

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

ORDINANCE NO. 12-11-23

VILLAGE OF CHICAGO RIDGE

***AN ORDINANCE AMENDING CHAPTER 22 OF THE
REVISED MUNICIPAL CODE OF THE VILLAGE OF
CHICAGO RIDGE, COOK COUNTY, ILLINOIS, BY
ADDING THERETO ARTICLE XIX IDENTIFIED AS
"LICENSED VIDEO GAMING"***

WHEREAS, the Village of Chicago Ridge is a home rule municipality in accordance with the Constitution of the State of Illinois of 1970; and

WHEREAS, the Village has authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs that protect the public health, safety and welfare of its citizens; and

WHEREAS, the President and Board of Trustees of the Village of Chicago Ridge have determined that the following policy is in the best interest of the municipality and its citizens;

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

SECTION 1. That Chapter 22 of the Revised Municipal Code of the Village of Chicago Ridge shall be amended by adding thereto Article XIX identified as "Licensed Video Gaming" as follows:

ARTICLE XIX. LICENSED VIDEO GAMING

Sec. 22-786. Licensed video gaming exemption.

The prohibitions of this Chapter 22 and any other chapter or section of the Village Code that may reference or govern gambling or gaming shall not apply to any video gaming terminal that has a valid video gaming terminal permit sticker and is being operated by a licensed

establishment that has a valid Village video gaming establishment license and is in full compliance with this Article.

Sec. 22-787. Definitions.

Licensed establishment shall mean any establishment that is both licensed to sell liquor at retail in the Village under Chapter 6 of the Village Code and licensed by the Illinois Gaming Board to operate a video gaming terminal on its premises.

Video gaming terminal shall mean any electronic video game machine that, upon insertion of cash, is available to play or simulate the play of a video game, including but not limited to video poker, line up, and blackjack, utilizing a video display and microprocessors in which the player may receive free games or credits that can be redeemed for cash. The term does not include a machine that directly dispenses coins, cash, or tokens or is for amusement purposes only.

Sec. 22-788. Video gaming establishment license.

In order for a licensed establishment to operate a video gaming terminal, the licensed establishment is required to obtain an annual video gaming establishment license from the Village by submitting a written application, on a form provided by the Village, to the mayor or the party designated by him or her. The burden is upon each applying licensed establishment to demonstrate its suitability for licensure. All video gaming establishment licenses issued by the Village shall expire April 30th, next, after date of issue, with an annual license fee of Two Hundred Fifty Dollars (\$250.00) payable in full at the time the application is filed with the Village. A license shall be purely a personal privilege, good for a time period not to exceed one (1) year after issuance, unless sooner revoked as provided by law, and shall not constitute property, nor shall it be subject to attachment, garnishment, or execution, nor shall it be alienable or transferable, voluntarily or involuntarily, or subject to being encumbered.

Sec. 22-789. Video gaming terminal permit sticker.

In order for a video gaming terminal to be operated at a licensed establishment, the licensed establishment is required to obtain an annual video gaming terminal permit sticker from the Village for each video gaming terminal located on its premises by submitting a written application, on a form provided by the Village, to the mayor or the party designated by him or her. Each video gaming terminal permit sticker issued by the Village shall expire April 30th, next, after date of issue, with an annual fee of One Hundred Dollars (\$100.00) per video gaming terminal payable in full at the time the application is filed with the Village.

Sec. 22-790. Regulations governing licensed establishments operating video gaming terminals.

The following regulations apply to all licensed establishments operating a video gaming terminal on its premise with a valid gaming establishment license and valid video gaming terminal permit stickers for each of its video gaming terminals:

- (a) A valid Village video gaming establishment license must be clearly displayed at all times.
- (b) A valid Village video gaming terminal permit sticker shall be clearly displayed at all times on each video gaming terminal.
- (c) No more than five (5) video gaming terminals may be located on the licensed establishment's premises.
- (d) Other than having up to five (5) video gaming terminals with valid video gaming terminal permit stickers, a licensed establishment is prohibited from having, anywhere on its premises, an electronic video gaming machine that may be available to play or simulate the play of poker, line up, blackjack, faro, roulette, craps, slots, or any other card or dice game or other game of chance, or that is otherwise akin to a gambling or gaming device under Chapter 22 of the Village Code, even if solely for amusement purposes.
- (e) All video gaming terminals must be located in an area restricted to persons twenty-one (21) years of age or older. The entrance to such area must, at all times, be within the view of at least one (1) employee who is at least twenty-one (21) years of age.
- (f) No licensed establishment may cause or permit any person under the age of twenty-one (21) years to use, play or operate a video gaming terminal.
- (g) No video gaming terminal may be played except during the legal hours of operation allowed for the consumption of alcoholic beverages at the licensed establishment pursuant to Chapter 6 of the Village Code.
- (h) The licensed establishment must fully comply with the Illinois Video Gaming Act (230 ILCS 40/1, et seq.) and all rules, regulations and restrictions imposed by the Illinois Gaming Board.
- (i) The licensed establishment must fully comply with Chapter 6 of the Village Code and all other provisions of the Village Code as well as federal and Illinois law and regulations.

Sec. 22-791. Inspection of premises.

Every licensed establishment where a video gaming terminal is kept shall be subject to inspection by the chief of police and business license inspector or their authorized agents, at any time, to ensure compliance with the Village Code. This includes licensed establishments applying for a video gaming establishment license and/or video gaming terminal permit sticker. It shall be unlawful for any person to hinder, resist, oppose or attempt to hinder, resist or oppose the chief of police and business license inspector or their respective agents in the course of an inspection.

Sec. 22-792. Revocation/suspension of license and permit sticker.

The mayor, pursuant to Section 22-40 of this Code, may revoke or suspend any video gaming establishment license and any video gaming terminal permit sticker used by the Village if it determines that the licensed establishment has violated any of the provision of this Chapter 22. No license shall be so revoked or suspended, except after a public hearing before the mayor, with a three (3) day written notice to the licensed establishment affording the licensed establishment an opportunity to appear and defend. Notwithstanding the foregoing, any licensed establishment that has its liquor license revoked or suspended by the Village under Section 6-74 of the Village Code or by the Illinois State Liquor Commission, or has its video gaming license revoked or suspended by the Illinois Gaming Board, shall automatically, without a hearing before the mayor, have its Village video gaming establishment license and all Village video gaming terminal permit stickers revoked or suspended for the same time frame as its liquor and/or Illinois Gaming Board gaming license is suspended, whichever the case may be.

Sec. 22-793. Seizure of unlawful video gaming terminals.

Every video gaming terminal that does not have a valid video gaming terminal permit sticker or is otherwise unlawful shall be considered a gambling device subject to seizure and shall be turned over to the Illinois Gaming Board, in accordance with Board regulations and applicable law, unless otherwise ordered by a court of competent jurisdiction.

Sec. 22-794. Monetary penalty.

Whoever violates any provision of this Article shall be punished by a fine of not less than Five Hundred Dollars (\$500.00) for a first offense in any twelve (12) month period, and a fine of not less than Seven Hundred Fifty Dollars (\$750.00) for a second offense and each subsequent offense in a twelve (12) month period. This penalty may be enforced by issuance of a "Notice of Violation" for the fine amount, or by issuance of a "Notice to Appear." Each day any violation continues shall constitute a separate offense. This monetary penalty shall be in addition to any and all other remedies which may be available to the Village under Chapter 22 or any other provision of the Village Code, or federal or Illinois law.