

## Public Lottery Procedures

1. A single lottery ball has been assigned to each complete registration submittal and numbered between 1 and 185 (185 total registrations).
2. Each complete registration has been assigned to a Tier (Tier 1, Tier 2, or Tier 3). Tier 1 has 171 registration balls, Tier 2 has 13 registration balls, and Tier 3 has 1 registration ball.
3. The Tier 1 lottery balls will be placed onto a numbered display rack, which has been labeled from 1 to 171 to verify that all balls are accounted for.
4. The 171 Tier 1 lottery balls will be placed one-by-one into the lottery machine. The machine will be rotated at least five full times to mix up the balls, and then one ball will be deposited at random.
  - a. The selected lottery ball will be removed, announced, and placed aside. The address of the selected lottery ball will be shown on the buffer map.
  - b. Every single ball that was not selected will be removed from the lottery machine and placed back onto the display rack.
  - c. Using the buffer map and corresponding table, staff will announce, one-by-one, which balls are not within the 1,000-foot buffer of the selected address. Each announced ball is still eligible and will be placed back into the lottery machine for subsequent selections.
  - d. The remaining balls, which are within the 1,000-foot buffer of the selected address, will then be announced one-by-one and deemed ineligible for subsequent selections. These balls will be placed in a separate “ineligible” container.
5. Step #4 (a-d) will be repeated with the remaining eligible Tier 1 lottery balls until the total number of selected balls reaches the maximum number of licenses to be awarded (4), resulting in the selection of 4 lottery balls that are not located within 1,000 feet from each other.
6. In the event that no eligible Tier 1 lottery balls remain, Step #4 will be repeated with remaining eligible Tier 2 lottery balls.
7. In the event that no eligible Tier 1 or Tier 2 lottery balls remain, there is only one Tier 3 lottery registration, so that registration would be selected by default if its location is still eligible.

## Disclaimers:

**\*In the event that the lottery machine malfunctions and deposits more than one ball at a time, the random selection is deemed to have been corrupted, and those balls will be placed back into the machine for subsequent selections. Only cases in which the lottery machine deposits one ball at a time are considered valid selections.**

**\*Lottery winners are not guaranteed a license.** All other requirements established in the Encinitas Municipal Code (EMC) and other applicable laws must be met in order to obtain a retail license. Pursuant to EMC Section 9.25.070(H)(4)(a), if an applicant selected in the lottery is unable to comply with the regulations and requirements outlined in EMC Chapter 9.25 in order to obtain a business license from the City within 18 months of being selected, their selection shall be retracted, and a subsequent registration period shall occur and lottery shall be held for the opportunity to obtain the forfeited business license.