

VILLAGE OF GILBERTS

**AN ORDINANCE AMENDING
CHAPTER 2 OF TITLE 3 OF THE VILLAGE CODE
REGARDING VIDEO GAMING TERMINALS**

WHEREAS, the Village of Gilberts is an Illinois municipal corporation operating in accordance with the Illinois Municipal Code, 65 ILCS 5/1-1-1 *et seq.*; and

WHEREAS, the Village is authorized by the Illinois Video Gaming Act, 230 ILCS 40/1 *et seq.* ("**Act**"), to regulate the operation of video gaming terminals; and

WHEREAS, the Gilberts Village Code currently regulates video gaming; and

WHEREAS, the Act was amended by Public Act 101-31, effective June 28, 2019, to allow licensed video gaming establishments to operate up to six (6) video gaming terminals; and

WHEREAS, the Village Board finds it to be in the best interests of Village residents to amend the video gaming provisions of the Village Code to allow licensed video gaming establishments to operate up to six (6) video gaming terminals on the licensed premises, as set forth in this Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Village Board of the Village of Gilberts, Kane County, Illinois pursuant to its non-home rule powers, as follows:

SECTION 1. RECITALS The recitals set forth above are incorporated into Section 1 as set forth herein.

SECTION 2. AMENDMENT TO SUBSECTION 3-2-21(C) OF THE VILLAGE CODE. Subsection C of Section 3-2-21 "Video Gaming" of Chapter 2 "Liquor Control" of the Gilberts Village Code shall hereby be amended to read as follows (deletions in ~~strikethrough~~, additions in **bold** and underline):

3-2-21. – Video gaming.

* * *

- C. Not more than ~~five~~ **six** video gaming terminals may be located in a licensed retail establishment where alcoholic liquor is drawn, poured, mixed or otherwise served for consumption on the premises. Video gaming terminals may also be located at licensed fraternal establishments, licensed veterans' establishments and licensed truck stop establishments as defined by the video gaming act, 230 Illinois Compiled Statutes 40/1 *et seq.*

SECTION 3. SEVERABILITY. In the event that any section, clause, provision, or part

of this Ordinance shall be found and determined to be invalid by a court of competent jurisdiction, all valid parts that are severable from the invalid parts shall remain in full force and effect. If any part of this Ordinance is found to be invalid in any one or more of its several applications, all valid applications shall remain in effect.


SECTION 4. REPEAL AND SAVINGS CLAUSE. All ordinances or parts of ordinances in conflict herewith are hereby repealed; provided, however that nothing in this Ordinance shall affect any rights, actions, or causes of action which shall have accrued to the Village of Gilberts prior to the effective date of this Ordinance.

SECTION 5. EFFECTIVE DATE. This Ordinance shall only be effective upon the passage, approval, and publication in the manner required by law.

ADOPTED THIS 1 DAY OF October, 2019, pursuant to roll call vote as follows:


	Ayes	Nays	Absent	Abstain
Trustee Dan Corbett	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Trustee Elissa Kojzarek	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Trustee Nancy Farrell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Trustee Jeanne Allen	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Trustee Lou Hacker	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Trustee Guy Zambetti	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
President Rick Zirk	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

APPROVED THIS 1 DAY OF Oct., 2019


Village President, Rick Zirk



ATTEST:


Village Clerk, Courtney Baker

Published: 10-2-19