

**AGENDA ITEM EXECUTIVE SUMMARY****Agenda Item Number: 5c****Title:**

Recommendation to approve an Ordinance Amending Title 5 “Business Licenses and Regulations”, Chapter 5.09 “Video Gaming”, of the St. Charles Municipal Code

Presenter:

Police Chief Keegan

Meeting: Government Operations Committee **Date:** September 21, 2020

Proposed Cost: \$

Budgeted Amount: \$

Not Budgeted: ☐

Executive Summary (*if not budgeted please explain*):

City staff asked legal counsel to review all of our associated codes pertaining to alcohol, massage, tobacco and video gaming. This review was an “audit” of sorts with the assistance of Tom Bastian from Storino, Ramello and Durkin. Mr. Bastian has extensive experience in these areas of law and worked with staff to ensure each of the respective codes were in compliance with both state and local mandates.

Please see the attached document for the proposed changes to the City of St. Charles City Code.

Pursuant to this item being presented at the Government Operations Committee Meeting on September 21, 2020 to seek approval; it will be brought before the Liquor Control Commission at a meeting scheduled for 4:30 pm, the same day, to process and move it forward to this Committee. This item will then continue on to the City Council Meeting scheduled on October 5, 2020 for final approval.

Attachments (*please list*):

Changes highlighted in ordinance format

Recommendation/Suggested Action (*briefly explain*):

Recommendation to modify City Code with the listed revisions to Title 5 “Business Licenses and Regulations”, Chapter 5.09 “Video Gaming”, of the St. Charles Municipal Code.

Recommended Changes to City Video Gaming Code August 2020

5.09.020 – Video Gaming Allowed

VIDEO GAMING ALLOWED: Video Gaming is allowed in certain Licensed Establishments within the City only in accordance with this Article. Subject to all other provisions of this Article, Video Gaming shall only be permitted and a Video Gaming License issued to a Licensed Establishment that is the holder of a consumption on-site liquor license, is a fraternal organization, or and veterans' establishments. ~~class B, C or D liquor license, fraternal establishments and veterans' establishments~~. Further, subject to all other provisions of this Article, Video Gaming shall only be permitted and a Video Gaming License issued to a Licensed Establishment that, in addition to being the holder of a consumption on-site liquor license, class B, C or D liquor license, is a fraternal organization or veterans' establishments ~~and veterans' establishments~~ that has also been issued a supplemental class V (video gaming) liquor license.

5.09.050 – Term of License

TERM OF LICENSE: All Licenses shall be valid for a period not to exceed one year after issuance, unless sooner terminated, revoked or suspended as provided by law; and all licenses shall terminate on April 30 next following their issuance.

No license shall be issued or renewed if the license, its officers, directors, or shareholders are in arrears of any debt owed to the City.

~~(2018-M-8: 1 & 2; 2015-M-47: 3)~~

City of St. Charles, Illinois
Ordinance No. 2020-M-_____

**An Ordinance Amending Title 5 “Business Licenses and Regulations”;
Chapter 5.09 “Video Gaming”; Sections 5.09.020 “Video Gaming Allowed”
and 5.09.050 “Term of License” of the St. Charles Municipal Code**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ST. CHARLES,
KANE AND DUPAGE COUNTIES, ILLINOIS, AS FOLLOWS:**

SECTION ONE: That Title 5 “Business Licenses and Regulations,” Chapter 5.09 “Video Gaming,” Section 5.09.020 “Video Gaming Allowed” of the St. Charles Municipal Code, be and is hereby amended by replacing it with the following:

VIDEO GAMING ALLOWED: Video Gaming is allowed in certain Licensed Establishments within the City only in accordance with this Article. Subject to all other provisions of this Article, Video Gaming shall only be permitted and a Video Gaming License issued to a Licensed Establishment that is the holder of a consumption on-site liquor license, is a fraternal organization, or veterans' establishment. Further, subject to all other provisions of this Article, Video Gaming shall only be permitted and a Video Gaming License issued to a Licensed Establishment that, in addition to being the holder of a consumption on-site liquor license, is a fraternal organization, or veterans' establishment that has also been issued a supplemental class V (video gaming) liquor license.

SECTION TWO: That Title 5 “Business Licenses and Regulations,” Chapter 5.09 “Video Gaming,” Section 5.09.050 “Term of License” of the St. Charles Municipal Code, be and is hereby amended by replacing it with the following:

TERM OF LICENSE: All Licenses shall be valid for a period not to exceed one year after issuance, unless sooner terminated, revoked or suspended as provided by law; and all licenses shall terminate on April 30 next following their issuance.

No license shall be issued or renewed if the license, its officers, directors, or shareholders are in arrears of any debt owed to the City.

SECTION THREE: That, after the adoption and approval hereof, this Ordinance shall (i) be printed or published in book or pamphlet form, published by the authority of the City Council of the City of St. Charles, or (ii) within thirty (30) days after the adoption and approval hereof, be published in a newspaper published in and with a general circulation within the City of St. Charles.

SECTION FOUR: This Ordinance shall be in full force and effect ten (10) days from and after its passage by a vote of the majority of the corporate authorities now holding office, approval and publication in the manner provided by law.

PRESENTED to the City Council of the City of St. Charles, Illinois, this ____ day of _____, 2020.

PASSED by the City Council of the City of St. Charles, Illinois this ____ day of _____, 2020.

APPROVED by the Mayor of the City of St. Charles, Illinois, this ____ day of _____, 2020.

Raymond P. Rogina, Mayor

ATTEST:

City Clerk

COUNCIL VOTE:

Ayes : _____

Nays : _____

Absent : _____