

ORDINANCE NO. 2011-20

AN ORDINANCE AMENDING CHAPTER 10, "COIN-OPERATED AMUSEMENT DEVICES," OF THE ORDINANCES OF THE VILLAGE OF STICKNEY, ILLINOIS BY AMENDING ARTICLE II, DIVISION 1. GENERALLY

BE IT ORDAINED BY THE PRESIDENT AND THE BOARD OF TRUSTEES OF THE VILLAGE OF STICKNEY, COOK COUNTY, ILLINOIS, A HOME RULE UNIT OF GOVERNMENT AS FOLLOWS:

WHEREAS, the Village of Stickney (the "Village") is a home rule municipality in accordance with the Constitution of the State of Illinois of 1970; and

WHEREAS, the Village of Stickney desires to regulate the licensing of coin-operated amusement devices at establishments within the Village; and

NOW THEREFORE BE IT ORDAINED BY THE PRESIDENT AND THE BOARD OF TRUSTEE OF THE VILLAGE OF STICKNEY, COOK COUNTY, ILLINOIS.

Section 1. Recitals. The facts and statements contained in the preambles to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance.

Section 2. Adoption. Chapter 10, Article II. Division 1. Generally, Section 10-41. Definitions. Division 2. License, Section 10-61, Section 10-62, Section 10-66, Section 10-67 shall be amended to reads as follows:

ARTICLE II. ~~COIN-OPERATED AMUSEMENT DEVICES~~ **COIN/CURRENCY AMUSEMENT DEVICES**

Section 10-41. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Establishment means the entire location of the business operated by the licensee, including but not limited to all rooms, subtenancies and auxiliary or supplemental uses of the business.

~~Coin-operated amusement device~~ **Coin/currency amusement device** means any amusement machine or device operated by means of the insertion of a coin, token, **currency** or similar object, for the purpose of amusement or skill and for the playing of which a fee is charged. **An example of an amusement machine or device would be, but not limited to, a pool table, juke box, coin/currency operated games of skill (non-gaming)** The term does not include vending machines in which are not incorporated gambling or amusement features, nor does the term include any coin-operated **coin/currency** mechanical musical devices.

Section 10-61. Required.

~~No person shall engage in business as an operator or proprietor of coin-operated amusement devices without a license therefor.~~

No person shall keep or permit to be kept, for gain or profit from operation in the village, an automatic amusement machine without first obtaining a license therefor. No license shall be issued for more than a total of five automatic amusement machine (non-video gambling)

devices, including pool tables at the same establishment. The limitation of five devices applies regardless of the number of business licenses held by the establishment at any one location (i.e. tavern, food service, and the like).

Section 10-62. Application

(5) The applicant must sign a statement on the application that these machines are not gambling devices and will not be kept or permitted to be kept or used for gambling or the distribution of prizes, money, gifts or anything else of value.

The proper license fee shall accompany such application. The application for a license under this article shall be first referred by to the village clerk, ~~to the board of trustees who shall make or cause to be made such investigation as it deems necessary.~~ If the application is approved by the board, the license shall be issued by the clerk, and the clerk shall remit the fee to the village treasurer. If the license is denied, the fee shall be returned to the applicant. **The applicant shall make available for examination, by the police department and/or Village President, each and every machine intended to be kept for use on the premises. If each machine is not a gambling device, and satisfactory evidence is furnished as to the character and reputation of the applicant and the nature of the business to be conducted to determine that the machines will not be kept, used or operated in violation of the laws of the state or the Municipal Code of Ordinance for the Village, the Village President will approve the application. Once the application is approved, the license shall be issued by the clerk, and the clerk shall remit the fee to the village treasurer. If the license is denied, the fee shall be returned to the applicant. The Ordinance Control Officer is responsible to affix village stickers to each machine.**

Section 10-66. Restriction of use by minors.

- (a) **No person who has obtained a license pursuant to this section shall, at any store or in connection with any other place of business where minors are customers, cause or allow an automatic amusement machine to be in use by a minor between 7:00 a.m. and 3:00 p.m. on any school day unless accompanied by a parent or guardian.**

Section 10-67. Gambling

No person shall keep, permit to be kept, or use an automatic amusement machine as a gambling device. No person licensed under this section shall keep or permit to be kept or used, on the licensed premises, any machine, implement, contraption or device for gambling, distribution of prizes, money, gifts or anything else of value. A violation of this will result in the possible revocation of their liquor and/or business license

Section 3. Home Rule. This ordinance is enacted under the Home Rule powers of the Village as set forth in the Constitution and laws of the State of Illinois.

Section 4. Effective Date. This Ordinance shall be in full force and effect after its passage, approval and publication in the manner provided by law.

Section 5. Conflicts. This Ordinance supersedes all ordinances or parts of ordinances directly conflicting with the terms and provisions contained herein, but only to the extent of such conflict.

Section 6. Severability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions hereof.

Section 7. Certification and Publication. The Village Clerk of the Village of Stickney shall certify to the adoption of this Ordinance and cause the same to be published in pamphlet form.

PASSED AND APPROVED at a regular meeting of the President and the Board of Trustees of the Village of Stickney, Illinois this 18th day of October, 2011

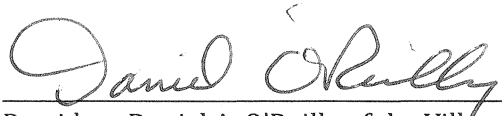
AYES: Trustees Mares, Morelli, Walik, White, and Zeedyk

NAYS: _____

ABSENT: Trustee Schimel


ABSTAIN: _____

APPROVED by me this 20th day of October, 2011



President Daniel A. O'Reilly of the Village
of Stickney, Cook County, Illinois

ATTESTED, Filed in my office,
and published in pamphlet form
this 20th day of October, 2011



Audrey McAdams
Clerk of the Village of Stickney, Cook County, Illinois