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CITY OF TROY

ORDINANCE NO. 2012 - 14

**AN ORDINANCE AMENDING TITLE XI, CHAPTER 113 - AMUSEMENTS –
OF THE CODE OF ORDINANCES AND PERMITTING VIDEO GAMING
FOR THE CITY OF TROY, ILLINOIS**

**ADOPTED BY THE
CITY COUNCIL OF THE
CITY OF TROY, ILLINOIS
THIS 20th DAY OF AUGUST, 2012**

**Published in pamphlet form by the authority of the City Council of the City of Troy,
Madison County, Illinois, this 20th day of August, 2012.**

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**AN ORDINANCE AMENDING TITLE XI, CHAPTER 113 - AMUSEMENTS –
OF THE CODE OF ORDINANCES AND PERMITTING VIDEO GAMING
FOR THE CITY OF TROY, ILLINOIS**

WHEREAS, the Mayor and the City Council of the City of Troy, Illinois, have the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs and protect the public health, safety, and welfare of its citizens; and

WHEREAS, the Illinois legislature in House Bill 255, as amended by House Bill 2424 and Senate Bill 349, legalized Video Gaming as set forth at length by the Video Gaming Act, 230 ILCS 40/1 et seq.; and

WHEREAS, City Council believes it will be beneficial and in the best interest of the health, safety and general welfare of the City of Troy, Illinois, to permit Video Gaming as defined by the Act within the corporate limits of the City of Troy, Illinois; and

WHEREAS, in this regard, the City Council of the City of Troy, Illinois, has reviewed the provisions of the current text of Title XI, Chapter 113 – Amusements - of the Code of Ordinances and determined that it requires certain additions and amendments to conform with current operational practices; and

WHEREAS, the City wishes to impose an annual license fee of twenty-five dollars (\$25.00) for the operation of each Video Gaming Terminal located within the corporate limits of the City of Troy, Illinois as provided by the Video Gaming Act, 230 ILCS 40/65; and

WHEREAS, the City Council believes it will be beneficial and in the best interest of the health, safety and general welfare of the City of Troy, Illinois, to amend the Code of Ordinances accordingly.

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF
THE CITY OF TROY, MADISON COUNTY, ILLINOIS, AS FOLLOWS:**

- Section 1. The recitals set forth above are hereby incorporated herein as if fully set forth.
- Section 2. Activities undertaken pursuant to, and in accordance with, the provisions of the Illinois Video Gaming Act (230 ILCS 40/1 et seq.) shall be allowed in the City.
- Section 3. Title XI, Chapter 113 – Amusements - of the Code of Ordinances for the City of Troy, Illinois, is hereby amended in its entirety as set forth herein:

TITLE XI. Business Regulations

Chapter 113 – AMUSEMENTS

Section 113.01 – VIDEO GAMING PERMITTED

- A. Pursuant to the Illinois Video Gaming Act (20 ILCS 40/1 et seq.), video gaming and the use of video gaming terminals is hereby permitted within the corporate limits of the City of Troy, Illinois.
- 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 filed with the City Clerk and shall contain the following information: (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; and (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.
- D. Fee: The annual license fee for each video gaming terminal required by this Section is \$25.00. The fee shall be nonrefundable.
- E. Revocation: The mayor, at any time, may notify any licensee under this Section within five (5) 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.

Section 4: If any section or provision of this Ordinance is declared invalid for any reason, such invalidity shall not affect or impair any of the remaining sections or provisions of this Ordinance which can be given effect without the invalid section or provision, and to this end, the sections and provisions of this Ordinance are declared to be severable.

Section 5: All Ordinances, Resolutions, Motions and Orders that conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 6: This Ordinance shall be effective upon its passage, signing and publication as required by law.

PASSED by the City Council of the City of Troy, Madison County, Illinois, approved by the Mayor, and deposited in the office of the City Clerk this 20th day of August, 2012.

Those voting aye: Evans, Lanahan, Metcalf, Partney

Those voting nay: Hendrickson, Jackson

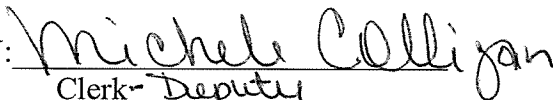
Those absent: Adomite – present

APPROVED:

By: 

TOM CARAKER, SR., Mayor
City of Troy, Illinois

ATTEST:

BY: 
Clerk-Deputy
City of Troy, Illinois

(SEAL)