

Return to:

City Clerk
116 E. Market Street
Troy, Illinois 62294



Ordinance No. 2023 - 71

An Ordinance of the City of Troy, Illinois,
Amending Title XI: Business Regulations,
Chapter 113: Amusements of the Codified Ordinances

**ADOPTED BY THE CITY COUNCIL
OF THE CITY OF TROY, ILLINOIS
THIS EIGHTEENTH DAY OF DECEMBER, 2023**

WHEREAS, the corporate authorities of the City of Troy adopted a Code of Ordinances and have made revisions thereto; and

WHEREAS, the corporate authorities adopted Title XI: Business Regulations, Chapter 113: Amusements, Section 01; and

WHEREAS, the corporate authorities deem it to be in the best interests of the City to amend certain sections of the Codified Ordinances which pertain to video gaming; and

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Troy, Illinois as follows:

Section 1: The above recitals are incorporated herein and made a part hereof.

Section 2: Title XI Business Regulations, Chapter 113 Amusements, General Provisions, Section 01 Video Gaming Permitted is hereby deleted and replaced as follows:

Video Gaming

§ 113.01 VIDEO GAMING PERMITTED.

- (A) Pursuant to the Illinois Video Gaming Act (ILCS Ch. 20, Act 40, § 1 *et seq.*), video gaming and the use of video gaming terminals is hereby permitted within the corporate limits of the city.
- (B) *License required.* The owner of a video gaming terminal shall obtain a license for each such device issued by the city. The license required by this section shall be prominently displayed next to the video gaming terminal. It shall be unlawful for any person to install, keep, maintain, or use or permit the installation, keeping, maintenance or use upon his or her premises of any video gaming terminal unless a valid license issued under this section for the video gaming terminal is in effect. It shall further be unlawful for any person to deliver a video gaming terminal within the city unless a license has been issued by the city and the license fee has been paid for the current year.
- (C) *Applications.* Applications for the license required by this section shall be obtained from the city by submitting a written application to the City Clerk, on a form provided by the City Clerk.
- (D) *Fee.* The annual license fee for each video gaming terminal required by this section is \$250. The fee shall be nonrefundable.
- (E) *Revocation.* The Mayor, at any time, may notify any licensee under this section within five business days of any charge of a violation of any of the provisions of this section or the Illinois Video Gaming Act 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.
- (F) *Classes of liquor licenses allowing video gaming.* There shall be five classes of liquor licenses that allow for video gaming as follows:
- (1) Class B, for the retail sale of alcoholic liquor for use or consumption on the premises, and not for resale in any form.
 - (2) Class C, for the retail sale of beer and wine only for the use and consumption on the premises, but not for resale in any form.
 - (3) Class D, for the retail sale of alcoholic liquor for use or consumption on the premises, but not for resale in any form, by fraternal groups, veteran's organizations or a club, at one permanent location.
 - (4) Class E, for the sale and offer for sale at retail, only on the premises specified in the license, alcoholic liquor for use or consumption on and off the premises, but not resale in any form.

(5) Class G, for the retail sale of alcoholic liquor for use or consumption on the premises, but not for resale in any form, by businesses deriving more than 50% of their income from video gaming, at one permanent location. Every Class G licensee shall comply with the provisions of the Video Gaming Act (ILCS Ch. 230, Act 40, §§ 1 et seq.), as amended, and all rules, regulations and restrictions imposed by the State Gaming Board as amended.

Section 3: If any provisions of this ordinance, or the application of any provisions of this ordinance, is held invalid or unenforceable for any reason, the invalidity or unenforceability of such provision shall not affect any of the other provisions of this ordinance.

Section 4: All ordinances or parts of ordinances thereof in conflict with this ordinance are hereby repealed to the extent of any such conflict.

Section 5: Effective date. This ordinance shall be in full force and effect from and after its passage and approval and publication as provided by law.

PASSED by the City Council of the City of Troy, Illinois, approved by the Mayor, and deposited in the office of the City Clerk this eighteenth day of December, 2023.

Aldermen:

Dawson AYE

Italiano AYE

8 Ayes

Flint AYE

Knoll AYE

0 Nays

Hellrung AYE

Manley AYE

0 Abstains

Henderson AYE

Turner AYE

APPROVED:



David Nonn,
Mayor

ATTEST:



Kimberly Thomas,
City Clerk

