THE VILLAGE OF WILLOW SPRINGS
COOK COUNTY, ILLINOIS

ORDINANCE
NUMBER 2016-O-13

AN ORDINANCE AMENDING TITLE 4 AND TITLE 10 OF THE VILLAGE CODE OF THE VILLAGE OF WILLOW SPRINGS, COOK COUNTY, ILLINOIS (VIDEO GAMING)

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TRUSTEES

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ORDINANCE NUMBER 2016-O-13

AN ORDINANCE AMENDING TITLE 4 AND TITLE 10 OF THE VILLAGE CODE OF THE VILLAGE OF WILLOW SPRINGS, COOK COUNTY, ILLINOIS (VIDEO GAMING)

WHEREAS, the Village of Willow Springs, Cook County, Illinois (the *AVillage@*) is a non-home rule municipality duly existing under the laws of the State of Illinois;

WHEREAS, the General Assembly of the State of Illinois passed the Video Gaming Act (Gaming Act"), 230 ILCS 40/1, *et seq.*, to allow certain establishments licensed by the Illinois Gaming Board to operate and allow the use of authorized video gaming terminals;

WHEREAS, the Village subsequently researched video gaming and issued a Village wide survey to get feedback from Village residents on the issue of video gaming;

WHEREAS, the Village put the question of whether to allow video gaming to the residents in the March 15, 2016 primary.

WHEREAS, a majority of the voters voted in favor of allowing video gaming within the Village of Willow Springs;

WHEREAS, video gaming terminals operating under Gaming Act authorization will be tied into a central system monitored and regulated by the Illinois Gaming Board, and possession of non-authorized machines will be a Class 4 felony;

WHEREAS, all participants in the regulated video gaming industry will be licensed and undergo intense background checks and investigations and follow all state regulations;

NOW, THEREFORE BE IT ORDAINED by the President and Board of Trustees of the Village of Willow Springs, Cook County, Illinois, as follows:

SECTION 1: The foregoing preamble is restated and incorporated herein by reference

though fully set forth herein.

SECTION 2: Title 4, Chapter 3, Section 25A of the Village Code is hereby amended by changing Section 25, GAMBLING, to read as follows:

4-3-25A: **GAMBLING ON PREMISES:** No person shall permit gambling on any premises licensed to sell alcoholic liquor with the exception of gambling permitted under the Illinois Video Gaming Act, 230 ILCS 40/1, *et seq.*, and as authorized within the Village pursuant to Chapter 3 of this Title 4. All other gambling is strictly prohibited unless authorized by state statue or Village Code;

SECTION 3: Title 4, Chapter 3, Section 25 of the Village Code is hereby amended by changing Section 25, FAILURE TO NOTIFY POLICE OF DISTURBANCES, to read as follows:

4-3-25O: **NOTIFY POLICE OF ILLEGAL ACTIVITY:** It shall be the duty of each licensee to immediately notify the police department of conduct on the licensed premises which disturbs, tends to disturb or aids in disturbing the peace of others by violent, tumultuous, offensive or obstreperous conduct, illegal gambling, prostitution or the solicitation therefor and the sale, delivery or use of controlled substances, and no licensee shall knowingly permit such conduct upon any licensed premises owned or possessed by the licensee or under his control.

SECTION 4: Title 4, Chapter 3 of the Village Code is amended by adding Section 32, VIDEO GAMING, to read as follows:

4-3-32: **VIDEO GAMING:**

A. The definitions of the Illinois Video Gaming Act, 230 ILCS 40/1, *et seq.*, are incorporated and adopted into this section by reference.

B. The following activities or forms of gambling are allowed provided all applicable licenses are obtained: (i) the keeping, possession, ownership, use of a video gaming terminal in a licensed establishment, licensed truck stop establishment, licensed fraternal establishment or licensed veterans establishment, which is licensed by the Gaming Board to conduct or allow such specific activities under the Video Gaming Act, 230 ILCS 40/1, *et seq.*

C. The annual license fee for each licensed establishment, licensed truck stop establishment, licensed fraternal establishment or licensed veterans establishment shall be one hundred dollars ($100.00) with no proration if licensee only operates for a portion of the calendar year.

D. The annual license fee for each video gaming terminal shall be twenty-five dollars ($25.00) with no proration if licensee only operates for a portion of the calendar year. No more than five video gaming terminals may be located on any licensed premises.

E. All licensed establishments and each licensed gaming terminal must display the license or sticker obtained from the Gaming Board and/or Village at all times.

F. All limitations on hours of operation, proximity to schools, places of worship, and gambling facilities, and other restrictions, as listed in the Video Gaming Act, shall apply to any license issued by the Village.

SECTION 5: Title 10, Chapter 1, Section 10 of the Village Code is amended by changing Section 10, GAMBLING, to read as follows:

10-1-10J: **GAMBLING:**

A. Prohibited Act: Except for video gaming authorized pursuant to Title 10, Chapter 1, Section 10 of this Code, it shall be unlawful for any person to place, make, accept, relay, deliver, or pay any wager or bet on any sporting event or other competition.

B. Lottery Excepted: This section shall not apply to the lottery owned and operated by the State of Illinois.

SECTION 6: If any section, paragraph, clause or provision of this ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this ordinance.

SECTION 7: All ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 8: This ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

(Intentionally Left Blank)

ADOPTED by the President and Board of Trustees of the Village of Willow Springs, Cook County, Illinois this 14th day of April 2016, pursuant to a roll call vote, as follows:

	YES	NO	ABSENT	PRESENT
Bartik	✓			✓
Kaptur	—	✓		✓
Imbarrato	✓			✓
Maloney	✓			✓
Stanphill	✓			✓
Strazzante	✓			✓
(Mayor Nowaczyk)				✓
TOTAL	5	1	0	7

APPROVED by the President and Board of Trustees, Cook County, Illinois on this 14th day of April 2016. [redacted]

Alan Nowaczyk, Village President

ATTEST: [redacted]

Adena Baskovich, Village Clerk

VILLAGE OF WILLOW SPRINGS INCORPORATED JUNE 16, 1892 COOK COUNTY, ILLINOIS

STATE OF ILLINOIS)
) **SS**
COUNTY OF COOK)

CERTIFICATION

I, Adena Baskovich, DO HEREBY CERTIFY that I am the duly qualified and appointed Clerk of the Village of Willow Springs, Cook County, Illinois, and that as such Clerk I do have charge of and custody of the books and records of the Village of Willow Springs, Cook County, Illinois.

I DO HEREBY FURTHER CERTIFY that the foregoing is a full, true and correct copy of ORDINANCE No. 2016-O-13 "AN ORDINANCE AMENDING TITLE 4 AND TITLE 10 OF THE VILLAGE CODE OF THE VILLAGE OF WILLOW SPRINGS, COOK COUNTY, ILLINOIS (VIDEO GAMING)" adopted and approved by the President and Board of Trustees of the Village of Willow Springs, Illinois, on April 14th, 2016.

IN WITNESS WHEREOF, I have hereunto affixed my hand and the Corporate Seal of the Village of Willow Springs, Cook County, Illinois this 14th day of April, 2016.

VILLAGE OF WILLOW SPRINGS INCORPORATED JUNE 16, 1892 COOK COUNTY, ILLINOIS

[redacted]

Adena Baskovich, Village Clerk
Village of Willow Springs, Cook County, Illinois