

## CHAPTER 116: VIDEO GAMING TERMINALS

### Section

- 116.01 Definitions
- 116.02 Annual User Fee Required for any Video Gaming Terminal
- 116.03 Video Gaming Terminals Permitted

#### **§ 116.01: DEFINITIONS:**

The term “video gaming terminal” shall be as defined in the Illinois Video Gaming Act, 230 ILCS 40, as amended from time to time (the “Video Gaming Act”).

#### **§ 116.02: ANNUAL USER FEE REQUIRED FOR ANY VIDEO GAMING TERMINAL:**

- A. Video Gaming Terminal User Fee; Term: An annual user fee for each calendar year is hereby imposed upon each video gaming terminal located and operated in the Village. Upon payment of the annual fee, the Village Clerk shall issue a Village sticker in the name of the owner of such video gaming terminal authorizing the use and operation of each such video gaming terminal for the respective calendar year, or portion thereof, applicable to the payment of the annual user fee.
- B. Payment of Annual User Fee Required: It shall be unlawful for any person to operate any video gaming terminal within the Village for use by any other person unless the annual user fee thereon pursuant to this Chapter has been paid for the current year. It shall be unlawful for any person to install, keep, maintain or use, or permit the installation, keeping, maintenance, or use upon any premises within the Village of any video gaming terminal upon which such annual user fee has not been paid.
- C. User Fee Specified: The annual user fee for each video gaming terminal located and operated in the Village for any calendar year, or portion thereof, shall be as follows:
  - (i) Before January 1, 2022, the annual user fee shall be Twenty-Five Dollars (\$25.00) per terminal.
  - (ii) For the calendar year 2022, or portion thereof, the annual user fee shall be One Hundred Twenty-Five Dollars (\$125.00) per terminal.
  - (iii) For the calendar year 2023, or portion thereof, and for each calendar year thereafter, the annual user fee shall be Two Hundred Fifty Dollars (\$250.00) per terminal, until this Section is further amended.
- D. The cost of such annual user fee shall be shared equally between the terminal operator and the applicable licensed establishment.
- E. The annual user fee is not subject to reimbursement or refund upon denial of a license.
- F. Each license issued by the Illinois Gaming Board shall be prominently displayed next to the video gaming terminal.

G. Display of Village Sticker Required:

1. Upon payment of the required annual user fee for a video gaming terminal, the Village Clerk shall issue a Village sticker which shall bear the words “VILLAGE OF PORT BARRINGTON” and the numerals designating the year for which such sticker is issued. The Village Clerk shall change annually the predominant background colors of such Village sticker.
2. It shall be the duty of the owner(s) of the video gaming terminal and the owner(s) and operator(s) of the establishment in which such video gaming terminal is operated to display the current Village sticker for such video gaming terminal in a conspicuous place on the video gaming terminal itself or on the premises on which the video gaming terminal is operated, and it shall be unlawful for any person to mutilate or remove said Village sticker from the premises on which the video gaming terminal is located during the year for which it is licensed.

(Amd. Ord. 2022-02-01, passed 02/16/2022)

**§ 116.03: VIDEO GAMING TERMINALS PERMITTED:**

Notwithstanding anything contained in this Village Code to the contrary, video gaming terminals shall be permitted within the Village but only in compliance with this Chapter and the Video Gaming Act.

(Ord. 3-9-A, passed 06/20/2012)