

AN ORDINANCE AMENDING
CHAPTER 4 OF TITLE 2 OF THE VILLAGE CODE
REGARDING VIDEO GAMING TERMINAL FEES

WHEREAS, the Village of Gilberts is an Illinois municipality operating under 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, Section 65 of the Act was recently amended by Public Act 102-0689 to authorize non-home rule units of government to impose a fee for the operation of a video gaming terminal of \$250.00 per year; and

WHEREAS, the Gilberts Village Code currently imposes a \$25.00 per year fee for the operation of a video gaming terminal; and

WHEREAS, in accordance with Section 65 of the Act, as amended by Public Act 102-0689, the Board of Trustees of the Village of Gilberts finds that amending the Village Code to impose a \$250.00 per year fee on the operation of a video gaming terminal is in the best interests of the Village and its residents.

NOW, THEREFORE, BE IT ORDAINED by the Village Board of the Village of Gilberts, Kane County, Illinois, as follows:

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

SECTION 2. AMENDMENT TO SUBSECTION 2-4-35 OF THE VILLAGE CODE. Section 2-4-35 of the Village Code “Video Gaming Registration,” of Chapter 4 “Fee Schedule,” of the Gilberts Village Code shall hereby be amended to read as follows (deletions in ~~strike through~~, additions in **bold** and double-underline):

“2-4-35. – Video gaming registration.

The annual registration fee for each video gaming terminal operated within the Village as authorized by Section 3-2-21 of this Code shall be \$250.00~~25.00~~. The fee shall be paid each year on or before December 31 in conjunction with the licensee’s application for or renewal of a liquor license.”

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 All ordinances or parts of ordinances in conflict herewith are hereby repealed; provided, however that nothing in this Ordinance shall affect any rights, actions, or causes of action which shall have accrued to the Village of Gilberts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.

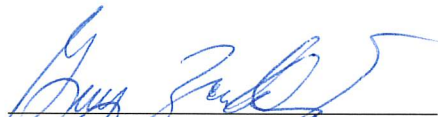
SECTION 5. EFFECTIVE DATE. This Ordinance shall only be effective upon the passage, approval, and publication in the manner required by law.

PASSED BY VOTE OF THE BOARD OF TRUSTEES of the Village of Gilberts, Kane County, Illinois, this 15th day of November, 2022.

	<u>Ayes</u>	<u>Nays</u>	<u>Absent</u>	<u>Abstain</u>
Trustee Jeanne Allen	✓	_____	_____	_____
Trustee Dan Corbett	✓	_____	_____	_____
Trustee Lou Hacker	✓	_____	_____	_____
Trustee Brandon Coats	_____	_____	✓	_____
Trustee Justin Redfield	✓	_____	_____	_____
Trustee David LeClerc Sr.	✓	_____	_____	_____
President Guy Zambetti	_____	_____	_____	_____


APPROVED this 15th day of November, 2022.





Guy Zambetti, Village President

ATTEST:



Kelly Mastera, Village Clerk