

ORDINANCE 2014-030 Passed: August 25, 2014

**AMENDING THE MUNICIPAL CODE OF THE
CITY OF DEKALB, ILLINOIS, CHAPTER 38
“INTOXICATING LIQUORS”, SECTION 38.27
“GAMBLING DEVICES”.**

WHEREAS, the City of DeKalb, DeKalb County, Illinois is a home rule community with those powers granted under the provisions of the Illinois Constitution and the Illinois Municipal Code, 65 ILCS 5/1-1-1, *et. seq.*; and,

WHEREAS, the City of DeKalb currently maintains Chapter 38 of the City Code, which relates to the Liquor Regulations within the City of DeKalb; and,

WHEREAS, the City Council finds that certain updates to Chapter 38 are required to properly promote the public health, safety, welfare and morals; and,

THEREFORE BE IT ORDAINED by the Mayor and City Council of the City of DeKalb, DeKalb County, Illinois, as follows:

Section 1. Ordinances Amended.

City Code 38.27(c)(4) shall be amended as follows:

4. Video Gaming Terminals shall only be permitted to be installed in facilities that possess a liquor license permitting them to sell alcohol for consumption on the premises without a corresponding sale of food. Video Gaming Terminals shall not be permitted at any establishment that is not permitted to sell alcohol for consumption on premises, nor shall they be permitted at any restaurant that is required to serve food with purchases of alcohol. Under the current classifications of the City of DeKalb Liquor Code, Video Gaming Terminals shall only be permitted at: 1) facilities that have a Bar license; 2) facilities that have a PENP or Hospitality liquor license and which maintain a bar area restricted to persons twenty-one (21) years of age or older, separated from areas unrestricted in age by full walls and doors, which age-restricted bar area is kept closed and locked when not in operation (provided that all video gaming machines or terminals shall be installed in such restricted-age bar area). Video Gaming shall not be permitted at any facility which has a combination license authorizing use of any portion of the premises as a Restaurant (i.e. shall not be permitted at any facility with a Restaurant and Bar Liquor License), or in any facility other than a establishment licensed as a Bar, PNEP or Hospitality establishment (or combination of those licenses).

Section 2. All ordinances or portions thereof in conflict with this ordinance are hereby repealed.

Section 3. Should any provision of this Ordinance be declared invalid by a court of competent jurisdiction, the remaining provisions will remain in full force and affect the same as if the invalid provision had not been a part of this Ordinance.


Section 4. This Ordinance shall be in full force and effect after passage and publication pursuant to law. Publication date: August 26, 2014, 2014. Effective date: September 4, 2014.

PASSED BY THE CITY COUNCIL of the City of DeKalb, Illinois at a regular meeting thereof held on the 25th day of August, 2014 and approved by me as Mayor on the same day. Received and filed on August 11, 2014. Waived Second Reading and Passed on the Consent Agenda via Omnibus Roll Call Vote of 8-0. Aye: Jacobson, Finucane, Lash, Snow, Naylor, Baker, O'Leary, Rey.

ATTEST:



ELIZABETH E. PEERBOOM, City Clerk



JOHN A. REY, Mayor

