

**CITY OF COLUMBIA, ILLINOIS
ORDINANCE NO. 3540**

**AN ORDINANCE ESTABLISHING REGULATIONS FOR VIDEO GAMING
ESTABLISHMENTS AND RELATED AMENDMENTS TO THE CITY OF COLUMBIA
LIQUOR CODE**

WHEREAS, the City of Columbia (“City”), Monroe and St. Clair Counties, Illinois is a duly created, organized and validly existing municipality of the State of Illinois under the 1970 Illinois Constitution and the laws of the State of Illinois, including particularly the Illinois Municipal Code, and all laws amendatory thereof and supplementary thereto; and

WHEREAS, the City wishes to regulate video gaming establishments in a manner consistent with the Illinois Video Gaming Act (230 ILCS 40), which requires such establishments to hold a valid local liquor license for consumption on premises, with certain exceptions for truck stops, veteran’s organizations, and fraternal organizations; and

WHEREAS, the Illinois Liquor Control Act (235 ILCS 5/4-1) grants the City authority to establish regulations governing the issuance of local liquor licenses; and

WHEREAS, the City finds that it is in the public interest to regulate video gaming establishments and adopt liquor control measures pertinent to the operation of video gaming establishments within Columbia’s corporate limits.

NOW THEREFORE BE IT ORDAINED, by the Mayor and City Council of the City of Columbia, as follows:

Section 1. The recitals contained above in the preamble of this Ordinance are hereby incorporated by reference, the same as if set forth in this section of this Ordinance verbatim, as findings of the City Council of the City of Columbia, Illinois.

Section 2. Subsections 4-7 are hereby deleted and stricken from Section 9.12.080 *Gambling* of the Columbia Municipal Code.

Section 3. The following shall be added to Title 5 *Business Licenses and Regulations* of the Columbia Municipal Code:

Chapter 5.54 *Video Gaming Establishments*

1. It is unlawful to operate video gaming terminals in the City of Columbia without:

- A. A City-issued business license; and
- B. A City-issued Class A-1 or A-2 liquor license; and

C. Full Compliance with the Illinois Video Gaming Act (230 ILCS 40).

2. There is hereby established a twenty-five dollar (\$25.00) annual fee for the operation of each video gaming terminal located in the City pursuant to the provisions of the Illinois Video Gaming Act.
3. The annual video gaming terminal fee is to be paid to the City on or before the initial date of terminal operation, and no later than May 1 of each subsequent year thereafter.
4. All revenue received by the City pursuant to the Illinois Video Gaming Act shall be used for the benefit of the City's Parks and Recreation facilities and programs.
5. All ordinances, resolutions or orders, or parts thereof that conflict with these provisions are, to the extent of such conflict, hereby repealed.

Section 4. The definition for "Video Gaming Revenue" is hereby deleted and stricken from Section 5.20.010 Definitions of the Columbia Municipal Code.

Section 5. Subsection V of Section 5.20.070 Prohibited Licenses of the Columbia Municipal Code is hereby amended to read as follows:

- V. Any video gaming establishment licensed as such by the State of Illinois under the Illinois Video Gaming Act (230 ILCS 40), except for Class A-1 and A-2 licenses as defined and regulated herein under Section 5.20.080.

Section 6. Subsections A-1 and A-2 of Section 5.20.080 Classification of Licenses – Fees of the Columbia Municipal Code are hereby amended to read as follows:

- A-1. Class "A-1" licenses shall be reserved for video gaming establishments licensed as such by the State of Illinois under the Illinois Video Gaming Act (230 ILCS 40). Class A-1 licenses shall authorize the retail sale of alcoholic liquor on the premises specified for consumption on the premises. Convenience stores that sell automotive fuels shall not be eligible for Class A-1 licenses.
- A-2. Class "A-2" licenses shall be reserved for video gaming establishments licensed as such by the State of Illinois under the Illinois Video Gaming Act (230 ILCS 40). Class A-2 licenses shall authorize the retail sale of alcoholic liquor on the premises specified for consumption on the premises and the sale of alcoholic liquor in sealed containers for off-premises consumption and not for resale in any form. Convenience stores that sell automotive fuels shall not be eligible for Class A-2 licenses.

Section 7. This Ordinance shall take full force and effect immediately upon passage by the Corporate Authorities.

PASSED by the City Council and **APPROVED** by the Mayor of the City of Columbia, Illinois and deposited and filed in the office of the City Clerk on the 16th day of November 2020, the vote being taken by ayes and noes and entered upon the legislative record as follows:


AYES: Aldermen Ebersohl, Niemietz, Roessler, Huch, Holtkamp, and Riddle.

NOES: None.

ABSTENTIONS: None.

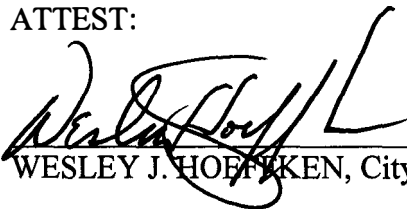
ABSENT: Aldermen Agne and Martens.

APPROVED:



KEVIN B. HUTCHINSON, Mayor

ATTEST:



WESLEY J. HOFFKEN, City Clerk

(SEAL)