

ORDINANCE NO. 2016-5

AN ORDINANCE AMENDING CHAPTER 10 AMUSEMENTS AND ENTERTAINMENTS, ARTICLE II CITY LOTTERY, SECTION 10-33 LOTTERY; PARTICIPATION; RESTRICTIONS; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES OR SECTIONS; AND TO PROVIDE FOR AN EFFECTIVE DATE.

BE IT ORDAINED by the Mayor and Council of the City of Wayne, Nebraska:

Section 1. That Chapter 10, Article II, Section 10-33 of the Wayne Municipal Code is hereby amended to read as follows:

10-33 LOTTERY; PARTICIPATION; RESTRICTIONS.

- A. No person under 19 years of age shall play or participate in any way in the lottery established and conducted by the municipality.
- B. No owner or officer of a lottery operator with whom the municipality contracts to conduct its lottery shall play the lottery conducted by the municipality.
- C. No employee or agent of the municipality, lottery operator, or authorized sales outlet location shall play the lottery of the municipality for which he or she performs work during such time as he or she is actually working at such lottery or while on duty. ~~No member of the Governing Body, municipal official, or immediate family of such member or official shall play in the lottery conducted by the municipality.~~
- D. Nothing herein shall prohibit the playing of any lottery conducted by the municipality by any member of the City Council, a city official, or the immediate family of any such member or official, except as otherwise expressly prohibited by this Resolution.**
- E. Nothing shall prohibit an owner or officer of an authorized sales outlet location for the municipality from playing the lottery conducted by the municipality as long as such person is 19 years of age or older.
- F. No person, or employee or agent of any person or the municipality shall knowingly permit an individual under 19 years of age to play or participate in any way in the lottery conducted by the municipality.
- G. For purposes of this section, the following definition shall apply unless the context clearly indicates or requires a different meaning.

~~**IMMEDIATE FAMILY OF A MEMBER OF THE GOVERNING BODY OR A MUNICIPAL OFFICIAL.**~~

- ~~a. A person who is related to the member or official by blood, marriage, or adoption and resides in the same household; or~~
- ~~b. A person who is claimed by the member or official, or the spouse of the member or official, as a dependent for federal income tax purposes.~~

Statutory reference:

~~State provisions on participation restrictions, Neb. Rev. Stat. 9-646~~

Section 2. All ordinances or parts of ordinances in conflict herewith are hereby amended and repealed.

Section 3. This ordinance shall take effect and be in full force from and after its passage, approval, and publication or posting as required by law.

PASSED AND APPROVED this 19th day of April, 2016.

THE CITY OF WAYNE, NEBRASKA

By _____
Council President

ATTEST:

City Clerk