§ 481. Investigation; matters to be determined; issuance of license; fees; duration of license. 1. The governing body of the municipality shall make an investigation of the qualifications of each applicant and the merits of each application, with due expedition after the filing of the application.

(a) Issuance of licenses to conduct bingo. If the governing body of the municipality determines:

(i) that the applicant is duly qualified to be licensed to conduct bingo under this article;

(ii) that the member or members of the applicant designated in the application to conduct bingo are bona fide active members or auxiliary members of the applicant and are persons of good moral character and have never been convicted of a crime if there is a direct relationship between one or more of the previous criminal offenses and the integrity or safety of bingo, considering the factors set forth in article twenty-three-A of the correction law;

(iii) that such games of bingo are to be conducted in accordance with the provisions of this article and in accordance with the rules and regulations of the commission;

(iv) that the proceeds thereof are to be disposed of as provided by this article;

(v) that no commission, salary, compensation, reward or recompense whatsoever will be paid or given to any person holding, operating or conducting or assisting in the holding, operation and conduct of any such games of bingo except as in this article otherwise provided; and

(vi) that no prize will be offered and given in excess of the sum or value of five thousand dollars in any single game of bingo and that the aggregate of all prizes offered and given in all of such games of bingo conducted on a single occasion under said license shall not exceed the sum or value of fifteen thousand dollars, then the municipality shall issue a license to the applicant for the conduct of bingo upon payment of a license fee of eighteen dollars and seventy-five cents for each bingo occasion.

Notwithstanding anything to the contrary in this paragraph, the governing body shall refuse to issue a license to an applicant seeking to conduct bingo in premises of a licensed commercial lessor where such

governing body determines that the premises presently owned or occupied by such applicant are in every respect adequate and suitable for conducting bingo games.

(b) Issuance of licenses to commercial lessors. If the governing body of the municipality shall determine that the applicant seeking to lease a hall or premises for the conduct of bingo to an authorized organization is duly qualified to be licensed under this article; that the applicant satisfies the requirements for an authorized commercial lessor as defined in section four hundred seventy-six that at the time of the issuance of an initial license, the governing body of the municipality shall find and determine that there is a public need and that public advantage will be served by the issuance of such license; that the applicant has filed its proposed rent for each bingo occasion; that the commission has approved as fair and reasonable a schedule of maximum rentals for each such occasion; that there is no diversion of the funds of the proposed lessee from the lawful purposes as defined in this article; and that such leasing of a hall or premises for the conduct of bingo is to be in accordance with the provisions of this article and in accordance with the rules and regulations of the commission, it shall issue a license permitting the applicant to lease said premises for the conduct of bingo to the authorized organization or organizations specified in the application during the period therein specified or such shorter period as the governing body of the municipality shall determine, but not to exceed one year, upon payment of a license fee of ten dollars plus an amount based upon the aggregate rent specified in the license and determined in accordance with the following schedule:

aggregate rental of $100 to $499 ..... $5.00
aggregate rental of $500 to $999 ..... $25.00
aggregate rental of $1,000 to $2,499 ..... $50.00
aggregate rental of $2,500 to $4,999 ..... $125.00
aggregate rental of $5,000 to $9,999 ..... $250.00
aggregate rental of $10,000 to $49,999 ..... $500.00
aggregate rental of $50,000 to $100,000 ..... $2,500.00
aggregate rental in excess of $100,000 ..... $5,000.00

2. On or before the thirtieth day of each month, the treasurer of the

municipality shall transmit to the state comptroller a sum equal to fifty percent of all commercial lessor license fees and the sum of eleven dollars and twenty-five cents per occasion of all license fees for the conduct of bingo collected by such municipality pursuant to this section during the preceding calendar month.

3. No license shall be issued under this article which shall be effective for a period of more than one year. In the case of limited period bingo, no license shall be issued authorizing the conduct of such games on more than two occasions in any one day nor shall any license be issued under this article which shall be effective for a period of more than seven of twelve consecutive days in any one year. No license for the conduct of limited period bingo shall be issued in cities having a population of one million or more.