

**ORDINANCE NO. 2020- 04**

**AN ORDINANCE CREATING CHAPTER 10, ARTICLE VI OF THE VILLAGE OF STICKNEY MUNICIPAL CODE REGARDING SPORTS WAGERING FOR THE VILLAGE OF STICKNEY, COUNTY OF COOK, STATE OF ILLINOIS.**

**WHEREAS**, the Village of Stickney (the “Village”) is a home rule municipal corporation in accordance with Article VII, Section 6(a) of the Constitution of the State of Illinois of 1970; and

**WHEREAS**, the Village has the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs, and to review, interpret and amend its ordinances, rules and regulations; and

**WHEREAS**, the Village President (the “President”) and the Board of Trustees of the Village (the “Village Board” and with the President, the “Corporate Authorities”) are committed to ensuring the health, safety and welfare of individuals residing in, working in and visiting the Village; and

**WHEREAS**, on June 28, 2019, the Governor signed SB 690 into law, which effectively legalized sports wagering and authorized an individual who holds a license to conduct sports wagering at a portion of a racetrack facility authorized by law; and

**WHEREAS**, pursuant to its home rule powers, the Corporate Authorities have determined that in order to compensate the Village for additional services and infrastructure and property repair and maintenance, it is in the best interests of the Village and its residents to impose an amusement tax on sports wagering within the Village; and

**WHEREAS**, in light of the foregoing, the Corporate Authorities have determined that it is necessary, advisable and in the best interests of the Village and its residents to adopt Chapter 10, Article VI of the Village Code as set forth herein;

**NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF STICKNEY, COOK COUNTY, ILLINOIS, as follows:**

**ARTICLE I.  
IN GENERAL**

**SECTION 1. INCORPORATION CLAUSE.** The Corporate Authorities hereby find that all of the recitals hereinbefore stated as contained in the preambles to this Ordinance are full, true and correct and do hereby, by reference, incorporate and make them part of this Ordinance as legislative findings.

**SECTION 2. PURPOSE.** The purpose of this Ordinance is to create Chapter 10, Article VI of the Village Code to impose an amusement tax on sports wagering within the Village, and to authorize the President or his designee to take all actions necessary to carry out the intent of this Ordinance.

**ARTICLE II.  
CREATION OF CHAPTER 10, ARTICLE VI OF THE MUNICIPAL CODE,**

## VILLAGE OF STICKNEY, ILLINOIS

**SECTION 3. CREATION OF CHAPTER 10, ARTICLE VI.** That the Village Code is hereby amended, notwithstanding any provision, ordinance, resolution or Village Code section to the contrary, by adopting Chapter 10, Article VI as follows:

### **ARTICLE VI. – SPORTS WAGERING (NEW)**

#### **Sec. 10-201. – Definitions.**

For purposes of this Article, whenever any of the following words, terms or definitions are used herein, they shall have the meaning ascribed to them in this Article:

Master sports wagering licensee means a person who holds a license to conduct sports wagering at a portion of a racetrack facility authorized by law.

#### **Sec. 10-202. – Imposition of Tax.**

There is hereby imposed an amusement tax equal to four percent of a master sports wagering licensee's adjusted gross sports wagering receipts from sports wagering conducted within the village. This amusement tax shall be in addition to and not instead of any other tax or license fees required by this Code.

#### **Sec. 10-203. – Books and records.**

Accurate books and records shall at all times be kept and maintained by the master sports wagering licensee showing the adjusted gross sports wagering receipts from sports wagering conducted within the village. The duly authorized representatives of the village shall at all reasonable times have access to such records of any master sports wagering licensee for the purpose of examining and checking the records and ascertaining whether or not the proper amount has been or is being paid to the village as provided in this article.

#### **Sec. 10-204. – Payment.**

The tax provided for in this article shall be due and payable to the village on or before the 15th day of the month following any month during which sports wagering is conducted. The master sports wagering licensee shall supply, at the time of payment, a report showing the adjusted gross sports wagering receipts for which the tax provided in this article is being paid. All payments and reports required in this article shall be delivered to the office of the village clerk.

#### **Sec. 10-205. – Penalty for violation of article.**

Any master sports wagering licensee failing or refusing to pay the amount found to be due as provided in this article shall, upon conviction, be punished by a fine of not more than \$5,000.00 in addition to the amount due from such master sports wagering licensee as provided in this article. A separate offense shall be deemed committed for each month the master sports wagering licensee fails or refuses to pay the amount found to be due as provided in this article.

#### **Sec. 10-206–10-299. -Reserved.**

**SECTION 3.1. OTHER ACTIONS AUTHORIZED.** The officers, employees and/or agents of the Village shall take all action necessary or reasonably required to carry out, give effect to and consummate the amendments contemplated by this Ordinance and shall take all action necessary in conformity therewith. The officers, employees and/or agents of the Village are specifically authorized and directed to draft and disseminate any and all necessary forms or notices to be utilized in connection with the intent of this Ordinance.

**ARTICLE III.  
HEADINGS, SAVINGS CLAUSES, PUBLICATION,  
EFFECTIVE DATE**

**SECTION 4. HEADINGS.** The headings of the articles, sections, paragraphs and subparagraphs of this Ordinance are inserted solely for the convenience of reference and form no substantive part of this Ordinance nor should they be used in any interpretation or construction of any substantive provision of this Ordinance.

**SECTION 5. SEVERABILITY.** The provisions of this Ordinance are hereby declared to be severable and should any provision of this Ordinance be determined to be in conflict with any law, statute or regulation by a court of competent jurisdiction, said provision shall be excluded and deemed inoperative, unenforceable and as though not provided for herein and all other provisions shall remain unaffected, unimpaired, valid and in full force and effect.

**SECTION 6. SUPERSEDER.** All code provisions, ordinances, resolutions, rules and orders, or parts thereof, in conflict herewith are, to the extent of such conflict, hereby superseded.

**SECTION 7. PUBLICATION.** A full, true and complete copy of this Ordinance shall be published in pamphlet form or in a newspaper published and of general circulation within the Village as provided by the Illinois Municipal Code, as amended.

**SECTION 8. EFFECTIVE DATE.** This Ordinance shall be in full force and effect ten (10) days after its passage, approval and publication, as provided by law.

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PASSED this 3<sup>rd</sup> day of March, 2020.

AYES: Trustees Hrejsa, Kapolnek, Milenkovic, Savopoulos, Torres and White

NAYS: None

ABSENT: None

ABSTENTION: None

APPROVED by me this 3<sup>rd</sup> day of March, 2020.

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Jeff Walik, President

ATTESTED AND FILED in my  
office this 3<sup>rd</sup> day of March, 2020.

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Audrey McAdams, Village Clerk