



TOWN OF BELMONT
TOWN CLERK'S OFFICE
455 CONCORD AVENUE
BELMONT, MASSACHUSETTS 02478

ELLEN O'BRIEN CUSHMAN
TOWN CLERK

TEL. (617) 993-2603
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Raffle Permit Questionnaire, Filing Process & Application
Please use this form to help you complete the application & Annual Report (included).

CONTACT INFORMATION FOR RAFFLE PERMIT APPLICANT:

Applicant Name: _____
Phone Number: _____
Email Address: _____
Organization Name: _____

ORGANIZATION INFORMATION:

1. Is the organization a nonprofit or charitable organization listed below (as defined in [MGL Ch. 271, Sec. 7A](#)) and registered with the [Attorney General's list of charities and non-profits](#)?
 - a. Veterans organization
 - b. Church or religious organization
 - c. Fraternal or fraternal benefit society
 - d. Educational or charitable organization
 - e. Civic or service club or organization or other club or organization operated exclusively for nonprofit purposes

Yes No
2. Has the organization been actively functioning as a nonprofit organization in the Commonwealth for a period two years or more?

Yes No
3. Has your organization been issued a raffle permit from the Town of Belmont in the last 2 years?

Yes No
4. If you answered "Yes" to question 3; has your organization filed an Annual Report with the Town of Belmont for the prior year permits following its expiration?*

Yes No
5. The organization has not had a raffle permit revoked in the last 3 years?

Yes No
6. Have three officers of the organization signed the application?

Yes No

*Within 30 days of the permit's expiration, approximately 1 year after issuance, the organization must file 2 copies of the Annual Report with the Town Clerk certified by the three officers on the application and the accountant. This may be done when the organization files for a new Raffle Permit. There are no limits to the number of events that can be held under a permit.

*If you have answered No to any question above,
your Raffle Permit will be denied.*

APPLICATION PROCESS:

The applicant appears in person to file the Raffle Permit and pays a fee of \$25. The permit application must have the following filled in:

- Place and date(s) of the event(s);
- Name of the nonprofit or charitable organization;
- The type of nonprofit or charitable organization (see question 1 above);
- Three officers of the organization and their residence address;
- The use(s) to which the net proceeds will apply; and
- Signature of the Authorized Officer or Member of the Organization (applicant)

If the organization has filed for a Raffle Permit in the previous year, the applicant must also provide two copies of an Annual Report. This report must have the following information:

- Date of filing;
- Name of nonprofit or charitable organization;
- Expiration date of permit;
- Number of Raffles held;
- Amount of money received;
- Expenses connected with Raffles;
- Net proceeds;
- What the purpose of proceeds were used for;
- Names and addresses of winners (\$250 or more)
- Signature of the Accountant or Financial Officer and the three officers of the organization who were on the application; and
- Signature of the applicant

In addition to the application and Annual Report, the applicant must also fill out the Massachusetts Lottery Commission Notice. This small green notice form is sent to the Lottery Commission when the permit is obtained. It includes the name of the organization, type of nonprofit or charitable organization, and contact info for the applicant.

APPROVAL PROCESS:

Once the application has been accepted by the Town Clerk's office, the application is sent to the Police Chief for approval. If approved, the Raffle Permit is issued by the Town Clerk's office and the applicant is contacted. The Raffle Permit must be picked up before the first raffle event can be held.

THE LOTTERY COMMISSION:

Once the Raffle Permit is picked up, the Lottery Commission Notice is mailed to the Massachusetts Lottery Commission. **The Lottery Commission will then send information regarding the organization's tax requirements.** Within 10 days after holding the event, the organization must send a report to the Lottery Commission its gross proceeds, expenses and net proceeds and pay a 5% TAX on the gross proceeds.

Each Raffle Permit is valid for 12 months from the date of issue. If the application is not approved by the Police Chief or not approved by the Town Clerk, the organization may seek judicial review in the Middlesex District Court within 30 days of applying.

THE COMMONWEALTH OF MASSACHUSETTS

FEE: \$25.00

BELMONT

APPLICATION FOR PERMIT TO CONDUCT RAFFLES AND BAZAARS
(c. 810, ACTS OF 1969)

Site of First Event: _____

Date of First Event: _____

Name and address of nonprofit organization:

Evidence of Qualification for Permit:

- ☐ (a) Veterans' organization chartered by the Congress of the United States or included in clause (12) of section five of chapter forty of the General laws ; or,
- ☐ (b) Church or religious organization ; or,
- ☐ (c) Fraternal or fraternal benefit society ; or,
- ☐ (d) Educational or charitable organization ; or,
- ☐ (e) Civic or service club organization ; or,
- ☐ (f) Club or organization organized and operated exclusively for pleasure, recreation and other nonprofit purposes, no part of the net earnings of which inures to the benefit of any member or shareholder.

Officers or members of organization responsible for operation of raffle or bazaar :

Name

Residence Address

(1) _____

(2) _____

(3) _____

Uses to which net proceeds will be applied : _____

(signature of authorized officer or member of organization)

Application certified to be in
Conformity with C. 810, Acts
Of 1969 :

City/Town Clerk

PERMIT (ISSUED) (DENIED)

(date)

The applicant (is) (is not) qualified to operate raffles
and bazaars under the provisions of C. 810, Acts of 1969 :

City/Town Clerk

Police Chief

AN ACT AUTHORIZING CERTAIN ORGANIZATIONS TO CONDUCT RAFFLES AND BAZAARS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is, in part, to authorize forthwith that certain organizations may conduct raffles and bazaars and provide a further source of tax revenue to the commonwealth, 758 ACTS, 1969. — CHAP. 810, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Chapter 271 of the General Laws is amended by inserting after *section 7* the following section:—

Section 7A. In this section the following words shall have the following meanings:

"*Raffle*", an arrangement for raising money by the sale of tickets, certain among which, as determined by chance after the sale, entitle the holders to prizes.

"*Bazaar*", a place maintained by the sponsoring organization for disposal of merchandise awards by means of chance.

Notwithstanding any other provisions of law, raffles and bazaars may be promoted, operated and conducted under permits issued in accordance with the provisions of this section.

No organization, society, church or club which conducts a raffle or bazaar under the provisions of this section shall be deemed to have set up and promoted a lottery and nothing in this chapter shall authorize the prosecution, arrest or conviction of any person connected with the operation of any such raffle or bazaar; provided, however, that nothing contained in this section shall be construed as permitting the game commonly known as "beano" or any similar game regardless of name.

No raffle or bazaar shall be promoted, operated or conducted by any person or organization, unless the same is sponsored and conducted exclusively by (a) a veterans' organization chartered by the Congress of the United States or included in clause (12) of section five of chapter forty of the General Laws; (6) a church or religious organization; (c) a fraternal or fraternal benefit society; (d) an educational or charitable organization; (e) a civic or service club or organization; and (f) clubs or organizations organized and operated exclusively for pleasure, recreation and other nonprofit purposes, no part of the net earnings of which inures to the benefit of any member or shareholder. Such organization shall have been organized and actively functioning as a nonprofit organization in the commonwealth for a period of not less than two years before it may apply for a permit. The promotion and operation of the raffle or bazaar shall be confined solely to the qualified members of the sponsoring organization and no such member shall receive remuneration in any form for time or effort devoted to the promotion or operation of such raffle or bazaar. All funds derived from any raffle or bazaar shall be used exclusively for the purposes stated in the application of the sponsoring organization which purposes shall be limited to educational, charitable, religious, fraternal or civic purposes or for veterans' benefits. An organization which meets the qualifications required by this section and which desires to conduct or operate a raffle or bazaar within the commonwealth shall apply for a permit to conduct raffles and bazaars from the clerk of the city or town in which the raffle will be drawn or the bazaar held. The application form shall be approved by the commissioner of public safety and shall include the name and address of the applicant, the evidence on which the applicant relies in order to qualify under this section, the names of three officers or members of ACTS, 1969. — CHAP. 810. 759 the organization who shall be responsible for the operation of the raffle or bazaar, and the uses to which the net proceeds will be applied. A fee of ten dollars shall accompany each such application and shall be retained by the city or town. Upon receipt of such application, the clerk shall determine whether it is in conformity with this section. If the clerk so determines, he shall forward the application to the chief of police of the city or town, who shall determine whether the applicant is qualified to operate raffles and bazaars under this section. If the chief of police so determines, he shall endorse the application and return it to the clerk, who shall forthwith issue a permit, which shall be valid for one year from the date of its issuance. The clerk shall retain a copy of the application and shall send a copy to the commissioner of public safety. If there is any change in the facts set forth in the application for a permit subsequent to the making of such application, the applicant shall forthwith notify the authority granting such permit of such change, and such authority shall issue such permit if the applicant is qualified or if a permit has already been issued and the change in the facts set forth in the application disqualify the applicant revoke such permit.

If an application is not acted upon within thirty days after it is submitted, or if the organization is refused a permit, or if a permit is revoked, any person named on the application may obtain judicial review of such refusal or revocation by filing within ten days of such refusal or revocation or within ten days of the expiration of such thirty day period a petition for review in the district court having jurisdiction in the city or town in which such application was filed. A justice of said court, after a hearing, may direct that such permit be issued, if he is satisfied that there was no reasonable ground for refusing such permit, and that the applicant was not prohibited by law from holding raffles or bazaars.

An organization issued a permit under this section shall within thirty days of the expiration of its permit submit a report on a form to be approved by the commissioner of public safety. Such form shall require information concerning the number of raffles and bazaars held, the amount of money received, the expenses connected with the raffle or bazaar, the names of the winners of prizes exceeding twenty-five dollars in value, the net proceeds of the raffles and bazaars, and the uses to which the net proceeds were applied. The organization shall maintain and keep such books and records as may be necessary to substantiate the particulars of such report, which books and records shall be preserved for at least one year from the date of such report and shall be available for inspection. Such report shall be certified to by the three persons designated in the permit application as being responsible for such raffle or bazaar and by an accountant. Two copies of said report shall be filed with the city or town clerk. The clerk shall send one copy to the commissioner of public safety. Failure to file said report shall constitute sufficient grounds for refusal to renew a permit to conduct raffles or bazaars. The fee for renewal of such permit shall be ten dollars.

The authority granting any permit under this section shall immediately revoke the same for a violation of any provision of this section and shall not issue any permit to such permittee within three years from the date of such violation. Any person aggrieved by the action of 760 ACTS, 1969. — CHAP. 811. such authority revoking such permit may appeal to the district court having jurisdiction in the city or town where the permit was issued; provided that such appeal shall be filed in such court within twenty days following receipt of notification by said authority. The court shall hear all pertinent evidence and determine the facts and upon the facts so determined annul such action or make such decision as equity may require. The foregoing remedy shall be exclusive.

Any organization conducting or operating a raffle or bazaar under this section shall file a return with the commissioner of corporations and taxation, on a form prepared by him, and approved by the state tax commission within ten days after the raffle or bazaar is held and shall pay therewith a tax of five per cent of the gross proceeds derived from such raffle or bazaar.

The provisions of chapter sixty-two relative to the assessment, collection, payment, abatement, verification and administration of taxes, including penalties, shall, so far as applicable apply to the tax imposed by this section. All sums received by said commissioner from the tax imposed by this section as taxes, interest thereon, fees, penalties, forfeitures, costs of suits or fines, less all amounts refunded thereon, together with any interest or costs paid on account of such refunds, shall be paid into the treasury of the commonwealth.

Whoever violates any provision of this section or submits false information on an application or report required under this section shall be punished by a fine of not more than one thousand dollars or by imprisonment in the house of correction for not more than one year, or both.

No person who prints or produces tickets, cards or any similar article used in the conduct of a bazaar or raffle pursuant to a permit issued under the provisions of this section shall be subject to any penalty therefor, provided that a certified copy of such permit was presented to him prior to his undertaking to print or produce such tickets or cards.

Approved August 26, 1969.



The Commonwealth of Massachusetts

ANNUAL REPORT – RAFFLES & BAZAARS

(C. 810. Acts of 1969)

(date)

Name and address of Nonprofit Organization:

Expiration Date of Permit: _____

Number of Raffles and Bazaars Held: _____

Amount of Money Received: \$ _____

Expenses Connected with Raffles Conducted: \$ _____

Net Proceeds \$ _____

For What Purposes Were The Proceeds Used?

Names & Addresses of Winners of \$250.00 or more:

(Attach Additional Pages as Necessary)

We, the undersigned, do hereby certify that this report is true and complete.

1. _____

2. _____

3. _____

(Accountant)

Report Certified to be

In Conformity With

C. 810. Acts of 1969:

Signature of Authorized Officer

Or Member of Organization

City / Town Clerk

RENEWAL PERMIT WILL NOT BE ISSUED TO LICENSEE UNTIL THIS REPORT HAS BEEN COMPLETED AND FILED WITH THE COMMISSIONER OF PUBLIC SAFETY.

(Permit Holders also holding Beano Licenses, must submit a Copy of the Report to the Massachusetts State Lottery Commission.) Revised January 1974