

CITY OF MARSHALL

ORDINANCE NO. 2012-O-21

AN ORDINANCE ESTABLISHING CHAPTER 22, ARTICLE V. VIDEO POKER LICENSING
AND REGULATION

ADOPTED BY THE
CITY COUNCIL
OF THE
CITY OF MARSHALL

Published in pamphlet form by authority of the City of Marshall, Clark County, Illinois, this 27
day of August, 2012.

ORDINANCE NO. 2012-O- 21

AN ORDINANCE ESTABLISHING CHAPTER 22, ARTICLE V. VIDEO POKER LICENSING AND REGULATION

WHEREAS, under and pursuant to the Video Gaming Act (230 ILCS 40/1 et seq.), the Illinois General Assembly legalized video gaming in the State of Illinois under certain terms and conditions;

WHEREAS, the City of Marshall City Council has previously approved Ordinance No. 2012-O-13 authorizing video gaming in the City of Marshall, and, WHEREAS, the City of Marshall desires to regulate said gaming devices if used in the City of Marshall.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Marshall, Illinois:

Section 1. That a new Chapter 22 Business Article V. Video Poker Licensing and Regulation be created to provide for licensing and regulating video poker machines in the City of Marshall. Said Article V. shall read as follows:

Section 22-90. Definitions.

All words and phrases used in this article should be given the same definitions as in 230 ILCS 40/1 et seq.

Section 22-91. License Required.

(a). The operator of any video gaming terminal within the city limits of the City of Marshall shall first obtain a license for such device issued by the City.

(b). It shall be unlawful for any person to install, keep, maintain, use or permit the installation, keeping, maintenance or use of a video poker terminal upon his/her premises unless they possess a valid license issued by the City of Marshall under the terms herein.

Section 22-92. Application.

Applications for a video poker terminal license shall be made to the Mayor in

writing, signed by the applicant if an individual, or by a duly authorized agent thereof if a club, corporation or other entity duly authorized by the State of Illinois to operate video poker machines, verified by oath or affidavit and shall contain the following information and statements:

(1) The name, address, age and date of birth of the owner of the video gaming terminal and of the owner of the establishment where the video gaming terminal shall be located.

(2) Prior convictions of the owner of the video gaming terminal and the owner of the establishment, if any.

(3) The place where the video gaming terminal is to be displayed or operated and the business conducted at that place.

(4) A description of the video gaming terminal to be covered by the license

(5) Evidence that licenses have been issued by the Illinois Gaming Board to the owner of the video gaming terminal and the owner of the establishment.

Section 22-93. Fee.

The annual fee for the license required by this division shall be an annual fee of \$25.00 per video gaming terminal.

Section 22-94. Expiration.

Licenses issued pursuant to this division shall terminate on the 30th day of May the next year following issuance.

Section 22-95. Display.

The license required by this section shall be prominently displayed next to the video gaming terminal to each license video gaming terminal.

Section 22-96. Revocation.

The Mayor, at any time, may notify any licensee under the division within five

business days of any charge of a violation of any of the provisions of this article in connection with the operation of any video gaming terminal. After a hearing presided over by the Mayor, the Mayor may order the revocation of the license upon a finding that the violation has occurred, and the license shall thereupon be terminated. The licensee may appeal the revocation as prescribed in Section 22-92.

Section 22-97. Eligible Licenses.

The number of licenses issued under this article shall be limited to four in number. Each licensee shall be entitled to operate the maximum number of individual terminals as authorized by the State of Illinois.

Section 2. If any provision of this Ordinance, or application thereof, is held invalid by any Court, other provisions or applications of this Ordinance which can be given effect without the invalid provision or application shall not be affected, and to this end the provisions of this Ordinance are declared to be severable.

Section 3. That this Ordinance shall be published in pamphlet form and shall take effect ten (10) days after its passage, approval and publication in pamphlet form as provided by law.

AYES NAYS ABSENT

Beverly K. Church
Terry Clatfelter
John D. Ferris
Warren J. Le Fever
James McKittrick
Cheryl A. Raisner
Tim J. Sanders
James White

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PASSED this 27 day of August, 2012.

APPROVED this 27 day of August, 2012.

Kenneth R. Smith
MAYOR

ATTESTED, filed in my office,
and published in pamphlet form
this 27 day of August, 2012.

James W. Inf...
CITY CLERK

(SEAL)