

Ordinance No. 17-46

**AN ORDINANCE OF THE VILLAGE OF EAST DUNDEE, ILLINOIS AMENDING THE CODE OF THE VILLAGE OF EAST DUNDEE TO RESTRICT THE NUMBER OF VIDEO GAMING PERMITS AND PROVIDING FOR THE AUTOMATIC REDUCTION IN THE NUMBER OF LIQUOR LICENSES AND VIDEO GAMING PERMITS UPON THEIR TERMINATION**

**WHEREAS**, the Village of East Dundee (the "*Village*") is a duly organized and validly existing home-rule municipality created in accordance with the Constitution of the State of Illinois of 1970 and the laws of the State; and,

**WHEREAS**, the Village has allowed video gaming terminals in the Village pursuant to the Video Gaming Act (230 ILCS 40/1 et seq.) and desires to regulate by supplemental liquor license video gaming permit those Liquor Licensees that are allowed to have video gaming pursuant to its home rule authority; and,

**WHEREAS**, the thirteen Liquor Licensees that currently have video gaming on the effective date of this ordinance shall obtain the thirteen supplemental video gaming permits authorized by this ordinance; and,

**WHEREAS**, the Village desires to automatically reduce the number of liquor licenses and video gaming permits that are available for issuance by the Village upon their termination.

**NOW, THEREFORE, BE IT ORDAINED**, by the President and Board of Trustees of the Village of East Dundee, Kane and Cook County, Illinois, as follows:

**Section 1:** That the Code of the Village of East Dundee, as amended, be and is hereby amended by adding subsection (I) to Section 116.05 to read as follows:

*"(I) Reduction in the Number of Liquor Licenses or Video Gaming Permits*

If a license of any class or a video gaming permit is revoked, expires without renewal, surrendered by the licensee or is otherwise terminated pursuant to this Chapter, the total number of licenses or permits available in that class shall be automatically reduced by that license or permit unless thereafter the number of licenses or permits is increased by the Village Board."

**Section 2:** That the Code of the Village of East Dundee, as amended, be and is hereby amended by adding subsection (J) to Section 116.05 to read as follows:

*"(J) Supplemental Video Gaming Permits*

(1) It shall be unlawful to permit any gambling on any premises licensed to sell alcoholic liquor, except as otherwise provided in this Code.

(2) Only premises licensed to sell alcoholic liquor for consumption on the premises as defined by 230 ILCS 40/1 as a "licensed establishment", a "licensed fraternal establishment", or a "licensed veterans establishment", and premises defined as a

“licensed truck stop establishment” that has a liquor license to sell package goods are authorized to obtain a supplemental video gaming permit to operate video gaming terminals and only when licensed by the Illinois Gaming Board pursuant to the provisions of the Illinois Gaming Act (230 ILCS 40/1 et seq.) and in accordance with the regulations contained in Section 137.05 of this Code.

(3) There shall be no more than thirteen (13) supplemental video gaming permits issued by the Local Liquor Control Commissioner as part of the liquor license process.”

**Section 3:** That the Code of the Village of East Dundee, as amended, be and is hereby amended by amending subsection 116.05(B) to read as follows:

“(B) *Number of licenses to be permitted*

There shall be in effect at any one time no more than the number of liquor licenses indicated below or as otherwise amended by this Chapter:

Classification	Number Permitted
A	3
A-1	3
B	0
B-1	0
B-2	0
B-3	1
B-4	6
C	0
C-1	1
D	1
E	5
E-1	4
E-2	5
F	No Limit
G	1
H	2
I	1
J	1
J-1	0

**Section 4:** That the Code of the Village of East Dundee, as amended, be and is hereby amended by amending subsection 137.05(A) to read as follows:

“(A) Any establishment within the Village which holds a liquor license and has obtained a license to operate a video gaming terminal from the Illinois Gaming Board at such premises shall be required to apply for and obtain a supplemental video gaming permit for the establishment from the Village pursuant to Section 116.05(J).”

**Section 5:** That this ordinance shall be in full force and effect from and after its passage and approval according to law.

PASSED this 11<sup>th</sup> day of Sep, 2017, pursuant to a roll call vote as follows:

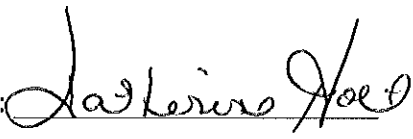
AYES: Trustees Lynam, Selep, Wood, Hall, Mahony and Andresen

NAYS: 0

ABSENT: 0

APPROVED this 11<sup>th</sup> day of Sep, 2017

  
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Village President

Attest:   
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Village Clerk