

VILLAGE OF MAPLETON

ORDINANCE NO. ~~08-0~~ 2017-0808-04

AN ORDINANCE AMENDING VILLAGE CODE,
CHAPTER 3, ALCOHOLIC BEVERAGES WITH PROVISIONS REGARDING VIDEO
GAMING, SECTIONS 1-9.

WHEREAS, under and pursuant to the Video Gaming Act (230 ILCS 40/1 *et seq.*), the Illinois General Assembly legalizes video gaming in the State of Illinois under certain terms and conditions;

WHEREAS, 65 ILCS 5/11-55.1 authorizes municipalities to regulate and control coin-operated amusement devices;

WHEREAS, the Village Board of the Village of Mapleton has the authority to enact such regulations as it deems are in the best interest of public health and welfare; and

WHEREAS, the Village Board of the Village of Mapleton deems it to be in the best interests of the Village to allow video gaming within the Village, thereby allowing the Village to receive its portion of any State revenues distributed pursuant to taxed revenues received from the video gaming devices, and that it is the best interests of the Village to require the registration of the video gaming devices operating within the Village;

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MAPLETON, PEORIA COUNTY, ILLINOIS AS FOLLOWS:

Section 1. The foregoing recitals are hereby incorporated herein as though fully set forth.

Section 2. The Village Code is amended to add to Chapter 3, Alcoholic Beverages the following:

Section 3. Section 3-25. – Adopted.

“No video gaming terminal licensed under the Video Gaming Act may be played except during the legal hours of operation allowed for the consumption of alcoholic beverages at the licensed establishment. Such violation is subject to termination of its license by the Board.

Each terminal operator shall maintain liability insurance on any gaming device that it places in a licensed video gaming location in an amount set by the Board.

See 2018-04-11-01

(A) Permit Required.

- (a) The operator of any video gaming terminal within the Village limits of the Village of Mapleton shall first obtain a permit for such device by the Village.
- (b) It shall be unlawful for any person to install, keep, maintain, use or permit the installation, keeping, maintenance or use of a video gaming terminal upon his/her, or its premises unless they possess a valid permit issued by the Village of Mapleton under the terms herein.

(B) Application.

Applications for a video gaming terminal permit shall be made to the Village President in writing, signed by the applicant if an individual, or by a duly authorized agent thereof if a club, corporation or other entity duly authorized by the State of Illinois to operate video gaming machines, verified by oath or affidavit and shall contain the following information and statements:

- 1.) The name, address, age and date of birth of the owner of the video gaming terminal and of the owner of the establishment where the video gaming terminal shall be located.
- 2.) Prior convictions of the owner of the video gaming terminal and the owner of the establishment, if any.
- 3.) The place where the video gaming terminal is to be displayed or operated and the business conducted at that place.
- 4.) A description of the video gaming terminal to be covered by the permit.
- 5.) Evidence that licenses have been issued by the Illinois Gaming Board to the owner of the video gaming terminal and the owner of the establishment.

(C) Fee.

The annual fee for the permit required by this ordinance shall be an annual fee of \$25.00 per video gaming terminal or the maximum amount allowable under the Video Gaming Act at the time the annual fee is due, whichever is greater.

Permits issued pursuant to this division shall terminate on the 30th day of April next following issuance.

(D) Registration renewal.

Not less than six weeks before a registration is scheduled to expire and after a renewal notice is provided by the Village to the registrant, the registrant may submit an application for renewal provided the applicant is then qualified to receive a registration certificate.

(E) Replacement of Registration Certificate.

Whenever a registered video gaming terminal is replaced during a fiscal year, a replacement registration certificate must be purchased for \$25.00.

(F) Display.

A Village video gaming terminal permit shall be clearly displayed at all times on each video gaming terminal. A video gaming establishment license must be clearly displayed at all times.

(G) Inspection.

The Zoning Enforcing Officer shall inspect or cause the inspection of any place or building in which any such video gaming device or terminal is operated or set up for operation and to inspect, investigate and test such video gaming terminals.

(H) Revocation.

The Village President, at any time, may notify any permit holder of any charge of a violation of any of the provisions of this ordinance in connection with the operation of any video gaming terminal. After a hearing, held on 5 business days notice, presided over by the Village President, the Village President may order the revocation of permit upon a finding that the violation has occurred, and the permit shall thereupon be terminated. The permit holder may appeal the revocation to the Village Board.

(I) Eligible licenses.

The number of permits issued under this ordinance shall be limited to four (4). Each permit holder shall be entitled to operate the maximum number of terminals as authorized by the State of Illinois."

Section 4. Effective date. This ordinance shall be in full force and effect from and after ten (10) days following its passage, approval and publication as required by law.

PASSED AND APPROVED, this _____ day of _____, 2017.

yea - 5
nay - 0

APPROVED:

Carl Bishop, Village President

ATTEST:

Carolyn Kelly, Village Clerk

Published in pamphlet form in my office this _____ day of _____, 2017.

Carolyn Kelly, Village Clerk