

ORDINANCE NUMBER 19 - 27

AN ORDINANCE OF THE VILLAGE OF EAST DUNDEE, COOK
AND KANE COUNTIES, ILLINOIS, AMENDING CHAPTERS 116 AND 137 OF THE
VILLAGE OF EAST DUNDEE VILLAGE CODE REGARDING VIDEO GAMING
(Increasing the Number of Terminals)

WHEREAS, the Village of East Dundee ("Village") is a home rule unit of local government pursuant to Section 6 of Article VII of the Constitution of the State of Illinois, and has the authority to exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, on June 28, 2019, the Governor of the State of Illinois signed Public Act 101-0031 into law, which, among other things, amended the Illinois Video Gaming Act, 230 ILCS 40/1, *et seq.*, (i) to allow licensed establishments, licensed truck stop establishments, licensed veterans establishments and licensed fraternal establishments to operate up to six (6) video gaming terminals, instead of up to five (5) video gaming terminals, (ii) to create a new classification of licensed large truck stop establishments, and (iii) to allow licensed large truck stop establishments to operate up to ten (10) video gaming terminals; and

WHEREAS, the President and Board of Trustees of the Village have deemed it to be in the best interests of the Village that the Village of East Dundee Village Code ("Village Code") be amended to allow for the operation of the number of video gaming terminals in licensed establishments permitted under Public Act 101-0031;

NOW THEREFORE BE IT ORDAINED BY THE VILLAGE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF EAST DUNDEE, COOK AND KANE COUNTIES, ILLINOIS, AS FOLLOWS:

SECTION 1: Incorporation. That each Whereas paragraph above is incorporated by reference into this Section 1 and made a part hereof as material and operative provisions of this Ordinance.

SECTION 2: Village Code Amendments. That the Village Code is hereby amended as follows:

Amendment One:

Section 116.05(J)(2) of the Village Code is hereby amended as follows, with additions underlined and deletions struck through:

Only premises licensed to sell alcoholic liquor for consumption on the premises as defined by ILCS Ch. 230, Act 40, § 1 as a "licensed establishment", a "licensed fraternal establishment", ~~or~~ a "licensed veterans establishment", ~~and premises defined as a~~ "licensed truck stop

establishment” that has a liquor license to sell package goods, or a “licensed large truck stop establishment” that has a liquor license to sell package goods, are authorized to obtain a supplemental video gaming permit to operate video gaming terminals and only when licensed by the Illinois Gaming Board pursuant to the provisions of the Illinois Gaming Act (ILCS Ch. 230, Act 40, §§ 1 et seq.) and in accordance with the regulations contained in Section 137.05 of this Code.

Amendment Two:

Section 137.02(B)(12) of the Village Code is hereby amended as follows, with additions underlined and deletions struck through:

Video gaming terminal games at a licensed establishment, licensed truck stop establishment, licensed fraternal establishment, ~~or licensed veterans establishment~~ or licensed large truck stop establishment when conducted in accordance with the Video Gaming Act (ILCS Chapter 230, Act 40);

Amendment Three:

Section 137.05(E) of the Village Code is hereby amended as follows, with additions underlined and deletions struck through:

There shall not be more than ~~five~~ six video gaming terminals on the premises of any licensed establishment, licensed truck stop establishment, licensed veterans establishment or licensed fraternal establishment, as defined in the Video Gaming Act (ILCS Chapter 230, Act 40). ~~There shall not be more than ten video gaming terminals on the premises of any large truck stop establishment, as defined in the Video Gaming Act (ILCS Chapter 230, Act 40)~~.

Amendment Four:

Section 137.05(I) of the Village Code is hereby amended as follows, with additions underlined and deletions struck through:

Those establishments that are licensed establishments, licensed fraternal establishments, ~~and licensed veterans establishments~~ and licensed large truck stop establishments, ~~all pursuant to as defined in the Video Gaming Act (ILCS Chapter 230, Act 40)~~, may operate video gaming terminals only during the hours of operation for the consumption of alcoholic beverages at the establishment.

SECTION 3: Continuation. That all provisions of the Village Code not amended herein shall remain in full force and effect.

SECTION 4: Severability. That if any Section, paragraph or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such Section, paragraph or provision shall not affect any of the remaining provisions of this Ordinance.

SECTION 5: Repeal. That all ordinances, resolutions, motions or parts thereof in conflict with this Ordinance shall be and the same are hereby repealed.

SECTION 6: Effect. That this Ordinance shall be in full force and effect upon its adoption, approval and publication in pamphlet form as provided by law.


ADOPTED this 5th day of August, 2019 pursuant to a roll call vote as follows:

AYES: Trustees Selep, Mahony, Andresen and President Miller

NAYES: Trustees Lynam, Wood and Kunze

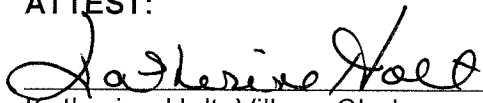
ABSENT: Ø

APPROVED by me this 5th day of August, 2019.



Lael Miller, Village President

ATTEST:


Katherine Holt, Village Clerk

Published in pamphlet form this 5th day of August, 2019, under the authority of the Village President and Board of Trustees.

Recorded in the Village records on August 6, 2019.