

Item #4:
Ordinance Amending Village Code Re: Video Gaming

VILLAGE OF LONG GROVE

ORDINANCE NO. 2014-_____

**AN ORDINANCE TEMPORARILY AMENDING CHAPTER 1 OF TITLE
10 OF THE LONG GROVE VILLAGE CODE REGARDING GAMBLING**

Adopted by the President and Board of
Trustees of the Village of Long Grove on
this ___ day of _____, 2014

Published in pamphlet form by direction and
authority of the Village of Long Grove,
County of Lake, State of Illinois, on this
___ day of _____, 2014

VILLAGE OF LONG GROVE

ORDINANCE NO. 2014-_____

AN ORDINANCE TEMPORARILY AMENDING CHAPTER 1 OF TITLE 10 AND SECTIONS 3-2-5 AND 3-2-14 OF THE LONG GROVE VILLAGE CODE REGARDING GAMBLING

WHEREAS, pursuant to Section 27 of the Video Gaming Act, 230 ILCS 40/1, *et seq.* (the "**Video Gaming Act**"), a municipality may pass an ordinance prohibiting video gaming within the corporate limits of the municipality; and

WHEREAS, in 2009, the President and Board of Trustees of the Village of Long Grove have determined that the best interests of the Village and its residents would be served by expressly prohibiting video gaming terminals as defined in the Video Gaming Act, and otherwise prohibit gambling within the Village except with respect to such activities allowed under the Charitable Games Act, PA 84-1303; and

WHEREAS, the President and Board of Trustees have determined that the best interest of the Village would be served by authorizing video gaming on a trial basis in order to better understand the effects of such activities on the Village and its businesses, subject to the terms and conditions herein set forth;

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LONG GROVE, COUNTY OF LAKE, STATE OF ILLINOIS, as follows:

SECTION ONE: Recitals. The foregoing recitals are by this reference incorporated into and made a part of this Ordinance as if fully set forth.

SECTION TWO: Amendment of Chapter 1, Title 10 of the Village Code. Section 10-1-8, entitled "Gambling Prohibited," of Chapter 1, entitled "General Offenses," of Title 10, entitled "Police Regulations," of the Long Grove Village Code is hereby amended in its entirety, so that Section 10-1-8 shall hereafter be and read as follows:

10-1-8 GAMBLING PROHIBITED.

(a) Except as expressly permitted pursuant to Chapter 9 of this Title 10, there shall be no gambling of any kind allowed within the Village of Long Grove, including use of any gambling device. A "gambling device" is any clock, tape machine, slot machine or other machines or device for the reception of money or other thing of value on chance or skill or upon the action or which money or other thing of value is staked, hazarded, bet, won or lost, including but not limited to, any video gaming terminal, as defined in the Video Gaming Act, 230 ILCS 40/5; or any mechanism, furniture, fixture, equipment or other device designed primarily for use in a gambling place. A "gambling device" does not include:

(a 1) A coin-in-the-slot operated mechanical device played for amusement which rewards the player with the right to replay such mechanical device, which device is so constructed or devised as to make such result of the operation thereof depend in part upon the skill of the player and which returns to the player thereof no money, property or right to receive money or property.

(b 2) Vending machines by which full and adequate return is made for the money invested and in which there is no element of chance or hazard.

(b) Notwithstanding the prohibitions in Section 10-1-8(a), for the period beginning [July 1, 2014] through [December 31, 2014], video gaming terminals shall be permitted to persons holding a Class V liquor license, subject to the terms and conditions incorporated into such Class V liquor license for the particular business.

SECTION THREE: Amendment of Section 3-2-5 of the Village Code. Section 3-2-5, entitled "License Classifications; Numbers; Fees," of Chapter 2, entitled "Liquor Control," of Title 10, entitled "Business Regulations," of the Long Grove Village Code is hereby amended by adding a new Subsection N, so that Subsection 3-2-5(N) shall hereafter be and read as follows:

3-2-5: LICENSE CLASSIFICATIONS; NUMBER; FEES:

The classification of licenses shall be as follows with the fees in subsection 12-1-2(G) of this code:

* * *

(N) Class V Limited License:

1. Classification: Class V licenses shall authorize the sale or distribution of alcoholic beverages on the premises in conjunction with video gaming devices, which license shall only be available to persons currently holding another liquor license issued by the Village on the licensed premises, which other license permits on-premises consumption of alcohol. Any person applying for a Class V license shall be required to present plans for the licensed premises that depict where the video gaming devices will be located. Such location shall be segregated from areas of the licenses premises where access to persons under 21 years of age is prohibited, and shall otherwise be situated so as to ensure adequate supervision of the area in which the video gaming devices are located. No person shall be entitled to a Class V license unless the Local Liquor Control Commissioner grants such license, which license (a) may be subject to conditions relating to the operations within the licensed premises, and (b) shall expire on [December 31, 2014]. The fee for a Class V license shall be \$XXXX.

2. Number: Unlimited.

SECTION FOUR: Amendment of Section 3-2-14 of the Village Code. Subsection (A) of Section 3-2-14, entitled "Prohibited Acts," of Chapter 2, entitled "Liquor Control," of Title 10, entitled "Business Regulations," of the Long Grove Village Code is hereby amended by adding a new Subsection N, so that Subsection 3-2-5(N) shall hereafter be and read as follows:

3-2-14: PROHIBITED ACTS:

(A) Gambling: Except in premises holding an active Class V liquor license, there There shall be no gambling of any kind allowed on the premises licensed to sell alcoholic liquors.

SECTION FIVE: Effective Date. This Ordinance shall be in full force and effect following its passage, approval, and publication in pamphlet form in the manner provided by law.

Passed this ____ day of _____, 2014.

AYES:

NAYS:

ABSENT:

ABSTAIN:

Approved this __ day of _____, 2014.

Village President

ATTEST:

Village Clerk

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