

ORDINANCE NO. 174

AN ORDINANCE TO ESTABLISH A 10 PERCENT
CHARITABLE GAMBLING CONTRIBUTION FUND UNDER MINNESOTA STATE
STATUTES SECTION 349.213, SUBDIVISION 1.

THE CITY COUNCIL OF THE CITY OF CARLTON DOES HEREBY ORDAIN:

SECTION I. The City of Carlton does hereby establish a fund to be known as the Lawful Gambling 10 Percent Contribution Fund to be administered by the City of Carlton. Pursuant to Minn. Stat. 349.213, Subd. (1), all organizations conducting lawful charitable gambling within the city limits of the City of Carlton are hereby required to contribute 10 percent of the net profits derived from such lawful gambling activities conducted at premises within the city limits of the City of Carlton to such fund. The City shall from time to time disburse the funds for either (a) lawful purpose as defined in Minn. Stat. 349.12, Subd. 25, or (b) police, fire, or other emergency or public safety related services, equipment, and training, excluding pension obligations.

The fund to be established by the City shall be a separate fund within its own financial records that will account exclusively for all receipts and expenditures under this ordinance. The receipts and expenditures will not be commingled with other city funds. The City will submit an annual report to the Charitable Gambling Control Board and shall submit such other forms as may be required from time to time. All such organizations conducting charitable gambling within the city limits of the City of Carlton shall keep monthly financial records of gambling proceeds and disbursements and shall submit copies of same to the City of Carlton at the same time that the organization remits the amount due to the City. Each organization shall also submit to the City copies of all records required to be submitted to the State of Minnesota Gambling Control Board.

SECTION II. Upon request by the City of Carlton, all organizations conducting lawful charitable gambling within the City of Carlton must provide the City with all relevant records, books, and other documents to insure compliance with this ordinance.

SECTION III. The deadline for submission of such reports and for remitting funds due under this ordinance shall be the last day of the month following the month in which the proceeds were earned.

SECTION IV. This ordinance shall take effect commencing with the month of January 2002.

SECTION V. The City shall establish by resolution a committee of persons who will recommend expenditures of funds collected under this ordinance. The committee's recommendations regarding the expenditure of funds shall be advisory, but shall not be binding upon the City Council for the City of Carlton. Final approval of expenditures shall be made by the City Council for the City of Carlton. The expenditure of funds received by the City under this ordinance shall be made within a reasonable time following receipt of such funds.

SECTION VI. A copy of this ordinance shall be filed with the State of Minnesota Gambling Control Board.

SECTION VII. Violation of this ordinance may be grounds for revocation of an organization's license to conduct lawful gambling activities within the city limits of the City of Carlton.

SECTION VIII. The provisions of this ordinance are deemed to be separable, and in the event that any provision is deemed to be invalid by a court of competent jurisdiction, the remaining provisions of the ordinance shall be deemed to continue to full force and effect.

Passed by the City Council of the City of Carlton this 13th day of November 2001.

CITY OF CARLTON, MN


Dennis Randelin
Its Mayor

ATTEST:


Lynn Habegger
Its City Clerk/Treasurer

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