

CITY OF OGLESBY

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ORDINANCE NO. 1073-080519

AN ORDINANCE AMENDING ORDINANCE NO. 1069-061719 ENTITLED AN ORDINANCE  
ESTABLISHING LICENSING PROCEDURES FOR VIDEO GAMING TERMINALS  
WITHIN THE CORPORATE LIMITS OF THE CITY OF OGLESBY

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ADOPTED BY THE CITY COUNCIL OF  
THE CITY OF OGLESBY  
THIS 5<sup>th</sup> DAY OF AUGUST, 2019

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Published in pamphlet form by authority of the City Council of the City of Oglesby, LaSalle County, Illinois, this 5th day of August, 2019.

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STATE OF ILLINOIS            )  
  ) SS.  
COUNTY OF LASALLE        )

I, Amy Eitutis, certify that I am the duly appointed and authorized municipal clerk of the City of Oglesby, LaSalle County, Illinois. I further certify that on the 5th day of August, 2019, the corporate authorities of the above municipality passed and approved Ordinance No. 1073-080519 entitled "An Ordinance Amending Ordinance No. 1069-061719 Entitled An Ordinance Establishing Licensing Procedures for Video Gaming Terminals within the Corporate Limits of the City of Oglesby" which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 1073-080519, including the ordinance and cover sheet thereof, was prepared and a copy of such ordinance was posted in the municipal building, commencing on the 5th day of August, 2019, and continuing for at least ten days thereafter. Copies of the ordinance were also available for public inspection upon request in the office of the municipal clerk.

Dated in Oglesby, Illinois, this 5<sup>th</sup> day of August, 2019.

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Municipal Clerk

(SEAL)

ORDINANCE NO. 1073-080519

AN ORDINANCE AMENDING ORDINANCE NO. 1069-061719 ENTITLED AN ORDINANCE ESTABLISHING LICENSING PROCEDURES FOR VIDEO GAMING TERMINALS WITHIN THE CORPORATE LIMITS OF THE CITY OF OGLESBY

WHEREAS, the City of Oglesby previously adopted Ordinance No. 1069-061719 entitled An Ordinance Establishing Licensing Procedures for Video Gaming Terminals Within the Corporate Limits of the City of Oglesby; and

WHEREAS, it has come to the attention of the corporate authorities of the City of Oglesby that Ordinance No. 1069-061719 provides that the operator of the video gaming terminal shall obtain a license from the City of Oglesby for each video gaming terminal operating within the City of Oglesby; and

WHEREAS, the corporate authorities of the City of Oglesby desire to clarify the entity responsible for paying the video gaming licensing fee; and

WHEREAS, the City of Oglesby's has the authority to issue licenses for video game terminals within the City of Oglesby pursuant to 230 ILCS 40/1 et. seq.; and

WHEREAS, the corporate authorities of the City of Oglesby desire to clarify the definition of a terminal operator as that term was used in Ordinance No. 1069-061719.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Commissioners of the City of Oglesby, LaSalle County, Illinois as follows:

1. The recitals contained in the preamble to this ordinance are incorporated by reference herein.
2. The definition of a "licensed establishment", a "licensed fraternal establishment", a "licensed veteran's establishment" and a "licensed truck stop

establishment" shall have the same meaning as provided for in 230 ILCS 5/40 (West 2019). For the purpose of this ordinance, a licensed establishment, a licensed fraternal establishment, a licensed veteran's establishment or a licensed truck stop establishment shall hereinafter be deemed the licensee and the entity responsible for obtaining a video gaming license from the City of Oglesby.

3. The licensee of the video gaming terminal shall obtain a license from the City of Oglesby for each video gaming terminal operated within the City of Oglesby. The annual fee for this license shall be twenty-five (\$25.00) dollars per video gaming terminal. The annual fee shall be non-refundable and shall be paid prior to the installation of each terminal. Licenses shall be renewable on the first day of May, the next year following the issuance of the initial license and on the 1st of May of each year thereafter. The license required by the State of Illinois and the license required by the City of Oglesby shall be prominently displayed next to the video gaming terminal.

4. It shall be unlawful for any person or entity to deliver video gaming terminals or to operate video gaming terminals within the City of Oglesby for the use by any person for any purpose unless a license as provide for herein has been obtained by the operator and the license fee has been paid for each such machine for the current year of operation.

5. The application for license shall be filed with the Oglesby City Clerk and shall contain the following information:

- a) the name, address, age and date of birth of the owner of the video gaming terminal;
- b) the name, address and date of birth of the owner or operator of the licensed establishment, licensed fraternal establishment, licensed veteran's

establishment or licensed truck stop establishment where the video gaming terminal shall be located;

- c.) The place where the video gaming terminal is displayed or operated and the business conducted at that location;
- d) a description of the video gaming terminal to be covered by the license, including the model number and serial number; and
- e) evidence that appropriate licenses and authorization has been issued by the Illinois Gaming Board or other necessary authorities to the owner of the video gaming terminal and to the owner or operator of the establishment where the video gaming terminal is located.

6. The Mayor of the City of Oglesby, may at any time, terminate any license issued under this ordinance upon five (5) business days notice of a violation of any provision of this ordinance by either the owner of the video gaming terminal or the licensed establishment, licensed fraternal establishment, licensed veteran's establishment or licensed truck stop establishment where the video gaming terminal is located subject to the owner of the video gaming terminal or the licensed establishment, licensed fraternal establishment, licensed veteran's establishment or licensed truck stop establishment where the video gaming terminal is located, having an opportunity for a hearing before the Mayor of the City of Oglesby within five (5) business days of the date of the notice. After a hearing presided over by the Mayor of the City of Oglesby, the Mayor of the City of Oglesby may order the revocation of a license on finding that a violation has occurred which shall result thereupon in the affective termination of the license.

7. This ordinance will be in full force and affect after its passage, approval and publication in pamphlet form as provided by law.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Oglesby, LaSalle County, Illinois, this 5<sup>th</sup> day of August, A.D., 2019, by an aye and nay roll call vote as follows:

THOMAS ARGUBRIGHT    \_\_\_\_\_ AYE; \_\_\_\_\_ NAY; \_\_\_\_\_ ABSENT; \_\_\_\_\_ PASS

JAMES CULLINAN        \_\_\_\_\_ AYE; \_\_\_\_\_ NAY; \_\_\_\_\_ ABSENT; \_\_\_\_\_ PASS

JASON CURRAN         \_\_\_\_\_ AYE; \_\_\_\_\_ NAY; \_\_\_\_\_ ABSENT; \_\_\_\_\_ PASS

CARRIE LIJEWSKI      \_\_\_\_\_ AYE; \_\_\_\_\_ NAY; \_\_\_\_\_ ABSENT; \_\_\_\_\_ PASS

DOMINIC RIVARA        \_\_\_\_\_ AYE; \_\_\_\_\_ NAY; \_\_\_\_\_ ABSENT; \_\_\_\_\_ PASS

APPROVED:

\_\_\_\_\_  
Dominic Rivara, Mayor

\_\_\_\_\_  
Amy Eitutis, City Clerk