Lottery" means an event-based lottery scheme whereby there is an opportunity to win a percentage, by way of a roll ticket draw, as well as an opportunity to win a chance to select a card in search of a specific jackpot card;
- h. "City" means the Municipal Corporation of the Town of Fort Smith in the Northwest Territories established under the *Cities, Towns, and Villages Act*;
- i. "Club Room" means an owned or leased premise where regular members meet;
- j. "Gross receipts" means the total revenue from all sources derived in the conduct, management and operation of a Lottery;
- k. "Licence" means a licence to conduct, manage, and operate a Lottery in accordance with this bylaw;
- l. "Licence holder" means an unincorporated organization, a corporation or a co-operative association licenced to conduct, manage and operate a Lottery in accordance with this bylaw;
- m. "Lottery" means those lottery schemes commonly known as Bingos, Super Bingos, Nevada Tickets, Casinos, Raffles, and Chase the Ace that are conducted by a person or related persons on or about the same time;
- n. "Member-oriented purpose" means a purpose that benefits the members of an organization more than it benefits the general public;
- o. "Net proceeds" means gross receipts minus prizes and minus costs necessary to conduct, manage or operate a lottery;



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- p. "Nevada ticket" means a lottery that includes pull type or break-open tickets;
- q. "Officer" means a person who is appointed in accordance with the *Cities, Towns, and Villages Act* as a bylaw officer to enforce with bylaws of the Town of Fort Smith and any Peace Officer who is entitled by law to enforce the bylaws of the Town of Fort Smith;
- r. "Person" means an individual, an unincorporated organization, a corporation, or a co-operative association;
- s. "Raffle" means a lottery in which a prize is won by one of numerous persons buying chances;
- t. "Regular Bingo games" means Bingo games where the amount of the prizes are set before the start of the first game;
- u. "Roll tickets" are readily available serialized tickets requiring no solicitation for contact data from the ticket purchaser, with identical number sets; one given to the purchaser and the other retained by the licensee for draw purposes;
- v. "Senior Administrative Officer (SAO)" means the Senior Administrative Officer of the Town of Fort Smith appointed pursuant to the *Cities, Towns, and Villages Act* of the Northwest Territories and includes any person appointed or designated by the Senior Administrative Officer to act on their behalf;
- w. "Series licence" means a licence for more than one date with in a six-month period;
- x. "Six-Month period" means January 1 through June 30 and July 1 through December 31 of each year;
- y. "Share the wealth Bingo" means any Bingo with prizes calculated as a portion of the gross receipts of the game;
- z. "Super Bingo" means a Bingo with total prizes having a fair market value in excess of fifty thousand dollars (\$50,000);
- aa. "Ticket drawer" is the person who draws the roll ticket to select the winning ticket and who handles the playing cards prior to and after the winning ticket holder selects a card.
- bb. "Town" means the Municipal Corporation of the Town of Fort Smith, in the Northwest Territories as established under the *Cities, Towns and Villages Act*.

3. APPLICATION

- a. No Person shall conduct a Lottery within the City except in accordance with a Licence issued under this bylaw.
- b. Notwithstanding Section 3 (a), a Licence issued before the effective date of this bylaw is governed by Bylaw No. 3967.



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4. QUALIFYING PERSON AND PURPOSES

- a. The following persons may apply for a Licence:
- i. A religious or charitable organization registered under the *Income Tax Act (Canada)*.
 - ii. A religious or charitable organization, incorporated under the *Societies Act*.
 - iii. Any Person who has been designated by the Senior Administration Officer as a religious or charitable organization for the purpose of this bylaw.
- b. The Senior Administration Officer may designate an Applicant to be a religious or charitable organization for the purpose of this bylaw if the Applicant proves to the satisfaction of the Senior Administration Officer acting reasonably that the activities of the Applicant and the purpose for which the Net Proceeds will be used fall into one or more of the following categories:
- i. The promotion of relief of poverty or disease;
 - ii. The promotion of religion;
 - iii. The promotion of education or training;
 - iv. Are of a similar nature and beneficial to the community as a whole; and
 - v. The support of member-oriented purposes specified in this bylaw.
- c. For this bylaw, activities and purposes beneficial to the community must meet all the following conditions:
- i. There is a benefit to the community as a whole or a significant portion of the community;
 - ii. The benefit to the public is significantly larger than the benefit to the membership; and
 - iii. The activities and purposes fall into one or more of the following categories:
 - a) Making improvements to the quality of health;
 - b) Supporting and promoting culture;
 - c) Supporting medical research;
 - d) Aiding medical treatment activities;
 - e) Providing a facility for use by all members of the community;
 - f) Providing places for public worship and other religious activities; and
 - g) Promoting and supporting amateur athletics;



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- d. For this bylaw, allowable member-oriented purposes:
- i. Are not required to be a benefit to the community as a whole or a significant portion of the community;
 - ii. May be of greater benefit to the membership than to the public; and
 - iii. Must fall into one or more of the following categories:
 - a) Supporting seniors' social and recreational activities provided:
 - (i) Membership must be open to the general public 60 years of age and older;
 - (ii) The majority of the seniors' organization consists of individuals 60 years of age and older;
 - (iii) Any entertainment provided is for the seniors, not the general public; and
 - (iv) The services paid from lottery proceeds are on a cost recovery basis, and not intended to generate a profit;
 - b) Supporting youth social and recreational activities provided:
 - (i) Membership must be open to the general public 18 years of age and younger;
 - (ii) The majority of the youth organization consists of individuals 18 years of age and younger;
 - (iii) Any entertainment provided is for the youth, not the general public; and
 - (iv) The services paid from lottery proceeds are on a cost recovery basis, and not intended to generate a profit;
 - c) Supporting travel expenses up to \$10,000 or upon written application. Senior Administrative Officer discretion will allow up to \$25,000 in travel expenses for:
 1. Seniors provided:
 - (i) There is broad based community involvement, and eligibility for the trips is not limited to the members of the licenced organization;
 - (ii) The majority of the seniors' organization consists of individuals 60 years of age or older; and
 - (iii) Expenses are restricted to direct transportation, subsistence and lodging costs to attend an activity;
 2. Youth provided:
 - (i) The travel is to participate in religious, cultural, recreational or sporting activities;



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- (ii) The majority of the youth organization consists of individuals 18 years of age or younger; and
- (iii) Expenses are restricted to direct transportation, subsistence and lodging costs to attend an activity;
- (iv) A sporting event provided the opportunity is gained as a result of qualifying to advance to a superior level of competitive activity, sanctioned by the appropriate governing body.

5. APPLICATIONS

- a. Each Applicant shall specify an Authorized Representative who shall be at least 19 years of age.
- b. The Authorized Representative of an Applicant shall be responsible for ensuring that the conduct, management and operation of the Lottery will be in accordance with this by-law.
- c. An application for a licence or for an amendment to a licence shall be in the form specified by the Senior Administration Officer from time to time.
- d. The Senior Administration Officer may:
 - ii. Reject an application if, in his or her opinion acting reasonably:
 - a) The Licence Holder has violated the provisions of this bylaw or any other applicable statutes or regulations;
 - b) The proposed use of the Net Proceeds of the Lottery is not permitted by this bylaw.
 - c) The Lottery will not be conducted in accordance with this bylaw;
 - iii. Require additional information for an application, including:
 - a) Whether the Authorized Representative, a Director or an Officer of the Applicant has been convicted of an offence under the Criminal Code;
 - b) Whether the Applicant is in good standing under its incorporating statute; and
 - c) Other information that the Senior Administration Officer deems necessary or desirable to satisfy themselves that the Lottery will be conducted in accordance with this bylaw;
 - iv. Limit how long in advance Applicants may apply for a Licence.
- e. No person shall conduct a Chase the Ace-style lottery within the Municipal Corporation of the Town of Fort Smith except in accordance with a License issued under this Bylaw.
- f. Only one Chase the Ace-style lottery will be permitted to run at any given time within the Municipal Corporation of the Town of Fort Smith.



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- g. The Council of the Town of Fort Smith will select the successful eligible applicant based on the criteria set forth in Section 5. Selection will occur on the third Tuesday of the month following the completion of the previous Chase the Ace-style lottery. Applications received less than seven days prior to the selection date will not be accepted.
- h. Unsuccessful applicants will have their license application fee refunded and be required to resubmit for future Chase the Ace-style lotteries.

6. LICENSES

- a. A Licence is not transferable.
- b. A Licence Holder shall ensure that the Licence or, if the Licence is amended, the most recently amended Licence, is posted in a conspicuous place in the immediate vicinity of the Lottery.
- c. The Senior Administration Officer may:
 - i. Amend a Licence;
 - ii. Revoke a Licence where he or she is satisfied that:
 - a) The Licence was issued in reliance upon a misrepresentation of the Applicant or any Person making representations or providing information on the behalf of the Applicant; or
 - b) The Licence Holder has violated the provisions of this bylaw or any other applicable statutes or regulations;
 - iii. Set additional terms or restrictions on a Licence; and
 - iv. Issue a Series Licence for Lotteries with the same lottery scheme.

7. CHASE THE ACE-STYLE LOTTERY DESCRIPTION

Chase the Ace-style lottery schemes are event-based schemes whereby there is an opportunity to win a percentage take, by way of a roll ticket draw, as well as an opportunity to win a chance to select a card in search of a specific jackpot card. This may include, Chase the Ace, Klub the King, Crown the Queen, etc.

- a. Licenses are issued for a maximum of 52 weeks in duration and there is a maximum of 52 draws AND a maximum of 52 cards permitted for use on any one license.
- b. The allocation of ticket sales proceeds must be in accordance with 4 (g) and may be varied only upon written approval of the Seniors Administrative Officer and only if a written request is submitted prior to commencing the first draw.
- c. Sales of serialized roll tickets for Chase the Ace-style lotteries are to commence no earlier than 3 hours before the draw time on the draw date.
- d. At least one card must be removed every night. Additionally, the winning ticket holder is granted the opportunity to request that a card other than the Ace be removed. If they select the specific jackpot card, they win the jackpot.



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- e. The person who has won the draw and has the matching serialized roll ticket has 30 minutes to present the ticket at the place of which the draw is being conducted in order select a card for a chance to win jackpot card. If the winning ticket is not presented within 30 minutes of the draw a new ticket will be drawn.
- f. A licensee is to notify the Town of Fort Smith as soon as reasonably possible once a Chase the Ace-style jackpot has been awarded as this will cause the expiration of the lottery license. No other serialized roll ticket lotteries are permitted to be played at any venue where a Chase the Ace-style lottery is underway.
- g. Chase the Ace-style lotteries are to be conducted using serialized roll tickets that are sold only to persons over the age of 19, over a not less than two and not more than three-hour period, with a ticket draw held at the end of the specified time period. The holder of the ticket is required to be in attendance to claim their prize.
- h. The winning ticket shall receive 20% percent of the ticket sales, while 30% is reserved for a building jackpot and the remaining 50% is retained by the licensee.
- i. Additionally, the winning ticket holder is granted the opportunity to select a card and, if they select the specific jackpot card, they further win the building jackpot.
- j. If the jackpot card is not chosen, the card selected is removed from the deck, logged and destroyed and the remaining cards in the deck are then resealed and secured until the next draw. As stated, to above, despite the name Chase the Ace, some groups choose to use a different card as the jackpot card to determine a jackpot winner.
- k. The same colour roll tickets may not be used for consecutive weeks in order to avoid confusion among ticket buyers and to clearly differentiate the purchased tickets that are included in the draw from the preceding or next draw date.
- l. No person directly assisting in the conduct of a lottery, including volunteers, shall participate as a player or buy tickets for other players.

8. CHASE THE ACE

- a. Licenses are issued for a maximum of 52 weeks in duration and there is a maximum of 52 draws AND a maximum of 52 cards permitted for use on any one license.
- b. The allocation of ticket sales proceeds must be in accordance with 4 (g) and may be varied only upon written approval of the Seniors Administrative Officer and only if a written request is submitted prior to commencing the first draw.
- c. Sales of serialized roll tickets for Chase the Ace-style lotteries are to commence no earlier than 3 hours before the draw time on the draw date.
- d. The person who has won the draw and has the matching serialized roll ticket has 30 minutes to present the ticket at the place of which the draw is being conducted in order select a card for a chance to win jackpot card. If the winning ticket is not presented within 30 minutes of the draw a new ticket will be drawn.



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- e. A licensee is to notify the Town of Fort Smith as soon as reasonably possible once a Chase the Ace-style jackpot has been awarded as this will cause the expiration of the lottery license. No other serialized roll ticket lotteries are permitted to be played at any venue where a Chase the Ace-style lottery is underway.
 - f. Chase the Ace-style lotteries are to be conducted using serialized roll tickets that are sold only to persons over the age of 19, over a not less than two and not more than three-hour period, with a ticket draw held at the end of the specified time period. The holder of the ticket is required to be in attendance to claim their prize.
 - g. The winning ticket shall receive 20% percent of the ticket sales, while 30% is reserved for a building jackpot and the remaining 50% is retained by the licensee.
 - h. Additionally, the winning ticket holder is granted the opportunity to select a card and, if they select the specific jackpot card, they further win the building jackpot.
 - i. If the jackpot card is not chosen, the card selected is removed from the deck, logged and destroyed and the remaining cards in the deck are then resealed and secured until the next draw. As stated, to above, despite the name Chase the Ace, some groups choose to use a different card as the jackpot card to determine a jackpot winner.
 - j. The same colour roll tickets may not be used for consecutive weeks in order to avoid confusion among ticket buyers and to clearly differentiate the purchased tickets that are included in the draw from the preceding or next draw date.
 - k. No person directly assisting in the conduct of a lottery, including volunteers, shall participate as a player or buy tickets for other players.
- i. Chase the Ace-style lottery licenses will be issued at the discretion of the Council of the Town of Fort Smith. Where more than one applicant has applied for a Chase the Ace-style lottery license, a decision to grant the license will be based on the following aspects listed by priority.
- (a) Community/Economic Development benefits of fundraising proceeds;
 - (b) Number of members in organization and how many people will benefit from the fundraising proceeds;
 - (c) Demonstrated capacity to conduct a Chase the Ace-style lottery, including, but not limited to, the number of volunteers, financial capacity, space for ticket sales, etc.;
 - (d) Number of user groups on the application and how many groups will benefit from benefit from the proceeds;
 - (e) Past performance with lottery licenses issued by the Town of Fort Smith: the length of time on the list for a Chase the Ace-style lottery; if the applicant has previously held a license for a Chase the Ace-style lottery in the past three years; and how soon the funds are required.

9. CHASE THE ACE APPLICATION SELECTION

- a. Chase the Ace-style lottery licenses will be issued at the discretion of the Council of the Town of Fort Smith. Where more than one applicant has applied for a Chase the Ace-style lottery license, a decision to grant the license will be based on the following aspects listed by priority.



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- i. Community/Economic Development benefits of fundraising proceeds;
- ii. Number of members in organization and how many people will benefit from the fundraising proceeds;
- iii. Demonstrated capacity to conduct a Chase the Ace-style lottery, including, but not limited to, the number of volunteers, financial capacity, space for ticket sales, etc.;
- iv. Number of user groups on the application and how many groups will benefit from benefit from the proceeds;
- v. Past performance with lottery licenses issued by the Town of Fort Smith; the length of time on the list for a Chase the Ace-style lottery; if the applicant has previously held a license for a Chase the Ace-style lottery in the past three years; and how soon the funds are required.

10. BINGOS

- a. A Licence Holder shall ensure jackpots are paid by the expiry of the Lottery License, unless the Senior Administration Officer has issued a subsequent Licence that allows the jackpot to be carried over after the expiry date.
- b. For the purposes of this section, total estimated prizes includes the total, cumulative amount of a Bingo jackpot that can be won at the Lottery. The Senior Administration Officer may deny an application for a Licence that includes a Bingo and that has total estimated prizes from all lottery schemes of more than \$7,000 if:
 - i. The Applicant already has two such Licences in the same one-week period commencing on Sunday of one week and ending on the following Saturday;
 - ii. Such a Lottery is already Licenced to take place during the period in the application;
 - iii. The total estimated prizes are more than the total estimated prizes of such a Lottery that is already licenced on the same day.
- c. The Senior Administration Officer may allow a Licence Holder to decrease the total amount of the prizes for Regular Bingo Games, without amending the Licence, by setting out the conditions for the decrease on the Licence. The conditions may include:
 - iv. The maximum amount by which the total prizes for Regular Bingo Games may be reduced. The maximum decrease shall be no more than 30% of the licenced amount; and
 - v. That the Licence Holder request the permission of all players present at the scheduled start of the Regular Bingo Games to decrease the prizes. The Licence Holder shall not decrease the prizes if more than 10 players oppose the decrease.
- d. A Licence Holder shall make reasonable efforts to accurately estimate the amount of the turn-out for a Bingo and apply for a Licence or an amendment to a Licence for the amount of prizes that can be paid from the Gross Receipts.



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- e. A Licence Holder shall not permit a Person less than 16 years of age to play Bingo.

11. SUPER BINGOS

- a. The successful Applicant for a Super Bingo will be chosen by open public ballot draw conducted by the Senior Administration Officer.
- b. The Senior Administration Officer shall set the date and rules for a draw for a Super Bingo.
- c. The Senior Administration Officer may require Applicants to provide a plan that satisfies the Senior Administration Officer that the Super Bingo will be conducted, managed and operated in accordance with this bylaw.

12. NEVADA TICKETS

- a. A Licence Holder shall cease selling Nevada Tickets upon the completion or cancellation of the Bingo at which the Nevada Tickets were permitted to be sold.
- b. The Senior Administration Officer may restrict the sale of Nevada Tickets to a specified time and place:
- i. For members and guests of a Licence Holder; and
 - ii. For Bingo players;
- c. A Licence Holder shall not permit a Person less than 16 years of age to purchase or sell Nevada Tickets.
- d. A Licence Holder shall not open a Unit until all other opened Units have been sold.

13. RAFFLES

- a. The Senior Administration Officer may specify information to be printed on all tickets for the Raffle and may require an Applicant to provide a draft or sample copy of each type of ticket to be sold.
- b. The Senior Administration Officer may restrict the duration of a Raffle.
- c. A Licence Holder shall hold the final draw on the expiry date of the Licence.
- d. A Licence Holder shall make every reasonable effort to award the prizes immediately after the draw and for 3 months after the draw.
- e. If a prize cannot be awarded 3 months after the draw date, the Senior Administration Officer may declare the draw of the prize null and void and conduct a new draw for the prize.
- f. A Licence Holder must provide notice of the change of a Raffle Licence in at least two publications, which may include social media or another media outlet.



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14. REPORTING REQUIREMENTS

- a. For 24 months after the completion of a Lottery, the Licence Holder shall keep a record of Gross Receipts, total prizes, expenses and the use of Net Proceeds.
- b. A financial report shall be in the form specified by the Senior Administration Officer from time to time.
- c. A Licence Holder shall ensure that a financial report for a Lottery is completed and received by the Senior Administration Officer:
 - i. By the due date noted on the Licence; and
 - ii. Within 30 days of the date of a request by the Senior Administration Officer.
- d. The Senior Administration Officer may appoint a Person to audit information in respect of a financial report. The Licence Holder shall reimburse the City for the cost of the audit.
- e. A Licence Holder shall make available, within 30 days of the date of a request from the Senior Administration Officer, all books of accounts or documents relating to the operation of a Lottery.
- f. A Licence Holder shall retain unsold tickets, ticket stubs, receipts, counterfoils, game forms and financial documents pertaining to a Lottery for a period of not less than 24 months from the date of the Lottery, and for such additional time as the Senior Administration Officer may direct.

15. CONTROL PROCEDURES

- a. The licensee, authorized representative, or anyone else helping with the Lottery, Raffle, or Chase the Ace is ineligible to win the jackpot, prize, or any other monetary amount. This is to ensure there is no collusion or conflict of interest.
- b. The licensee must provide a set of completed House Rules for the lottery with their application. The House Rules must be included with the application form provided by the Town and shall be posted at all ticket selling locations.
- c. The licensee is to submit a Statement of Account after each draw date and pay the fee based on the total prize awarded at that draw in order to be licensed to proceed to the next draw date. If the Statement of Account and payment for the Chase the Ace-style lottery is not received within the next three days, the license is deemed suspended and subject to pay a late fee.
- d. A financial report shall be submitted within a six-month period following the completion lottery with a detailed list of use of the funds. If the financial report is not submitted the applicant may not apply to conduct any other lotteries until a report deemed satisfactory to the Senior Administrative Officer is submitted.
- e. The Licensee shall immediately notify the SAO in writing of any changes of any members of its executive. Until such notification is given, a license is deemed to be suspended.



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16. GENERAL TERMS AND CONDITIONS

- a. A Licence Holder shall immediately notify the Senior Administration Officer if a Lottery is not conducted, managed or operated in accordance with this bylaw.
- b. A Licence Holder may cancel a Bingo or Casino before the start of the first non-Share the Wealth Bingo game. A Licence Holder may cancel a Raffle before the draw date. The Licence Holder shall cancel a Lottery if, by the end of the Lottery, the Licence Holder will not have sufficient funds to award all prizes specified in the Licence.
- c. A Licence Holder shall award all prizes specified in the application for a licence and shall not reduce, decrease or substitute the specified prizes unless authorized by an amendment to the Licence or a specific condition of the Licence.
- d. If a Lottery is cancelled, the Licence Holder shall immediately refund all fees, except fees for Nevada Tickets and Share the Wealth Bingos already sold.
- e. The Senior Administration Officer, if he or she is not satisfied that certain costs are necessary for a Lottery, may disallow any costs including:
 - i. Rent for using the Licence Holder's premises;
 - ii. The transfer to any Person of a direct or indirect gain or a reward for conducting, managing, operating, planning or assisting with a Lottery, except reasonable fees paid to a Bingo caller; or
 - iii. As allowed as a condition of the Licence, if the Senior Administration Officer is satisfied that a Licence Holder requires assistance to conduct, manage or operate the Lottery.
- f. A Licence Holder shall not allow an Authorized Representative, a Bingo caller, or a Person who performs a raffle draw to participate as a player.
- g. A Licence Holder shall ensure that advertising for a Lottery states the Licence number.

17. COMPLAINTS

- a. A list of Lotteries shall be posted in a public place. The list shall include the date of the Lottery, the Licence Holder, the type of Lottery licensed, the use of the proceeds and the Net Proceeds.
- b. The Senior Administration Officer may investigate a complaint or any matter under this bylaw.



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18. FEE SCHEDULE

The following fee schedule shall apply for a Chase the Ace-style lottery:

License Application	\$ 50.00
Total Prize Amount Awarded	
Less than \$1,000	\$ 50.00
More than \$1,000	5%
Late Fee	\$ 65.00
License amendment more than seven days prior to the Lottery	\$ 50.00
License amendment seven or fewer days prior to the Lottery	\$100.00
Processing Fee for incorrect or incomplete documents	\$ 25.00

19. OFFENCES

- a. Every Person who contravenes any provision of this bylaw is guilty of an offence and is liable upon summary conviction:
 - i. For the first offence, to a fine not exceeding \$500; and
 - ii. For each subsequent offence, to a fine not exceeding \$2,000.
- b. An Officer may issue a Summary Offence Ticket Information in the form prescribed by the *Summary Conviction Procedures Act* and Regulations, to any Person who violates any provision of this bylaw, and such Person may, in lieu of prosecution, pay the Town the voluntary penalty of \$100 prior to the court date specified on the ticket.



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1. THAT this Bylaw shall come into force and effect on the date of its final passing.
2. THAT Bylaw 644, 988, and 1032 are hereby repealed.

READ A FIRST TIME THIS ____ DAY OF _____, 2022 A.D.

READ A SECOND TIME THIS ____ DAY OF _____, 2022 A.D.

READ A THIRD TIME THIS ____ DAY OF _____, 2022 A.D.

MAYOR

SENIOR ADMINISTRATIVE OFFICER

I hereby certify that this bylaw has been made in accordance with the requirements of the *Cities, Towns and Villages Act* and the bylaws of the Municipal Corporation of the Town of Fort Smith.

SENIOR ADMINISTRATIVE OFFICER



**THE MUNICIPAL CORPORATION OF THE TOWN OF FORT SMITH
BY-LAW 1038**

A BY-LAW OF THE MUNICIPAL CORPORATION OF THE TOWN OF FORT SMITH, IN THE NORTHWEST TERRITORIES, TO APPOINT A BYLAW ENFORCEMENT OFFICER, PASSED PURSUANT TO SECTIONS 70 AND 137 OF THE CITIES, TOWNS AND VILLAGES ACT S.N.W.T. 2003, c.22

WHEREAS, the Council of the Municipal Corporation of the Town of Fort Smith, in the Northwest Territories, deems it necessary to appoint Bylaw Enforcement Officers to enforce the bylaws of the Municipality;

NOW THEREFORE, the Council of the Municipal Corporation of the Town of Fort Smith, at a duly assembled meeting enacts as follows:

1. That Raji Cavala be appointed Bylaw Enforcement Officer for the Town of Fort Smith.
2. That this appointment shall come into effect upon this bylaw receiving third reading.

READ A FIRST TIME THIS _____ DAY OF _____, 2022 A.D.

READ A SECOND TIME THIS _____ DAY OF _____, 2022 A.D.

READ A THIRD TIME THIS _____ DAY OF _____, 2022 A.D.

MAYOR

SENIOR ADMINISTRATIVE OFFICER

I hereby certify that this bylaw has been made in accordance with the requirements of the *Cities, Towns and Villages Act* and the bylaws of the Municipal Corporation of the Town of Fort Smith

SENIOR ADMINISTRATIVE OFFICER



THE MUNICIPAL CORPORATION OF THE TOWN OF FORT SMITH
BY-LAW 1039

A BY-LAW OF THE MUNICIPAL CORPORATION OF THE TOWN OF FORT SMITH, IN THE NORTHWEST TERRITORIES, TO ACQUIRE A FREEHOLD INTEREST OR FEE SIMPLE TITLE IN LAND FOR THE MUNICIPAL CORPORATION OF THE TOWN OF FORT SMITH, PASSED PURSUANT TO SECTION 53 OF THE CITIES, TOWNS AND VILLAGE ACT S.N.W.T, 2003, c.22.

WHEREAS, the Council of the Municipal Corporation of the Town of Fort Smith, in the Northwest Territories, deems it to be in the public interest to acquire the lands described hereunder, and

NOW THEREFORE, the Council of the Town of Fort Smith, at a duly assembled meeting enacts as follows:

1. THAT the Municipal Corporation of the Town of Fort Smith is hereby authorized to acquire a freehold interest or fee simple title in the following parcels of land from **Buckley, Leonard**, and the whole of **Lot 0870 Plan 0837 FORT SMITH 24 Tamarac Crescent**, in consideration for the sum of amount owed to the Town as of the auction date.
2. THAT the Mayor and Senior Administration Officer of the said Municipal Corporation of the Town of Fort Smith, or lawful deputy of either of them are hereby authorized in the name and on the behalf of the Municipal Corporation of the Town of Fort Smith, to execute all such forms of application, bids, deeds, indentures, and other documents as may be necessary to give effect to this Bylaw and to affix thereto the corporate seal of the Municipal Corporation of the Town of Fort Smith as the act and deed thereof, subscribing their names in attestation of such execution.

READ A FIRST TIME THIS _____ DAY OF _____, 2022, A.D.

READ A SECOND TIME THIS _____ DAY OF _____, 2022, A.D.

READ A THIRD TIME THIS _____ DAY OF _____, 2022, A.D.

MAYOR

SENIOR ADMINISTRATIVE OFFICER

I hereby certify that this bylaw has is created in accordance with the requirements of the *Cities, Towns and Villages Act* and the bylaws of the Municipal Corporation of the Town of Fort Smith.

SENIOR ADMINISTRATIVE OFFICER