

Resolution

WHEREAS, Peace Academy, Inc. has made application to the Board of County Commissioners of the County of Cass for permission to conduct a game of chance; and

WHEREAS, said game of chance is to be conducted on June 21, 2022 at The Pines in Davenport, North Dakota; and

WHEREAS, the sworn statement of facts contained in the application of Peace Academy, Inc. for such permit indicates Peace Academy, Inc. is qualified and eligible to conduct a game of chance in accordance with the laws of the State of North Dakota;

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Cass County: Peace Academy, Inc. is hereby authorized to conduct a game of chance on June 21, 2022 and that the nature of the game authorized to be conducted is: Raffle.

STATE OF NORTH DAKOTA)

) SS

County of Cass )

Rick Steen, being first duly sworn, deposes and says that he is the duly appointed Cass County Commission Chair and that the foregoing resolution is a true and correct copy of a resolution duly adopted by the County Commissioners of the County of Cass; and that such resolution is a true and correct transcript of the permanent records of the minutes of the meeting of the Board of County Commissioners of the County of Cass held on the 20th day of June, 2022.

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Rick Steen, Cass County Commission Chair

Suggested Motion:

Move to approve a raffle permit for Peace Academy, Inc. to be held on June 21, 2022 at The Pines (4487 165<sup>th</sup> Avenue Southeast) in Davenport, North Dakota.



**LOCAL PERMIT OR RESTRICTED EVENT PERMIT**  
 NORTH DAKOTA OFFICE OF ATTORNEY GENERAL  
 LICENSING SECTION  
 SFN 17926 (09-2021)

Permit Number 618
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Permit Type (check one)							
<input checked="" type="checkbox"/> Local Permit	<input type="checkbox"/> Restricted Event Permit*						
Games Authorized		<input type="checkbox"/> Raffle by a Political or Legislative District Party					
<input type="checkbox"/> Bingo	<input checked="" type="checkbox"/> Raffle	<input type="checkbox"/> Raffle Board	<input type="checkbox"/> Calendar Raffle	<input type="checkbox"/> Sports Pool	<input type="checkbox"/> Poker*	<input type="checkbox"/> Twenty-One*	<input type="checkbox"/> Paddlewheels*

\*See Instruction 2 (f) on Page 2. Poker, Twenty-One, and Paddlewheels may be conducted **Only** with a Restricted Event Permit. Only one permit per year.

**LOCAL PERMIT RAFFLES MAY NOT BE CONDUCTED ONLINE AND CREDIT CARDS MAY NOT BE USED FOR WAGERS.**

Name of Organization or Group of People permit is issued to Peace Academy Inc.			Dates Authorized (Read Instruction 2) June 21, 2022		
Organization or Group Contact Person Jana Bruhschwein		Title or Position Executive Director		Telephone Number 701-261-9920	
Mailing Address 6905 Maple Lane		City Horace		State ND	ZIP Code 58047
Site Name The Pines					
Site Address 4487 165th Avenue SE		City Davenport		ZIP Code 58047	County Cass
If the city or county is placing restrictions on the permit, please explain					
If a raffle is being conducted, provide the date of the drawing(s) June 21, 2022					

City or County Contact Person			
Name Rick Steen	Title Commission Chair	Telephone Number 701-241-5609	E-mail Address steenr@casscountynnd.gov
Signature of City or County Official		Date 06-20-2022	Issuing Governing Body <input type="checkbox"/> City <input checked="" type="checkbox"/> County

City or County must submit a copy of the permit above to the Office of Attorney General within 14 days of issuance. (Cut at line below)

Local governing bodies please see the instructions on the backside of this form on how to complete the permit. Be certain to provide the organization or group with the "Information Required to be Preprinted on a Standard Raffle Ticket" found on the backside of this form if a raffle is being conducted. If a "Restricted Event Permit" is being issued, either provide organization or group with SFN 52880 "Report on a Restricted Event Permit" or make them aware that the report must be filed with the city or county **and** the Office of Attorney General within 30 days after the event. Before approving a site location, ensure compliance with the gaming law below.

Before approving a local permit or restricted event permit the local governing body should review North Dakota Century Code 53-06.1-03(3)(a) which states:

3. A licensed organization or organization that has a permit shall conduct games as follows:
  - a. Only one licensed organization or organization that has a permit may conduct games at an authorized site on a day, except that a raffle may be conducted for a special occasion by another licensed organization or organization that has a permit when one of these conditions is met:
    - (1) When the area for the raffle is physically separated from the area where games are conducted by the regular organization.
    - (2) Upon request of the regular organization and with the approval of the alcoholic beverage establishment, the regular organization's license or permit is suspended for that specific time of day by the Attorney General.

Local governing bodies should also review North Dakota Administrative Code 99-01.3-01-05 (Permits) for the administrative rules governing permits. These rules may be viewed on the North Dakota Attorney General's website at <https://attorneygeneral.nd.gov/licensing-and-gaming/gaming/gaming-laws-rules-and-publications>



**Information required to be preprinted on a standard raffle ticket:**

1. Name of organization;
2. Ticket number;
3. Price of the ticket, including any discounted price;
4. Prize, description of an optional prize selectable by a winning player, or option to convert a merchandise prize to a cash prize that is limited to the lesser of the value of the merchandise prize or six thousand dollars. However, if there is insufficient space on a ticket to list each minor prize that has a retail price not exceeding twenty-five dollars, an organization may state the total number of minor prizes and their total retail price;
5. For an organization that has a permit, print the authorizing city or county and permit number;
6. A statement that a person is or is not required to be present at a drawing to win;
7. Date and time of the drawing or drawings and, if the winning player is to be announced later, date and time of that announcement. For a calendar raffle, if the drawings are on the same day of the week or month, print the day and time of the drawing;
8. Location and street address of the drawing;
9. If a merchandise prize requires a title transfer involving the Department of Transportation, a statement that a winning player is or is not liable for sales or use tax;
10. If a purchase of a ticket or winning prize is restricted to a person of a minimum age, a statement that a person must be at least "-" years of age to buy a ticket or win a prize;
11. A statement that a purchase of the ticket is not a charitable donation;
12. If a secondary prize is an unguaranteed cash or merchandise prize, a statement that the prize is not guaranteed to be won and odds of winning the prize based on numbers of chances; and
13. If a prize is live beef or dairy cattle, horse, bison, sheep or pig, a statement that the winning player may convert the prize to a cash prize that is limited to the lesser of the market value of the animal or six thousand dollars.

North Dakota Administrative Code 99-01.3-05-02(4) states that an employee may not sell a ticket on a site where another organization is licensed or has a permit unless the employee is granted permission by the lessor and other organization.

North Dakota Administrative Code 99-01.3-05-01 through 99-01.3-05-05 (Raffles) in its entirety can be reviewed on the North Dakota Attorney General's website at <https://attorneygeneral.nd.gov/licensing-and-gaming/gaming/gaming-laws-rules-and-publications>.

**INSTRUCTIONS:**

After a city or county governing board has authorized an organization to receive a local permit or restricted event permit, the city or county must complete this form.

1. Enter the city or county assigned "Permit Number".
2. Enter the beginning and ending date(s) for which the permit is authorized.
  - a. A permit must be on a fiscal year basis from July first to June thirtieth or on a calendar year basis.
  - b. For a "one time" raffle, the beginning and ending date for "Dates Authorized" is the date of the raffle prize drawing.
  - c. A local permit can be issued for one or more events per year.
  - d. If a local permit is issued for more than one event, enter the date of the first event as the beginning date and the date of the last event as the ending date.
  - e. A permit may not be issued more than twelve months prior to the first raffle drawing date.
  - f. A restricted event permit may be issued for only one event per year. If the organization has received a local permit during a fiscal year, it may not receive a restricted event permit. If the organization received a restricted event permit during the fiscal year, it may not receive a local permit.
3. Enter any restriction place on the organization or group, such as days of the week or designation of an area at a site where games may be conducted.
4. When a restricted event permit is issued, provide a "Report on a Restricted Event Permit" form to the organization or be sure they know the form is available at <https://attorneygeneral.nd.gov/licensing-and-gaming/licensing/charitable-gaming> by scrolling to the bottom of the page.
5. Give the organization or group the completed permit form, keep a copy for your records, and send a copy within 14 days by email to [agolicensing@nd.gov](mailto:agolicensing@nd.gov), fax to (701) 328-3535 or by mail to:

Office of Attorney General  
Licensing Section  
600 E Blvd Ave, Dept. 125  
Bismarck, ND 58505-0040

If questions on the local permit or restricted event permit process, please call: 1-800-326-9240





**APPLICATION FOR A LOCAL PERMIT OR RESTRICTED EVENT PERMIT**  
 NORTH DAKOTA OFFICE OF ATTORNEY GENERAL  
 LICENSING SECTION  
 SFN 9338 (09-2021)

Applying for (check one)  
 Local Permit       Restricted Event Permit\*

Games to be Conducted       Raffle by a Political or Legislative District Party

Bingo     Raffle     Raffle Board     Calendar Raffle     Sports Pool     Poker\*     Twenty-One\*     Paddlewheels\*

*Poker, Twenty-One, and Paddlewheels may be conducted Only with a Restricted Event Permit. Only one permit allowed per year.*

**LOCAL PERMIT RAFFLES MAY NOT BE CONDUCTED ONLINE AND CREDIT CARDS MAY NOT BE USED FOR WAGERS.**

Name of Organization or Group of People permit is issued to Peace Academy Inc.	Dates of Activity 6/21/2022	If raffle, provide drawing date 6/21/22	
Organization or Group Contact Person Jana Bruhschwein	Title or Position Executive Director	Telephone Number 701-261-9920	
Business Address 6905 Maple Lane	City Horace	State ND	ZIP Code 58047
Mailing Address (if different)	City	State	ZIP Code
Site Name (where gaming will be conducted) The Pines			
Site Address 4487 165th Ave. SE	City Davenport	ZIP Code 58021	County Cass

**Description and Retail Value of Prizes to be Awarded**

Game Type	Description of Prize	Retail Value of Prize
Paddle Raffle	Yeti Cooler with gift cards	\$600.00
Paddle Raffle	Stone Pizza Oven	\$750.00

Add Row      Delete Row

Total (limit \$40,000 per year)	\$1,350.00
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Intended Uses of Gaming Proceeds  
 Purchase equipment for new preschool organized 501(c)(3)

Does the organization presently have a state gaming license? (If yes, the organization is not eligible for a local permit or restricted event permit and should call the Office of Attorney General at 1-800-326-9240)  
 Yes     No

Has the organization or group received a restricted event permit from any city or county for the fiscal year July 1-June 30? (If yes, the organization or group does not qualify for a local permit or restricted event permit)  
 Yes     No

Has the organization or group received a local permit from any city or county for the fiscal year July 1-June 30? (If yes, indicate the total retail value of all prizes previously awarded)  
 No     Yes - Total Retail Value:  (This amount is part of the total prize limit of \$40,000 per year)

Is the organization or group a state political party or legislative district party? (If yes, the organization or group may only conduct a raffle and must complete SFN 52880 "Report on a Restricted Event Permit" within 30 days of the event. Net proceeds may be used for political purposes.)  
 Yes     No

**Organization or Group Contact Person**

Name Jana Bruhschwein	Title Executive Director	Telephone Number 701-261-9920	E-mail Address peaceacademyfargo@gmail.com
Signature of Organization or Group's Top Official 		Title Executive Director	Date 6/3/2022



**Information required to be preprinted on a standard raffle ticket:**

1. Name of organization;
2. Ticket number;
3. Price of the ticket, including any discounted price;
4. Prize, description of an optional prize selectable by a winning player, or option to convert a merchandise prize to a cash prize that is limited to the lesser of the value of the merchandise prize or eight thousand dollars. However, if there is insufficient space on a ticket to list each minor prize that has a retail price not exceeding twenty-five dollars, an organization may state the total number of minor prizes and their total retail price;
5. For an organization that has a permit, print the authorizing city or county and permit number;
6. A statement that a person is or is not required to be present at a drawing to win;
7. Date and time of the drawing or drawings and, if the winning player is to be announced later, date and time of that announcement. For a calendar raffle, if the drawings are on the same day of the week or month, print the day and time of the drawing;
8. Location and street address of the drawing;
9. If a merchandise prize requires a title transfer involving the Department of Transportation, a statement that a winning player is or is not liable for sales or use tax;
10. If a purchase of a ticket or winning prize is restricted to a person of a minimum age, a statement that a person must be at least "-" years of age to buy a ticket or win a prize;
11. A statement that a purchase of the ticket is not a charitable donation;
12. If a secondary prize is an unguaranteed cash or merchandise prize, a statement that the prize is not guaranteed to be won and odds of winning the prize based on numbers of chances; and
13. If a prize is live beef or dairy cattle, horse, bison, sheep or pig, a statement that the winning player may convert the prize to a cash prize that is limited to the lesser of the market value of the animal or six thousand dollars.

**PRIZE RESTRICTIONS:**

A single cash prize cannot exceed \$8,000

The retail value of a merchandise prize cannot exceed \$8,000.

The total of all cash prizes and retail value of all merchandise prizes for all games cannot exceed \$40,000 per year.

If the value of the planned cash and merchandise prizes exceed \$40,000, the organization or group must reduce the prizes to this limit or a nonprofit corporation may apply for a state gaming license with the Office of Attorney General.

**LOCAL PERMIT AND RESTRICTED EVENT PERMIT DIFFERENCES:**

	<u>Local Permit</u>	<u>Restricted Event Permit</u>
Number of events per year	Limited by prizes	One
Must file an information report	Yes if political party	Yes
May pay employees compensation	Yes	No
Must use chips as wagers	No	Yes
Use of net income	Unrestricted	Restricted
Games allowed	Bingo Raffles Sports Pools	Bingo Raffles Sports Pools Poker Twenty-One Paddlewheels

Compared to a "Local Permit", an organization or group with a "Restricted Event Permit" may conduct three more game types, but is restricted to one event per year, must file a "Report on a Restricted Event Permit" with the city or county and Office of Attorney General, and disburse net income to eligible uses. These uses are described by North Dakota Century Code 53-06.1-11.1(2) and North Dakota Administrative Code 99-01.3-14-02. Refer to the backside of the "Report on a Restricted Event Permit" form for a general list of eligible uses.

For a Restricted Event Permit, one method to ensure that the total of all cash prizes and retail value of all merchandise prizes do not exceed \$40,000 is to charge each player a standard amount at the start of the event for a certain number or value of chips. If a player loses all of the player's chips, the player may re-buy chips. The player would play games and, at the end of the event, the organization would auction merchandise prizes to the players. The player who bid the highest number or value of chips for a prize would win that prize. For those players who have chips but did not successfully bid on a prize, the organization may redeem the chips for a predetermined cash value per chip. For this method, the value of the players' chips redeemed for cash is not a prize.