

An Ordinance to ~~Strike~~, amend, and insert different sections of Chapter 19 of the Ordinances of the Town of Chapmanville, WV. Be it ordained by the Town of Chapmanville, that upon passage this will be considered the entirety of Chapter 9 of the ordinances of the Town of Chapmanville

Chapter 9

Gambling

1. Purpose and Construction

This chapter is adopted for the purpose of prohibiting unlawful gambling activity within the Town of Chapmanville and shall be liberally construed to suppress illegal gambling and gambling-related fraud. This chapter shall not be construed to prohibit, regulate, license, tax, or penalize any gaming activity, device, or wagering that is expressly authorized, licensed, or regulated by the State of West Virginia in Chapter 29 of the Code of West Virginia, including but not limited to activities governed by, Article 22. State Lottery Act; Article 22a. Racetrack Video Lottery; Article 22b. Limited Video Lottery; Article 22c. West Virginia Lottery Racetrack Table Games Act; Article 22d. West Virginia Lottery Sports Wagering Act; and Article 22e. West Virginia Lottery Interactive Wagering Act.

2. Definitions

For purposes of this chapter:

- a. "Unlawful gambling" means gambling activity that is not authorized or licensed under the laws of the State of West Virginia.
- b. "Gambling device" means any game, device, or mechanism used for unlawful gambling and does not include any device authorized, licensed, or regulated by the West Virginia Lottery Commission.
- c. "Lottery," "poolroom," "game of chance," and similar terms shall have the meanings assigned by applicable state law where such definitions exist.

3. Keeping or Maintaining a Place for Unlawful Gambling

No person shall knowingly keep or maintain any house, building, room, or place to be used for unlawful gambling, or be a partner, employee, or person concerned in interest in such unlawful activity.

4. Unlawful Gambling Devices

It shall be unlawful for any person to knowingly keep, exhibit, or operate any gambling table or device used for unlawful gambling. This section shall not apply to any device authorized or licensed under West Virginia law, including limited video lottery terminals.

5. Permitting Unlawful Gambling on Premises

Any person who knowingly permits unlawful gambling or unlawful gambling devices on premises under their control shall be guilty of a misdemeanor.

6. Cheating and Fraudulent Gambling

Any person who cheats or by fraudulent means wins or acquires money or other thing of value in connection with gambling, whether lawful or unlawful, shall be guilty of a misdemeanor.

7. Illegal Lotteries and Poolrooms

- a. No person shall knowingly set up, promote, manage, or participate in any illegal lottery or poolroom, except where same are expressly authorized by state law.
- b. This section shall not apply to any lottery or gaming activity authorized under West Virginia law.

8. Enforcement; Seizure

- a. Enforcement of this chapter shall be conducted in accordance with state law and constitutional requirements.
- b. No seizure, forfeiture, or destruction of gaming devices or proceeds shall occur except as authorized by state law and carried out by properly authorized officials.

9. Penalties

- a. First violation of this section is a misdemeanor punishable by a fine of not less than one hundred dollars (\$100) nor more than five hundred dollars (\$500).
- b. Second violation of this section is a misdemeanor punishable by a fine of not less than five hundred dollars (\$500) nor more than one thousand dollars (\$1,000).

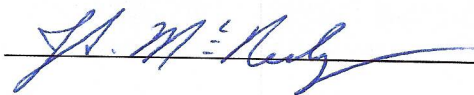
10. Severability

If any provision of this chapter is declared invalid or unenforceable, such invalidity shall not affect the remaining provisions, which shall remain in full force and effect.

First Reading: 02/10/26

Second Reading: 03/10/26

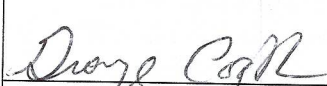
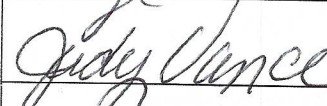
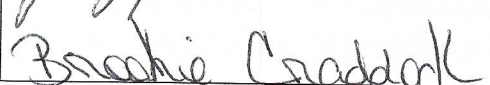
Third Reading:



Mayor Joel McNeely



Recorder Phillip Williamson

Council