

RESOLUTION NO. 2013 -

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAIYNE, FLORIDA, AUTHORIZING BINGO GAMES, IN ACCORDANCE WITH SECTION 849.0931, FLORIDA STATUTES, TO BE PLAYED AT THE VILLAGE COMMUNITY CENTER; PERMITTING THE ACTIVE SENIORS ON THE KEY (ASK) CLUB TO PLAY BINGO AT THE VILLAGE COMMUNITY CENTER; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Village of Key Biscayne (the "Village") Community Center currently offers programs, classes, games and other events for people of all ages; and

WHEREAS, the Village Council desires to permit bingo games in accordance with Section 849.0931, Florida Statutes to be played at the Community Center; and

WHEREAS, Section 849.0931, Florida Statutes permits bingo games on property owned by a municipality when the governing authority has by resolution specifically authorized the use of such property for the conduct of such games; and

WHEREAS, bingo games, as permitted by Section 849.0931, Florida Statutes, are considered games of "chance" under Florida law; and

WHEREAS, Section 7.01 of the Village Charter provides that "there shall be no casino gambling within the Village; provided, however, that nothing herein shall prevent religious, educational or charitable organizations from holding occasional events which feature games of chance which are not otherwise prohibited by State or County law;" and

WHEREAS, given that bingo games are games of "chance," the Village Council desires to authorize such games to the extent that they are not prohibited by Section 7.01 of the Village Charter; and

WHEREAS, the Active Seniors on the Key (ASK) Club has requested that the Village permit them to play bingo games at the Village Community Center; and

WHEREAS, the Village Council agrees to permit the ASK Club to play such games at the Village Community Center subject to all applicable laws and rules and regulations imposed by the Village Manager; and

WHEREAS, the Village Council finds that this Resolution is in the best interest and welfare of the residents of the Village.

NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AS FOLLOWS:

Section 1. **Recitals Adopted.** Each of the above stated recitals are hereby adopted, confirmed and incorporated herein.

Section 2. **Bingo Authorized.** The Village Council hereby authorizes bingo games, in accordance with Section 849.0931, Florida Statutes, to be played at the Community Center to the extent that they are not prohibited by Section 7.01 of the Village Charter.

Section 3. **ASK Authorized.** The Village Council hereby authorizes the ASK Club to play bingo games at the Village Community Center subject to all applicable laws and rules and regulations imposed by the Village Manager.

Section 4. **Effective Date.** This Resolution shall be effective immediately upon adoption.

PASSED AND ADOPTED this ____ day of _____, 2013.

MAYOR FRANKLIN H. CAPLAN

ATTEST:

CONCHITA H. ALVAREZ, MMC, VILLAGE CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

VILLAGE ATTORNEY