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**ORDINANCE NO. 21-22-33**

*An Ordinance Amending Chapter 7.08, Video Gaming Terminals of the Johnsburg Municipal Code*

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AN ORDINANCE PASSED BY THE  
PRESIDENT AND BOARD OF TRUSTEES  
OF THE VILLAGE OF JOHNSBURG  
AT A REGULAR MEETING ON MARCH 1, 2022  
PUBLISHED IN PAMPHLET FORM BY AUTHORITY OF THE  
PRESIDENT AND BOARD OF TRUSTEES  
OF THE VILLAGE OF JOHNSBURG

President

Edwin P. Hettermann

Board of Trustees

Tom Curry  
Beth Foreman  
Kyle Frost  
Josh Hagen  
Greg Klemstein  
Scott Letzter

Village Administrator

Claudett Sofiakis

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***An Ordinance Amending Chapter 7.08, Video Gaming Terminals of the Johnsburg Municipal Code***

BE IT ORDAINED by the VILLAGE BOARD of the VILLAGE OF JOHNSBURG, McHenry County, Illinois, as follows:

SECTION 1: Chapter 7.08, Video Gaming Terminals of the Johnsburg Municipal Code shall be amended as follows:

**7.08 VIDEO GAMING TERMINALS**

- A. Registration Required: No person shall have or keep a video gaming terminal that is not registered by the Village and licensed by the State, through the Illinois Gaming Board, and pursuant to the Illinois Video Gaming Act and the rules and regulations implemented thereto.
- B. Annual Fee: The annual fee payable to the Village shall be ~~\$150.00~~~~25.00~~ for each video gaming terminal. Beginning January 1, 2023, said fee shall increase to \$250.00 for each video gaming terminal. Upon payment of this fee, the Village shall issue a registration certificate. The annual fee shall be due and payable on the first day of May of each year. All issued registration certificates shall expire on the 30<sup>th</sup> day of April of the following year. This fee is not in lieu of any fee or payment payable to the State or the Illinois Gaming Board.
- C. Registration Renewal: Not less than six weeks before a registration is scheduled to expire and after a renewal notice is provided by the Village to the registrant, the registrant may submit an application for renewal provided the applicant is then qualified to receive a registration certificate.
- D. Replacement of Registration Certificate: Whenever a registered video gaming terminal is replaced during the fiscal year a replacement registration certificate must be purchased for \$2.00.
- E. Issuance: No registration certificate shall be issued except upon approval by the President and Board of Trustees. The applicant must obtain proper federal and state licenses and exhibit proof of said licenses prior to the issuance of a Village registration certificate pursuant to this Section. Upon approval of the application and payment of the registration fee, the Village shall issue a registration stamp, which must be placed in a conspicuous place and so affixed that it cannot be transferred from one terminal to another.
- F. Placement of Video Gaming Terminals: At all times video gaming terminals shall be kept and placed in plain view of any person or persons who may frequent or be in any place of business where such terminals are kept or used. No licensee shall cause or permit any person under the age of 21 years to use or play a video gaming terminal. Any licensee who knowingly permits a person under the age of 21 years to use or play a video gaming terminal is guilty of a business offense and shall be fined an amount not to exceed \$5,000. Video

gaming terminals must be located in an area restricted to persons over 21 years of age the entrance to which is within the view of at least one employee, who is over 21 years of age, of the establishment in which they are located.

G. Inspection: The Chief of Police shall inspect or cause the inspection of any place or building in which any such video gaming device or terminal is operated or set up for operation and to inspect, investigate and test such video gaming terminals.

H. Revocation: In addition, to any penalty imposed, the President and Board of Trustees may revoke such license for any violation of this Section 7.09 or of any ordinance pertaining to the conduct of such business.

I. Offensive Graphics: No offensive or obscene graphics, including profanity, nudity or pornography are allowed on video gaming terminals. All video gaming terminals must be approved by the Illinois Gaming Board.

SECTION 2: If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate or nullify the remainder thereof, which remainder shall remain and continue in full force and effect.

SECTION 3: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 4: This Ordinance shall be in full force and effect ten days after its passage, approval and publication in pamphlet form (which publication is hereby authorized) as provided by law.

Voting Aye: Trustees Foremann, Curry, Frost, Hagen, Klemstein & Letzter

Voting Nay: None

Abstain: None Absent:

None

APPROVED:



Village President Edwin P. Hettermann

(SEAL)

ATTEST:



Village Clerk Claudett Sofiakis

Passed: March 1, 2022

Approved: March 1, 2022

Published: March 1, 2022

## CERTIFICATION

I, CLAUDETT SOFIAKIS, do hereby certify that I am the duly appointed, acting and qualified Clerk of the Village of Johnsburg, McHenry County, Illinois, and that as such Clerk, I am the keeper of the records and minutes and proceedings of the President and Board of Trustees of said Village of Johnsburg.

I do further certify that at a regular meeting of the President and Board of Trustees of the Village of Johnsburg, held on the 5th day of October, 2021 the foregoing Ordinance *An Ordinance Amending Chapter 7, Video Gaming Terminals of the Johnsburg Municipal Code* was duly passed by the President and Board of Trustees of the Village of Johnsburg.

The pamphlet form of Ordinance No. 21-22-33, including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was available in the Village Hall, commencing on the 1st day of March, 2022, and will continue for at least 10 days thereafter. Copies of such Ordinance are also available for public inspection upon request in the office of the Village Clerk.

I do further certify that the original, of which the attached is a true and correct copy, is entrusted to me as the Clerk of said Village for safekeeping, and that I am the lawful custodian and keeper of the same.

Given under my hand and seal of the Village of Johnsburg, this 1st day of March, 2022.



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Claudett Sofiakis, Village Clerk  
Village of Johnsburg,  
McHenry County, Illinois



(SEAL)