

ORDINANCE NUMBER 22 - 02

**AN ORDINANCE OF THE VILLAGE OF EAST DUNDEE, COOK
AND KANE COUNTIES, ILLINOIS, AMENDING THE VILLAGE OF EAST DUNDEE
VILLAGE CODE REGARDING VIDEO GAMING TERMINAL FEES**

WHEREAS, the Village of East Dundee ("Village") is a home rule unit of local government pursuant to Section 6 of Article VII of the Constitution of the State of Illinois, and has the authority to exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, Public Act 102-689 amended the Illinois Video Gaming Act, effective December 17, 2021, to require that the "cost of any fee imposed under this Act by any home rule unit of government or non-home rule unit of government shall be shared equally between the terminal operator and the applicable licensed establishment, licensed veterans establishment, licensed truck stop establishment, licensed large truck stop establishment, or licensed fraternal establishment under this Act," at 230 ILCS 40/65; and

WHEREAS, amending the Village of East Dundee Village Code ("Village Code") regarding video gaming terminal permit sticker fees in the Village to comply with 230 ILCS 40/65 as amended by Public Act 102-689 best serves the public's health, safety and welfare;

NOW THEREFORE BE IT ORDAINED BY THE VILLAGE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF EAST DUNDEE, COOK AND KANE COUNTIES, ILLINOIS, AS FOLLOWS:

SECTION 1: Incorporation. That the recitals above shall be and are hereby incorporated in this Section 1 as if restated herein.

SECTION 2: Amendments. That the Village Code is hereby amended as follows, with additions underlined and deletions struck through:

Amendment One:

Section 37.01(Z)(2) of the Village Code is amended as follows:

"Annual video gaming terminal fee: \$250 per machine (50% paid by the terminal operator and 50% paid by the licensed establishment per 230 ILCS 40/65)"

Amendment Two:

Section 137.05(C) of the Village Code is amended as follows:

“The fee for a supplemental liquor video gaming establishment license shall be \$1,000 per license year and the fee for each video gaming terminal in an establishment in the village shall be \$250 per machine per license year. The \$250 per machine per license year fee shall be paid 50% by the terminal operator and paid 50% by the licensed establishment, per 230 ILCS 40/65. The license year shall be from July 1 through June 30 of the following year. The license fees shall not be prorated or refunded.”

SECTION 3: Continuation. That all provisions of the Village Code not amended herein shall remain in full force and effect.

SECTION 4: Severability. That if any Section, paragraph or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such Section, paragraph or provision shall not affect any of the remaining provisions of this Ordinance.

SECTION 5: Repeal. That all ordinances, resolutions, motions or parts thereof in conflict with this Ordinance shall be and the same are hereby repealed.

SECTION 6: Effect. That this Ordinance shall be in full force and effect upon its adoption, approval and publication in pamphlet form as provided by law.

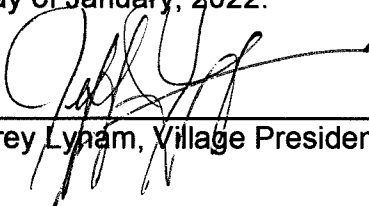
ADOPTED this 24th day of January, 2022 pursuant to a roll call vote as follows:

AYES: Mahony, Kunze, Saviano, Brittin and Treiber

NAYES: Ø

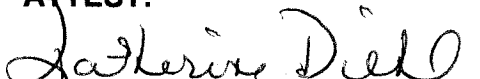
ABSENT: Sauder

APPROVED by me this 24th day of January, 2022.



Jeffrey Lynam, Village President

ATTEST:



Katherine Diehl, Village Clerk

Published in pamphlet form this 24th day of January, 2022, under the authority of the Village President and Board of Trustees.

Recorded in the Village records on January 25, 2022.