

Sec. 10-51. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Actual business expenses means those expenses that have a direct bearing on and are necessary to the conduct of a bingo game and related activities, the allocation of which shall be in accordance with generally acceptable accounting practices, and which include the following:

(1) Authorized expenses, charitable organization's, authorized organization's or associational group or organization's premises means and includes equipment and supplies; accounting services for records and reports; state and local license fees; advertising; cost of security personnel; pro rata costs for insurance and utilities such as electricity, water, gas, sewer, garbage collection or trash collection resulting from conducting a bingo game; cost of refreshments provided at no cost to players and volunteers; cost of prizes; cost of creating and maintaining a petty cash fund no larger than \$25.00.

(2) Authorized expenses, charitable organization's, authorized organization's or associational group or organization's bingo games conducted at other than charitable organization's, authorized organization's or associational group or organization's premises means and includes equipment and supplies; state and local license fees; accounting services for records and reports; advertising; cost of security personnel; pro rata share of insurance and utilities such as water, sewer, gas, garbage and trash collection and electricity incurred in conducting bingo; cost of prizes; cost of refreshments provided at no cost to players and volunteers; cost of creating and maintaining a petty cash amount containing \$25.00; and rental charge so long as the rental charge does not exceed the fair market rent charged for similar premises in the county.

Associational group or organization means a condominium association, cooperative association, homeowners associations, mobile home owners' association or a group of residents of a mobile home park as defined in F.S. ch. 723, or a group of residents of a mobile home park or recreational vehicle park as defined in F.S. ch. 513.

Authorized organization means an organization as described in F.S. § 849.0931(2)(a) other than a charitable organization that is entitled under F.S. § 849.0931(3) to conduct bingo.

Bingo or bingo game means a game in which:

(1) Each participant either pays a charge or becomes a participant for free and receives one or more bingo cards in a place licensed by the county to conduct bingo games and/or authorized by state statute to conduct bingo.

(2) The players cover squares as the representative announces a number, letter or a combination of numbers and letters selected by chance from a receptacle containing objects bearing numbers, letters or combinations of numbers and letters corresponding to the system used for designating the squares on the bingo cards; and

(3) A prize is awarded to the winner, who is the player first properly covering a predetermined and announced pattern of squares on the bingo card.

Bingo card means the flat, usually rectangular, piece of paper or thin pasteboard marked off into a set of 25 squares arranged in five vertical rows of five squares each. Bingo card will have no fewer than 24 numbers, letters, or combinations of numbers and letters, and includes a piece of paper or cardboard marked in Braille. More than one set of bingo numbers may be printed on a single sheet of paper.

Chairperson means the person designated by a licensed organization to be responsible for the conduct of bingo games or instant bingo.

Charitable organization means any person who has qualified for exemption from federal income tax as an exempt organization under section 501(c) of the Internal Revenue Code of 1954 or section 528 of the Internal Revenue Code of 1986, as amended, and who is or holds himself out to be established for any benevolent, educational, philanthropic, humane, scientific, artistic, patriotic, social welfare or advocacy, public health, environmental conservation, civic or other eleemosynary purpose and which organization has been in existence and active for a period of three years or more. It includes a chapter, branch, area, office or similar officiate performing functions of the organization within the state for a charitable organization which has its principal place of business outside the state.

Conviction or *convicted* includes also an adjudication of guilt or a plea of guilty or nolo contendere or the forfeiture of a bond, when a person has been charged with a violation involving theft or illegal gambling or with a felony.

Deal means a separate set or package of not more than 4,000 instant bingo tickets in which the predetermined minimum prize payout is at least 65 percent of the total receipts from the sale of the entire deal.

Entire or net proceeds means all moneys collected in exchange for the purpose of bingo cards, instant bingo, admissions and related sales, less only actual business expenses.

Flare means the board or placard that accompanies each deal of instant bingo tickets and that has printed on or affixed to it the following information:

- (1) The game name.
- (2) The manufacturer's name or distinctive logo.
- (3) The form number.
- (4) The ticket count.
- (5) The prize structure, including the number of symbols or number combinations for winning instant bingo tickets by denomination, with their respective winning symbols or number combinations.
- (6) The cost per play.
- (7) The game serial number.

Instant bingo means a form of bingo that is played at the same location as bingo, using tickets by which a player wins a prize by opening and removing a cover from the ticket to reveal a set of numbers, letters, objects, or patterns, some of which have been designated in advance as prize winners.

Lease includes a lease, sublease, assignment, rental or agreement to use any premises for the conduct of bingo or instant bingo, other than premises owned by the licensed organization and used by it to conduct bingo or instant bingo for its own benefit.

Lessor means a person who or organization which leases, subleases, assigns or rents any premises to be used for the conduct of bingo or instant bingo or agrees to the use of the premises for the conduct of bingo or instant bingo.

Licensed organization means a charitable, authorized organization or associational organization that has been issued a license under this article.

Owner means the charitable organization, authorized organization or associational organization which holds legal title to the premises on which a bingo game, instant bingo, or a series of bingo games is played.

Player means a person who has paid some amount of money to the representative for one or more bingo cards and who has some expectation of receiving a prize if one or more of his bingo cards contains a sufficient number of numbers, letters or combination of letters and numbers which are the same as those shown and announced

by the representative during a bingo game, or a person who has paid some amount of money to the representative for one or more instant bingo tickets.

Premises means an indoor or outdoor area used for the conduct of bingo or instant bingo.

Principal officers means the president, vice-president or treasurer or partner or limited partner or organization officers performing similar duties.

Prize means cash or anything of value awarded to a player of a bingo game or instant bingo or players in a series of bingo games.

Volunteer means a bona fide member of the organizations sponsoring the bingo or instant bingo session and participating in other meaningful activities of the organization other than bingo or instant bingo and who resides in the county or within a 15-mile radius of where the bingo or instant bingo session is located. A volunteer must have been a member of the sponsoring organization for at least 30 days.

(Code 1970, § 16 1/2-82; Ord. No. 92-15, § 2, 10-27-92; Ord. No. 93-18, § 1, 6-8-93; Ord. No. 94-12, § 1, 8-9-94; Ord. No. 95-12, § 1, 8-22-95; Ord. No. 96-19, § 1, 11-6-96; Ord. No. 97-01, § 1, 1-14-97; Ord. No. 00-07, § 2, 6-20-00; Ord. No. 06-07, § 2, 2-28-06; Ord. No. 08-40, § 1, 9-23-08)

Cross references: Definitions generally, § 1-2.