

Willowbrook

835 Midway Drive
Willowbrook, IL 60527-5549

Phone: (630) 323-8215 Fax: (630) 323-0787 www.willowbrookil.org

Mayor

Frank A. Trilla

NOTICE

Village Clerk

Leroy R. Hansen

Village Trustees

Sue Berglund

DATE: Monday, April 22, 2019

Umberto Davi

TIME: 5:30 p.m.

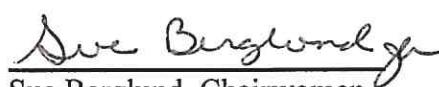
Terrence Kelly

PLACE: Village of Willowbrook
835 Midway Drive
Willowbrook, Illinois 60527

Michael Mistele

AGENDA: See attached

Gayle Neal


Sue Berglund, Chairwoman

Paul Oggerino

Village Administrator

Tim Halik

Notice by facsimile on April 16, 2019.

Liberty/ Life Graphic
Chicago Tribune
Chicago Sun-Times

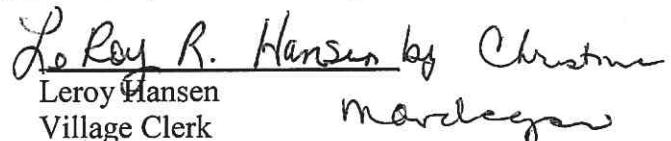
Chief of Police

Robert Schaller

THIS NOTICE WAS PLACED ON THE BULLETIN BOARD IN THE LOBBY OF THE VILLAGE HALL, VILLAGE OF WILLOWBROOK, 835 MIDWAY DRIVE, WILLOWBROOK, DUPAGE COUNTY, ILLINOIS, ON APRIL 16, 2019.

Director of Finance

Carrie Dittman

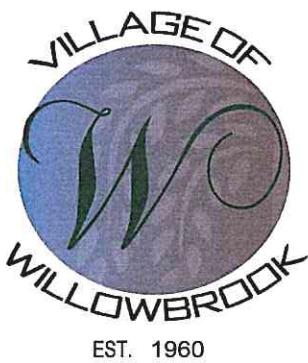

Leroy R. Hansen by Christine
Village Clerk

LR:jk

Any individual with a disability requiring a reasonable accommodation in order to participate in any public meeting held under the authority of the Village of Willowbrook, should contact Tim Halik, ADA Compliance Officer, Village of Willowbrook, 835 Midway Drive, Willowbrook, IL 60527, or call (630) 920-2261 Monday through Friday, between 8:30 a.m. and 4:30 p.m., within a reasonable time before the meeting. Request for sign language interpreters should be made a minimum of five working days in advance of the meeting.



Proud Member of the
Illinois Route 66 Scenic Byway



Willowbrook

835 Midway Drive
Willowbrook, IL 60527-5549

Phone: (630) 323-8215 Fax: (630) 323-0787 www.willowbrookil.org

AGENDA

Mayor

Frank A. Trilla

Village Clerk

Leroy R. Hansen

Village Trustees

Sue Berglund

Umberto Davi

Terrence Kelly

Michael Mistele

Gayle Neal

Paul Oggerino

Village Administrator

Tim Halik

Chief of Police

Robert Schaller

Director of Finance

Carrie Dittman

SPECIAL MEETING OF THE FINANCE AND ADMINISTRATION COMMITTEE OF THE VILLAGE OF WILLOWBROOK TO BE HELD ON MONDAY, APRIL 22, 2019, AT 5:30 P.M. AT THE VILLAGE HALL, 835 MIDWAY DRIVE, IN THE VILLAGE OF WILLOWBROOK, DUPAGE COUNTY, ILLINOIS.

1. CALL TO ORDER
2. ROLL CALL
3. APPROVAL OF MINUTES:
 - a) April 8, 2019 Regular Meeting of the Finance & Administration Committee
4. DISCUSSION – Amusement Tax Ordinance
5. VISITOR'S BUSINESS
6. COMMUNICATIONS
7. ADJOURNMENT



Proud Member of the
Illinois Route 66 Scenic Byway

MINUTES OF THE REGULAR MEETING OF THE FINANCE AND ADMINISTRATION COMMITTEE OF THE VILLAGE OF WILLOWBROOK HELD ON MONDAY, APRIL 8, 2019 AT 5:30 P.M. AT THE VILLAGE HALL, 835 MIDWAY DRIVE, WILLOWBROOK, ILLINOIS.

1. CALL TO ORDER

The meeting was called to order by Chairwoman Berglund at 5:30 p.m.

2. ROLL CALL

Those present at roll call were Chairwoman Sue Berglund, Trustee Michael Mistele, Mayor Frank Trilla and Director of Finance Carrie Dittman.

3. APPROVAL OF MINUTES

Minutes of the Special Joint Meeting of the Finance/Administration, Municipal Services and Public Safety Committee held on Monday, February 25, 2019 were reviewed. Motion to approve made by Chairwoman Berglund, second by Trustee Mistele. Motion carried.

4. DISCUSSION – Amusement Tax

Director Dittman noted that the Village imposes a 6.0% amusement tax on businesses in the Village that have amusement related activities as noted in the ordinance, such as the Willowbrook Ice Arena. Mayor Trilla noted that the tax doesn't seem to be applied fairly because some uses for training don't pay the tax. He would like to see the ordinance amended to apply to contests and admissions rather than practices. Chairwoman Berglund asked what other communities do. Trustee Mistele inquired about how much tax is generated annually, and maybe the tax should be eliminated completely. Director Dittman noted that about \$57,000 is collected annually but projections to collect an additional \$120,000 were made when the ice arena opened, which they are not paying. The ice arena has been paying a much smaller amount. Discussion was had about the proper amount of tax to charge, and on what activities. The Committee asked Director Dittman to modify the ordinance and bring back for additional discussion at the next Finance & Administration meeting.

5. APPROVAL – Human Resource Advisory Services Proposal – Sikich

Director Dittman explained that as the Village does not have an HR professional on staff, they have utilized the services of Sikich's HR division for the past several years. Last's year annual fee to Sikich for unlimited HR support phone calls was \$2,340. The current agreement expires April 30, 2019. Beginning next year, Sikich is changing to an hourly rate of \$295/hr. rather than the flat fee. The Village utilizes Sikich approximately 10-15 hours per year so the financial impact is not expected to be substantial. The Committee agreed that the item should be brought forth to the full board meeting on April 22 for approval.

6. REPORT – GFOA Budget Award Recipient

Director Dittman reported that the Village was recently notified by the Government Finance Officers Association that the Village was awarded its 17th consecutive Distinguished Budget Presentation Award for the fiscal year 2018-19 budget document. The budget document must be rated proficient in 4 categories: the budget as a policy document, a financial plan, an operations guide and a communications guide. The Finance Department plans to submit the FY 2019/20 budget, which is currently in progress, to the program for review.

7. APPROVAL – FY 2018/19 Audit Engagement Letter

Director Dittman explained that the Village has used the audit firm of BKD since 2010, and is not under contract to continue to use them, however BKD has submitted a one-year engagement letter for the year ended April 30, 2019. The base audit fee will be \$32,180, which is \$1,240 or 4.0% higher than last year. In addition to the base fee, the fee to implement GASB 75, *Accounting and Financial Reporting for Post-Employment Benefits Other than Pensions*, will be between \$1500-\$3500 depending on complexity of the Village's situation. Also, if the Village required a single audit of federal funds (which is not expected), an additional fee of \$3500 would apply. Finally, if the State of IL requires the audit of a Consolidated Year End Financial Report (CYEFR), which is a new state requirement, that fee would be \$1,250. Director Dittman recommended staying with the current auditors for this audit year as there have been no issues with the auditors, the Village continues to receive the Certificate of Achievement, and the RFP process of finding and selecting new auditors is time consuming and expensive. The Committee approved that the audit engagement letter should be brought forth to the full board on April 22.

8. DISCUSSION – OPEB Actuarial Valuation

Director Dittman referenced the new GASB pronouncement, GASB 75, that will go into effect for the Village's April 30, 2019 fiscal year. The statement requires that the Village's explicit and implicit costs towards healthcare for retirees now needs to be measured and reported in the Village's CAFR. An explicit subsidy will be created by the new PSEBA claim that took effect earlier this year. There is also an implicit subsidy created when the Village allows retirees to remain on the Village's health plan (which it must do under state law) as the cost of a retiree is generally higher than that of an active employee, and the Village cannot charge a higher premium to the retiree. Due to this new requirement, an actuary must be retained to perform the valuation report needed to generate the liability and financial disclosures. Director Dittman received a few names of actuaries from the auditors and will obtain a quote to perform the valuation. Since we are small, the cost will likely be in the ballpark of \$2,500.

9. REPORT – Monthly Disbursement Reports – January, February & March 2019

The Committee reviewed and accepted the disbursement reports for the months and key items are highlighted below:

- Total cash outlay for all Village funds –fiscal Year to Date is \$12,228,549.
- Payroll monthly total for active employees including all funds - \$360,720 (2), \$339,471 (2) and \$441,021 (3 payrolls). The average payroll for the year was \$154,276, which is a 0.58% decrease from the prior fiscal year. Director Dittman explained that the payrolls contain not only the union and non-union increases of 2.5%, but also step increases for the sworn officers and payouts of accumulated sick, vacation and other time due to employees that retire or terminate employment.
- Average daily outlay of cash for all Village funds for the current months: \$41,795 (Jan), \$37,531 (Feb) and \$32,072 (March). Daily average fiscal YTD: \$36,475. Average monthly cash outlay for all Village funds fiscal year to date (FYTD): \$1,111,686.
- Average daily expenditures for the General Fund only: \$34,349 (Jan), \$27,484 (Feb) and \$25,592 (March). Fiscal YTD average is \$25,628 which is a 13.04% decrease from the prior year due to the non-continuance of large capital projects that occurred last year.

10. REPORT – Sales Tax, Business District Sales Tax, Income Tax, Utility Tax, Places of Eating Tax, Fines, Red Light Fines, Building Permits, Water Revenues, Hotel/Motel Tax and Motor Fuel Tax

The Committee reviewed and accepted the revenue trend reports for January, February and March and key items are highlighted below.

- Sales tax receipts - \$3,782,178 YTD up 4.13% from the prior year. Trending 13.3% over budget.
- Business District sales tax receipts - Year to date is \$494,700, 15.39% above the prior year and 19.2% over budget. This represents collections of the 1.0% sales tax collected in the Village's new business district. The revenue comes from the Town Center plus Marshalls, Skechers & Pete's Fresh Market which have now opened and reported collections.
- Income Tax receipts - \$746,696 YTD up 6.38% compared to the prior year, 11.9% over budget. Director Dittman relayed that we budgeted for a continued 10% reduction in income taxes for this year's budget, although subsequently the state passed their budget with only a 5% reduction planned.
- Utility tax receipts - \$834,392 YTD down 2.82% from the prior year, 4.2% under budget, consisting of:
 - Telecomm tax - down 8.96%
 - Northern IL gas – up 14.19%
 - ComEd - down 2.21%
- Places of Eating Tax receipts - \$482,525 YTD up 2.90% compared to the prior year, trending 9.24% over budget.
- Fines - \$121,953 YTD down 12.48% compared with the prior year, 4.54% over budget. Fines come from County distributions and local fine tickets written by Village police officers. Director Dittman noted that local fine revenue is down significantly, however we do utilize a collection agency to attempt to collect unpaid tickets written by officers.
- Red Light Fines – \$872,895 up 45.39% from the prior year receipts, trending 75.2% over budget. All three approaches are live.
- Building Permit receipts - \$680,862 YTD up 47.54% from the prior year, 260.93% above budget. We have surpassed the budget of \$250,000 for this account for the fiscal year. February's permits were \$230,000, of which most was a permit to ROC Willowbrook to build a new storage facility on Quincy St.
- Water sales receipts - \$3,099,843 YTD down 1.71% from the prior year, 6.81% below budget.
- Hotel/Motel Tax receipts - \$233,810 up 3.78% compared with the prior year. The revenue is trending at 2.6% higher than budget. Three of the four hotels are open and active.
- Motor Fuel Tax receipts - \$201,317 YTD, up 0.35% from the prior year, 0.9% below budget.

11. VISITOR'S BUSINESS

There were no visitors present at the meeting.

12. COMMUNICATIONS

There were no communications.

13. ADJOURNMENT

Motion to adjourn at 6:20 p.m. was made by Chairwoman Berglund, seconded by Trustee Mistele. Motion carried.

(Minutes transcribed by: Carrie Dittman)

Chapter 1 AMUSEMENT TAX¹ - DRAFT FOR DISCUSSION ONLY

11-1-1: DEFINITION:

11-1-2: TAX; AMOUNT:

11-1-3: TIME OF PAYMENT:

11-1-4: BOOKS AND RECORDS; SALE OR TRANSFER OF AMUSEMENT; NOTICE;

MAINTENANCE OF RECORDS; FINAL AUDIT:

11-1-5: EXEMPTIONS:

11-1-6: REPORTS:

11-1-7: INTEREST AND PENALTIES:

11-1-1: DEFINITION:

As used herein, the word "amusement" shall include ~~both participative and exhibitive entertainment where a ticket or admission fee is charged for entry~~, including, but not by way of limitation, the following activities and sports: any theatrical, dramatic, musical or spectacular performance; motion picture show; flower, poultry or animal show; carnival; amusement park rides; animal act; circus; rodeo; athletic contest, sport or game, including boxing, wrestling, skating, dancing, swimming, racing or riding animals or vehicles, baseball, basketball, softball, football, tennis, racquetball, handball, golf, hockey, track and field games, soccer, rugby, bowling, billiards and pool games, ~~including the giving of lessons or demonstrations of any of the above-described activities characterized as amusements in this section~~. The word "amusement" shall also include the use of amusement devices, as that word is defined in the provisions of this Code regulating amusement devices. (Ord. 77-O-10, 2-28-1977; amd. Ord. 77-O-40, 12-12-1977; Ord. 98-O-10, 3-9-1998)

11-1-2: TAX; AMOUNT:

A tax is hereby imposed upon all persons, firms or corporations operating places of amusement within the corporate limits of the Village in an amount equal to ~~six percent (6%) of the gross receipts~~ Formatted: Highlight collected in the form of fees or charges for admission to any facility and/or the use of any facility, machine, device or equipment for the purpose of witnessing ~~or participating in~~ any amusement, irrespective of whether such fees or charges are characterized as admission fees, membership fees, service or use charges or rent. "Gross receipts" as defined herein shall be exclusive of any tax imposed by the United States government, the State of Illinois or any other governmental unit. (Ord. 98-O-10, 3-9-1998)

A fee or charge which entitles the patrons of any amusement operated within the corporate limits of the Village to tangible personal property or bona fide services in addition, and unrelated, to witnessing or participating in the amusement shall not be subject to the tax provided for in this chapter, except, however:

(A) Where a fee or charge is comprised of identifiable components, packages or tiers, the tax provided for in this chapter shall be imposed on any such components, packages or tiers which provide solely for admission to any facility and/or the use of any facility or equipment for the purpose of witnessing or participating in any amusement, and

(B) Where a patron pays a single fee or charge for admission to any facility and/or for the use of any facility or equipment for the purpose of witnessing ~~or participating in~~ any amusement and said fee or charge also entitles the patron of the amusement to the use of places of eating and/or other non-amusement facilities or services, such as nutritional instructions, weight loss counseling, diet counseling, cardiovascular examinations and counseling, ~~and instructions in~~ ~~weightlifting and other physical fitness activities~~, the tax provided for in this chapter shall be imposed on such fee or charge in its entirety, unless the Board of Trustees issues an allocation order setting forth the portions of such fee or charge which are and which are not subject to the tax provided for in this chapter. In such case said tax shall apply only to the portions of said fee or charge which the Board of Trustees determines to be subject to said tax. A person, firm or corporation obligated to pay the tax provided for in this chapter may apply for an allocation order by submitting a written application to the Village Clerk, on a form provided by the Village Administrator, together with an application fee in such amount as shall be established from time to time by a resolution or ordinance adopted by the Board of Trustees. The Village Administrator shall select a reasonable time and place for a hearing upon each application, provide the applicant with written notice thereof, by certified mail, not less than fifteen (15) days prior to such hearing, and shall preside over such hearing. Any party in interest may appear at such hearing in person or by attorney. The Village Administrator shall forward written recommendations to the Board of Trustees within thirty (30) days of the close of such hearing. The Village Administrator shall not recommend and the Board of Trustees shall not issue an allocation order unless the applicant establishes, by clear and convincing evidence at said hearing, that a specific portion or portions of the fee or charge are attributable to non-amusement services or facilities. An allocation order shall set forth the specific portion or portions of the fee or charge which are attributable to non-amusement services or facilities and the specific portion or portions thereof attributable to amusement services or facilities. From and after the issuance of an allocation order, the person, firm or corporation operating the subject place of amusement shall pay the tax specified hereinabove, with respect to the subject fee or charge, based only upon the portion or portions of the subject fee or charge attributable to amusement services or facilities.

Formatted: Highlight

~~As distinguished from private clubs operated on a not-for-profit basis, the persons, firms or corporations taxed hereunder shall be those operating places of amusement as a business for profit, irrespective of whether such amusement is offered generally to the public or requires a membership as a precondition to participation or observation of the amusement. (Ord. 92-O-14, 5-26-1992)~~

Formatted: Highlight

11-1-3: TIME OF PAYMENT:

The tax imposed herein shall be due and payable on the twenty fifth day of the month following the preceding calendar month during which the gross receipts were received. The tax shall be paid to and collected by the Village Clerk. (Ord. 77-O-40, 12-12-1977)

11-1-4: BOOKS AND RECORDS; SALE OR TRANSFER OF AMUSEMENT; NOTICE; MAINTENANCE OF RECORDS; FINAL AUDIT:



Each person, firm or corporation required to pay the tax provided for hereunder shall either personally or through his or its authorized agents, maintain complete books and records covering the operation of the amusement so taxed, indicating therein all receipts from the operation of said business, as herein defined. Such books and records shall be maintained on the premises wherein the amusement is so located and shall be subject to inspection by the Village or its authorized agents at all reasonable times.

Any person, firm or corporation liable for the payment of the Amusement Tax provided for hereunder shall give the Village thirty (30) days' prior written notice of the pending sale or transfer of ownership of any such amusement. Such person, firm or corporation shall maintain, within the corporate limits of the Village, complete books and records covering the operation of the amusement so taxed, for a period of six (6) months after such sale or transfer. These books and records shall be subject to a final audit by the Village or its authorized agents at all reasonable times.

Upon completion of any final audit, the books and records so maintained may be removed from the corporate limits of the Village, prior to the expiration of the six (6) month period provided for hereinabove, with the prior written approval of the Village Administrator. (Ord. 83-O-2, 1-24-1983)

11-1-5: EXEMPTIONS:

Any person, firm or corporation liable for the payment of the Amusement Tax provided for in this chapter shall be exempt from the payment of any Municipal license fee required under this Code, directly and specifically related to the activities constituting the Amusement Tax. (Ord. 77-O-13, 3-14-1977)

11-1-6: REPORTS:

On or before the twenty fifth day of each month each person, firm or corporation liable for the payment of a tax hereunder shall file with the Village Clerk a written report in such form as the Clerk may from time to time provide, stating the gross receipts collected during the proceeding month in the form of fees or charges as herein defined. (Ord. 77-O-10, 2-28-1977)

11-1-7: INTEREST AND PENALTIES:

Late payment, underpayment or nonpayment of any tax due hereunder shall be subject to interest and penalties as set forth in the locally imposed and administered tax rights and responsibility provisions of this Code. Any person, firm or corporation violating any other provision of this chapter, upon conviction thereof, shall be punished by a fine of not more than the maximum amount permitted by section 1-4-1 of this Code for each offense. A separate offense shall be deemed committed on each day during or on which a violation occurs or continues. In addition, if any violation is not corrected within ten (10) days after written notice from the Village Clerk of any violation, the person, firm or corporation responsible for the operation of the amusement with respect to which the violation occurs shall be prohibited from operating same for a period of thirty (30) days.

Nothing in this section shall be construed as limiting any additional or further remedies that the Village may have relating to the enforcement of this chapter, or the collection of the amount of any tax due hereunder. (Ord. 01-O-05, 2-12-2001)

Footnotes - Click any footnote link to go back to its reference.

Footnote 1: See subsection 3-1A-1-2 of this Code.

- + [Title 1 - ADMINISTRATIVE](#)
- + [Title 2 - BOARDS AND COMMISSIONS](#)
- x [Title 3 - BUSINESS REGULATIONS](#)**
 - + [Chapter 1: LICENSES](#)
 - + [Chapter 1A: LICENSE FEES](#)
 - + [Chapter 2: AUCTIONEERS](#)
 - + [Chapter 3: BARBERSHOPS](#)
 - + [Chapter 4: BOWLING ALLEYS; BILLIARD HALLS](#)
 - + [Chapter 5: TOBACCO DEALERS](#)
 - + [Chapter 6: DRY CLEANERS](#)
 - + [Chapter 7: GARAGES; FILLING STATIONS](#)
 - + [Chapter 8: HARDWARE; PAINT STORES](#)
 - + [Chapter 9: HOTELS; ROOMING HOUSES](#)
 - + [Chapter 10: LAUNDRIES](#)
 - + [Chapter 11: LUMBERYARDS](#)
 - + [Chapter 12: LIQUOR](#)
 - + [Chapter 13: SOLICITORS](#)
 - + [Chapter 14: FIRE INSURANCE COMPANIES](#)
 - + [Chapter 15: OCCUPATION TAXES](#)
 - + [Chapter 16: USE TAXES](#)
 - + [Chapter 17: LICENSING OF RAFFLES](#)
 - + [Chapter 18: INTER-TRACK WAGERING LOCATIONS](#)
 - + [Chapter 19: AMUSEMENT DEVICES](#)
 - + [Chapter 19A: VIDEO GAMING](#)
 - + [Chapter 20: CABLE AND VIDEO CUSTOMER PROTECTION L](#)
 - + [Chapter 21: CABLE/VIDEO SERVICE PROVIDER AND PEG AC](#)
- + [Title 4 - MUNICIPAL SERVICES](#)
- + [Title 5 - POLICE REGULATIONS](#)

Chapter 1

LICENSES

3-1-1: APPLICATIONS:

Applications for all licenses and permits required by ordinance shall be made in writing to the Village Clerk in the absence of provision to the contrary. Each application shall contain: a) the name of the applicant, b) the permit or license desired, c) the location to be used, if any, d) the time covered, and e) the fee to be paid. Each application also shall contain the number of the certificate of registration required under the Retailers' Occupation Tax Act, Service Occupation Tax Act, and/or Use Tax Act, if applicable. Each application shall contain such additional information as may be needed for the proper guidance of the Village officials in the issuing of the license or permit applied for. (Ord. 75-O-41, 12-17-1975)

3-1-2: FORM OF APPLICATION:

The President and Board of Trustees may provide such form or forms as they may from time to time deem necessary and appropriate. Said forms shall be available from the Village Clerk. (Ord. 84-O-30, 6-25-1984)

3-1-3: PERSONS SUBJECT TO LICENSE:

Whenever in this chapter, or in any Village ordinance, a license or permit is required for the maintenance, operation or conduct of any business or establishment, or for doing business or engaging in any activity or occupation, any person, firm or corporation shall be subject to the requirement if by himself or itself, or through an agent, employee or partner, he or it is held forth as being engaged in the business activity or occupation, or if he or it solicits patronage therefor, actively or passively; or if he or it performs or attempts to perform any part of such business, activity or occupation in the Village. (Ord. 75-O-41, 12-17-1975)

In the absence of provisions to the contrary such license or permit shall not be transferable to any other person, firm or corporation. (Ord. 90-O-25, 4-23-1990)

3-1-4: FORMS AND SIGNATURE:

Forms for all licenses and permits, and applications therefor, shall be prepared and kept on file by the Village Clerk. Each license or permit issued shall bear the signature of the Village President and the Village Clerk in the absence of any provisions to the contrary. (Ord. 75-O-41, 12-17-1975)

3-1-5: INVESTIGATIONS:

- (A) Upon the receipt of an application for a license or permit, where an investigation or inspection is required by ordinance before the issuance of such permit or license, or where an inspection or investigation shall be deemed reasonably necessary or appropriate, the Village Clerk, within forty eight (48) hours (2 working days) of such receipt, shall refer the application to the appropriate official(s) for the making of such investigation(s) or inspection(s).
- (B) The official(s) to whom the application has been referred shall make a report thereon, favorable or otherwise, within ten (10) days after receiving such application or a copy thereof. (Ord. 75-O-41, 12-17-1975)
- (C) The Director of Municipal Services shall make or cause to be made an inspection regarding such permits and licenses as related to the care and handling of food, the prevention of nuisances and the spread of disease, and the protection of health. The Building Department shall make or cause to be made any inspections which relate to compliance with the Building Code, zoning ordinance and other related regulations. All other investigations, except where otherwise provided, shall be made by the Chief of Police or by some other officer designated by the Village President. (Ord. 75-O-41, 12-17-1975; amd. Ord. 78-O-20, 4-24-1978; Ord. 85-O-11, 3-25-1985; Ord. 05-O-32, 11-14-2005)
- (D) Upon receipt of all related investigative reports, the Village Clerk shall forward such reports, together with the application, to the Village President and Board of Trustees for evaluation and determination.
- (E) If it shall appear to the Corporate Authorities that the matters and circumstances relating to an application require further information before a proper determination can be made, such application shall be returned to the Village Clerk for the inclusion of such additional information as may be specified necessary and appropriate.
- (F) If, after due consideration of the information contained within the application and the related investigative reports, the Corporate Authorities shall determine that the matters concerning the application are unsatisfactory, they may disapprove such application, indicating the reasons therefor. Thereupon, the Village Clerk shall be directed to promptly notify the applicant that his application is disapproved, and that no license or permit will be issued.
- (G) If, after due consideration of the information contained within the application and the related investigative reports, the Corporate Authorities shall determine that the application is satisfactory, they shall approve the application. Thereupon, the Village Clerk shall be directed to promptly notify the applicant that his application is approved, and the license or permit may be issued. (Ord. 75-O-41, 12-17-1975)

3-1-6: PAYMENT OF FEES:

In the absence of provision to the contrary, all fees and charges for licenses or permits shall be paid in advance at the time application therefor is made to the Village Clerk in the amounts prescribed in the schedule set forth in chapter 1A of this title. When an applicant has not engaged in the business or activity until after the expiration of part of the current license year the license fee shall be prorated by quarters and

the fee paid for each quarter or fraction thereof during which the business or activity has been or will be conducted. Except as otherwise provided, all license and permit fees shall become a part of the Corporate Fund. In no event shall any rebate or refund be made of any license or permit fee, or part thereof, by reason of death or departure of the licensee or permittee; nor shall any rebate or refund be made by reason of nonuse of the license or discontinuance of the operation or conduct of the licensed establishment, business or activity. (Ord. 75-O-41, 12-17-1975)

3-1-7: TERMINATION OF LICENSES:

All annual licenses shall be operative and the license year for the Village shall commence on January 1 of the same year, where no provision to the contrary is made. (Ord. 75-O-41, 12-17-1975)

3-1-8: BUILDING AND PREMISES:

No license shall be issued for the conduct of any business, and no permit shall be issued for any purpose or activity, if the premises and building to be used for the purpose do not fully comply with all applicable ordinances and regulations of the Village and the State of Illinois. (Ord. 75-O-41, 12-17-1975)

3-1-9: CHANGE OF LOCATION:

The location of any licensed business or occupation, or the location of any permitted act, may be changed provided that ten (10) days' notice thereof is given to the Village Clerk in the absence of any provision to the contrary; provided, however, that all applicable ordinances and regulations of the Village shall be complied with. (Ord. 75-O-41, 12-17-1975)

3-1-10: LOCATION:

No license for the operation of a business or establishment in the Village shall be construed to permit the operation of a licensed business or establishment in more than one location in the Village; a separate license shall be required for each location of a licensed establishment. (Ord. 75-O-41, 12-17-1975)

3-1-11: NUISANCES PROHIBITED:

(A) Generally: No business or establishment, whether or not licensed, shall be so conducted or operated as to constitute a nuisance in fact; and no building, vehicle, structure, yard, lot, premises, or part thereof, shall be used, kept, maintained or operated in connection with any business or establishment so as to occasion any nuisance, or so as to be dangerous to life or detrimental to health.

(B) Unsafe Or Unhealthful Business:

1. No building or structure, utilized, constructed, or maintained in connection with any business or occupation, shall evidence an unsanitary, unsafe, or dangerous condition.
2. No substance, matter or thing of any kind whatever, which shall be dangerous or detrimental to health, shall be allowed to exist in connection with any business or occupation, or be used in any work or labor performed in the Village. (Ord. 75-O-41, 12-17-1975)

(C) Refuse Disposal: All refuse generated by any business or occupation shall be disposed of in accordance with the provisions of this Code. The failure to dispose of refuse as provided for in this Code shall constitute a nuisance. (Ord. 87-O-44, 10-26-1987)

3-1-12: WORKING CONDITIONS:

(A) Health Requirements: No owner, lessee, manager or superintendent of any store, factory, workshop or other place where persons are employed shall cause or permit such place, or any room or part thereof, to be overcrowded or inadequate or faulty in respect to light, ventilation, heat or cleanliness.

(B) Sanitation: All such places of employment shall be kept in a clean condition, free from the effluvia of a sewer, drain, privy, stable or other nuisance; also as far as practicable, such premises shall be free from all gases, vapors, dust or other impurities generated by manufacturing processes or otherwise which are injurious to health. Sufficient washroom facilities for male and female employees shall be provided and such facilities shall be properly ventilated.

(C) Heat Required:

1. It shall be the duty of every person owning or controlling the heating plant which furnishes heat to any factory or workshop, to maintain a temperature within such factory or workshop of not less than sixty eight degrees Fahrenheit (68°F) without such undue restriction of ventilation as to interfere with proper sanitary conditions therein; provided, however, that this requirement shall not apply to any factory or workshop where the business conducted therein is of such a nature that a higher or lower temperature than sixty eight degrees Fahrenheit (68°F) is necessary or expedient for the work or manufacturing processes of such business. Such temperature shall be maintained at all times during which such factory or workshop shall be in operation.

2. It shall be the duty of any person owning or controlling the heating plant which furnishes heat to any office, store or other place of employment to maintain a temperature therein of not less than sixty eight degrees Fahrenheit (68°F) without such undue restriction of ventilation as to interfere with proper sanitary conditions therein, between the hours of eight o'clock (8:00) A.M. and six o'clock (6:00) P.M. from October 1 of each year to June 1 of the succeeding year. Such temperature shall be maintained each day such office, store or other place of employment shall be occupied or open for business. (Ord. 75-O-41, 12-17-1975)

(D) Inspection: The Director of Municipal Services shall visit or cause to be visited all such places of employment in the Village as often as they shall deem necessary to assure compliance with the provisions of this section, and to have such arrangements made as may be deemed necessary for the

health and safety of the employees. (Ord. 75-O-41, 12-17-1975; amd. Ord. 78-O-20, 4-24-1978; Ord. 85-O-11, 3-25-1985; Ord. 05-O-32, 11-14-2005)

3-1-13: INSPECTIONS:

- (A) Whenever inspections of the premises used for or in connection with the operation of a licensed business or occupation are provided for or required by ordinance, or are reasonably necessary to assure compliance with the provisions of any ordinance or regulation of the Village, or to detect violations thereof, it shall be the duty of the licensee or the person in charge of the premises to admit thereto for the purpose of making the inspection any officer or employee of the Village who is duly authorized to make such inspection at any reasonable time that such admission or entry is requested.
- (B) Whenever an analysis of any commodity or material is reasonably necessary to assure compliance with the provisions of any ordinance or regulation, or to detect violations thereof, it shall be the duty of the licensee or the person in charge of the premises to give to any duly authorized officer or employee of the Village requesting the same sufficient samples of such material.
- (C) In addition to any other penalty which may be provided, the Village President may revoke the license of any owner or operator of a licensed business in the Village who refuses to permit any duly authorized officer or employee to make such inspection or to take an adequate sample of said commodity, or who interferes with such officer or employee while in the performance of his duties; provided, however, that no license shall be subject to revocation for such cause unless such officer or employee has been refused permission, first having presented a warrant authorizing such entry. (Ord. 75-O-41, 12-17-1975)

3-1-14: SUSPENSION, REVOCATION OF LICENSE OR PERMIT:

- (A) When the conduct or operation of any business or establishment, whether or not licensed, shall constitute a violation of the terms of this chapter, the Village President shall be authorized to summarily order the cessation of business, the closing of the premises, and the suspension of any license or permit for a period not to exceed ten (10) days.
- (B) Within eight (8) days after he has so acted, the Village President shall call a hearing for the purpose of determining whether or not the license or permit should be revoked.
- (C) Licenses and permits issued under the ordinances of the Village, unless otherwise provided, may be revoked by the Village President after notice and hearing as provided in subsections (D) and (E) of this section for any of the following causes:
 1. Any fraud, misrepresentation, or false statement contained in the application for the license or permit;
 2. Any violation by the licensee or permittee of ordinance provisions relating to the license or permit, the subject matter of the license or permit or the premises occupied;

3. Conviction of the licensee or permittee of any felony or of a misdemeanor involving moral turpitude;
4. Failure of the licensee or permittee to pay any fine or penalty owing to the Village;
5. Refusal to permit an inspection or sampling, or any interference with a duly authorized Village officer or employee while in the performance of his duties in making such inspections, as provided in section 3-1-12 of this chapter.

Such revocation, if ordered, shall not preclude prosecution and imposition of any other penalties provided for the violation of other applicable ordinances of the Village.

(D) Notice of the hearing for revocation of a license or permit shall be given in writing setting forth specifically the grounds of the complaint and the time and place of the hearing. Such notice shall be sent by certified mail (return receipt requested) to the licensee or permittee at his last known address at least five (5) days prior to the date set for the hearing.

(E) At the hearing the Village Attorney shall present the complaint and shall represent the Village. The licensee or permittee shall be permitted counsel and shall have the right to submit evidence and cross examine witnesses. The Village President shall preside and shall render the decision. (Ord. 75-O-41, 12-17-1975)

3-1-15: APPEAL:

Any person aggrieved by the decision of the Village President in regard to the denial of an application for a business license, as provided in section 3-1-5 of this chapter, or in connection with the revocation of a license or permit, as provided in section 3-1-14 of this chapter, shall have the right to appeal to the Board of Trustees. Such appeal shall be taken by filing with the Village Clerk, within ten (10) days after notice of a denial of an application or a revocation of a license or permit, a written statement under oath setting forth specifically the grounds for appeal. The Board of Trustees shall thereupon set the time and place for a hearing on such appeal, and notice of such hearing shall be given to the applicant or licensee or permittee in the same manner as provided in section 3-1-14 of this chapter. The decision of the Board of Trustees on such appeal shall be final. (Ord. 75-O-41, 12-17-1975)

3-1-16: LICENSE TO BE POSTED:

It shall be the duty of every person conducting a licensed business in the Village to keep his license posted in a prominent place on the premises used for such business at all times. (Ord. 75-O-41, 12-17-1975)

3-1-17: BUSINESS VEHICLE STICKER:

Whenever the number of vehicles used is the basis, in whole or in part, for a license fee, the Village Clerk shall furnish the licensee with a tag or sticker for each vehicle covered by the license, and such tag or

sticker shall be posted or affixed in a conspicuous place on each such vehicle. (Ord. 75-O-41, 12-17-1975)

3-1-18: PENALTY:

Any person, firm or corporation who shall be convicted of violating any provision of this title shall be fined an amount as provided in section 1-4-1 of this Code. (Ord. 84-O-30, 6-25-1984)

Chapter 1A

LICENSE FEES

3-1A-1: FEES ENUMERATED:

License fees under the terms of activities and uses set forth shall be as follows:

1.	Ambulance service (for each ambulance)		\$ 60.00 per year	
2.	Amusements ¹ :			
	(a)	Jukeboxes or other musical devices - coin operated (per machine or device)		125.00 per year
	(b)	Amusement devices or coin operated rides or games (per machine or device)		100.00 per year
	(c)	Circus or sideshow		\$500.00 per week plus \$100.00 per ride per week
	(d)	Commercial playground or amusement park		\$500.00 per week plus \$100.00 per ride per week
	(e)	Theater (motion picture or dramatic):		
		(1) Seating capacity 1 to 500		\$1,000.00 per year
		(2) Seating capacity 501 to 1,000		1,500.00 per year
		(3) Seating capacity over 1,000		2,000.00 per year
		(4) Outdoor drive-in		4,000.00 per year
	(f)	Public dance hall		1,000.00 per year
	(g)	Public skating rink		500.00 per year
	(h)	Automobile, boat or other exhibitive show		1,000.00 per week
	(i)	Recreational amusements operated for profit, including, but not by way of limitation, tennis courts, miniature golf and golf driving ranges		200.00 per year
	(j)	Concert, minstrel or musical entertainment (except as otherwise provided in this section):		
		(1) Ticket sales 1 to 2,000		\$100.00 per performance

		(2) Ticket sales 2,001 or more	\$1,000.00 per performance
	(k)	Fireworks display	\$2,000.00 per day
	(l)	Horse or dog show	50.00 per day
	(m)	Rodeo	100.00 per day
	(n)	Stock or poultry show	50.00 per day
3.	Athletic contests and exhibits (excluding such contests and exhibits as may be sponsored by any duly constituted school or park district):		
	(a)	Seating capacity 1 to 25	50.00 per day
	(b)	Seating capacity 26 to 100	70.00 per day
	(c)	Seating capacity 101 to 1,000	200.00 per day
	(d)	Seating capacity over 1,000	1,000.00 per day
4.	Auctioneers		40.00 per day
5.	Billiard and pool tables		\$55.00 per table per year
6.	Banks and savings and loans		\$125.00 per year
7.	Barbershops, hair salons, nail salons		\$55.00 per chair per year
8.	Bowling alleys		\$100.00 per year
9.	Brokers and agents, excepting therefrom insurance brokers and agents and real estate brokers and agents		200.00 per year
10.	Carnivals		\$500.00 per week plus \$100.00 per ride per week \$50.00 per booth per week
11.	Dealers of intoxicating beverages		See <u>chapter 12</u> of this title
12.	Dry cleaners		\$ 80.00 per year
13.	Dispensaries (medical) (not pharmacies)		70.00 per year
14.	Explosives or combustibles (any business or operation handling or storing combustibles):		
	(a)	Fixed storage capacity:	

		(1) 0 to 4,000 gallons	125.00 per year
		(2) Over 4,000 gallons	\$125.00 per year plus \$10.00 per each thousand gallons over 4,000 gallons
	(b)	Nonfixed storage capacity (more than 1,000 gallons):	
		(1) Hardware and paint stores	\$ 80.00 per year
		(2) Industrial usage or storage	225.00 per year
		(3) Other	200.00 per year
15.	Florists		80.00 per year
16.	Food dealers (including dealers having liquor licenses under <u>chapter 12</u> of this title):		
	(a)	Restaurants:	
		(1) Seating capacity 1 to 50	175.00 per year
		(2) Seating capacity 51 to 100	275.00 per year
		(3) Seating capacity 101 and over	\$275.00 per year plus \$2.00 for each additional seat
		(4) All drive-in or fast food restaurants (irrespective of seating capacity)	\$225.00 per year plus \$2.00 for each seat
	(b)	Caterers (operating from location within the Village)	\$ 80.00 per year
	(c)	Food manufacturers (license fee shall be determined in accordance with subsection 28 of this section)	
	(d)	Itinerant vendor (each vehicle whose place of business is not within the corporate limits of the Village but does retail business within the corporate limits of the Village)	70.00 per year
17.	Hawkers, peddlers, transient vendors and itinerant merchants (except for such persons conducting or transacting their business within an indoor exhibit hall or room located within a facility otherwise licensed by the Village of Willowbrook)		\$110.00 per person per day
18.	Heating, air conditioning and refrigeration contractors		\$100.00 per year
19.			

	Hospitals, convalescent and nursing homes, assisted living centers, and sanatoriums	\$20.00 per bed per year
20.	Hotels, motels, and rooming houses (with sleeping accommodations for 20 persons or more)	\$60.00 per year plus \$20.00 per unit or room per year
21.	Laundries:	
	(a) Without self-service machines	\$70.00 per year
	(b) With machines	\$15.00 per machine per year
22.	Livery stables, boarding or sale	\$ 70.00 per year
23.	Lumber, coal and other combustible material storage yards	200.00 per year
24.	Automobile dealers:	

Building	
Floor Area In Square Feet	
0 to 40,000	\$ 500.00 per year
40,001 to 75,000	750.00 per year
75,001 and over	1,000.00 per year

25.	Machine shops	70.00 per year
26.	Public parking garages, lots and ramps	\$2.00 per stall per year
27.	Pawnbrokers	\$70.00 per year
28.	Retail, service, wholesale and manufacturing establishments:	

Floor Area In Square Feet	
0 to 5,000	\$ 100.00 per year
5,001 to 10,000	200.00 per year
10,001 to 15,000	300.00 per year
15,001 to 20,000	400.00 per year
20,001 to 40,000	500.00 per year

	40,001 to 75,000	750.00 per year
	75,001 to 100,000	1,000.00 per year
	100,001 to 150,000	1,250.00 per year
	150,001 to 175,000	1,500.00 per year
	175,001 and over	1,750.00 per year

	Floor Area Applicable: Floor area shall be calculated as herein defined. Total floor area applicable for the determination of the yearly license fee shall include the sum total of all the floor area in use or reserved for or retained for the use of the commercial establishment, including, but not restricted to, principal and accessory floor area, cellars and basements, storage or detached accessory building, even though any such floor area may be temporarily vacant or not in use.	
29.	Scavengers and garbage collectors	See subsections 6-6-2(D) and 6-6-3(D) of this Code
30.	Dealers in secondhand articles	\$ 70.00 per year
31.	Steam boiler operator	100.00 per year
32.	Street sales	50.00 per day
33.	Taxicabs, limousines, draymen, carters, expressmen, hackmen, omnibus drivers, and porters (when based within corporate limits of the Village)	\$70.00 per vehicle per day
34.	Undertakers	\$200.00 per year
35.	Vending machines (except tobacco or cigarette vending machines)	\$15.00 per machine per year
36.	Video gaming license	\$25.00 per machine per year

(Ord. 13-O-37, 10-14-2013; amd. Ord. 14-O-06, 1-27-2014; Ord. 17-O-21, 11-27-2017)

Chapter 4

BOWLING ALLEYS; BILLIARD HALLS

3-4-1: LICENSE REQUIRED:

Any person desiring to operate a bowling alley, billiard parlor or pool hall shall first secure a license so to do as required by chapter 1 of this title. (1973 Code; amd. Ord. 77-O-10, 2-28-1977)

3-4-2: HOURS OF OPERATION:

No person conducting or operating a public bowling alley, billiard parlor or pool hall in the Village shall use or permit the same to be used after one o'clock (1:00) A.M. to six o'clock (6:00) A.M. or on Sunday between the hours of two o'clock (2:00) A.M. to nine o'clock (9:00) A.M. The hours mentioned herein shall be Central Standard Time except when daylight-saving time is in effect, and then said hours shall be Central Daylight-Saving Time. (Ord. 63-O-27, 9-23-1963)

3-4-3: SALE OF LIQUOR; GAMBLING; DISORDERLY CONDUCT:

No person conducting or operating a public bowling alley, pool hall or billiard parlor in the Village shall permit any gambling or riotous or disorderly conduct in or about the premises so occupied and shall permit the sale of any beer or other alcoholic beverage and the use of pinball machines or other amusement devices, only as provided for by this Code. (Ord. 98-O-10, 3-9-1998)

Chapter 19

AMUSEMENT DEVICES

3-19-1: DEFINITIONS:

As used in this section, unless the context otherwise requires, the following words and terms shall be construed as herein defined:

AMUSEMENT DEVICE: Any machine, game, table or other device designed, intended, displayed or kept as an amusement game or test of skill and for the playing of which a charge is made. Amusement device, when used herein, shall include, but not be limited to, devices commonly known as pinball machines, billiard machines, bagatelle, pigeonhole, electronic darts, shuffleboards, bowling machines, coin-operated games of skill, marble machines, electronic games, skill ball, mechanical grab machines, prize crane, video games or other electronic devices utilizing a television-like screen or other similar display and all games, operations, or transactions similar thereto under whatever name they may be indicated, but shall not include regulation bowling alleys or pool or billiard tables. Amusement devices shall include, but not be limited to, any machine which, upon the insertion of a coin, slug, token, plate or disk, or the use of which is made available for any valuable consideration, may be operated by the public generally for use as a game, entertainment or amusement, whether or not registering a score.

CASINO ENTERTAINMENT DEVICE: Any amusement device, other than a pool table, which features a video display or other game involving a classic gambling, casino or Las Vegas-style theme, such as poker, video poker, keno, blackjack, video slot machine or similar themed games and all games, operations, or transactions similar thereto under whatever name they may be indicated.

PROPRIETOR: Any person who, as an owner, lessee, franchisee or operator, has under his or its control any business in or at which an amusement device(s) is placed or kept for use or play, or in exhibition for the purpose of use or play. (Ord. 98-O-10, 3-9-1998)

3-19-2: LICENSE REQUIRED:

No person shall engage in the business of being the proprietor of an amusement device(s) without first having obtained a license therefor pursuant to this chapter. (Ord. 98-O-10, 3-9-1998)

3-19-3: APPLICATION FOR LICENSE:

Application for a license hereunder shall be made in writing to the Village Clerk and shall be processed as otherwise provided in this title. (Ord. 98-O-10, 3-9-1998)

3-19-4: LICENSE FEE:

The license fee for each "amusement device" as herein defined shall be as otherwise set forth in this title; provided, however, that no fee shall be charged for a license so long as amusement devices are subject to the Amusement Tax otherwise provided for in title 11, chapter 1 of this Code. (Ord. 98-O-10, 3-9-1998)

3-19-5: PROHIBITIONS:

Except as may otherwise be authorized by State law or by chapter 19A of this title, the operation of the following devices is prohibited within the corporate limits of the Village:

- (A) Casino entertainment devices or simulated gaming devices.
- (B) Any amusement device which makes graphic, video or audio representations which are distinguished or characterized by their emphasis of matter depicting, describing or relating to "specified sexual activities" or "specified anatomical areas" as those terms are defined in the Village's zoning ordinance; provided, however, that such devices shall be permitted if otherwise meeting the requirements of this chapter and all other provisions of this Code, including, but not limited to, the Village's zoning ordinance. (Ord. 14-O-01, 1-13-2014)

3-19-6: GAMBLING PROHIBITED:

- (A) Gambling Prohibited: Except as may otherwise be authorized by State law or by chapter 19A of this title, a proprietor shall not allow any amusement device, casino entertainment device or simulated gaming device to be used for purposes of, or in connection with the wagering of money, goods or merchandise upon the outcome of the use or manipulation of such device, or to otherwise be used for purposes of gambling.
- (B) Replays To Players: A proprietor, operator or person in charge of an amusement device may permit free replays to players on the basis of the player's skill, accumulated score, or any other means, and a machine may record or indicate free replays; provided, however, no amusement device shall provide or contain or have attached thereto a "knockoff" device or switch and at no time, except at the close of the day's business, may such a proprietor, operator or person eliminate free replays registered and remaining on any device after use by any person. No evidence of entitlement to accumulated games or to play any device, nor cash, nor anything of value shall be given to any person in acknowledgment of or for the accumulation of any score or replays by any player. (Ord. 14-O-01, 1-13-2014)

3-19-7: LOCATION:

Amusement devices may be permitted only in or on those premises holding a liquor license under this title; provided, however, that no establishment containing amusement devices shall be located within one thousand feet (1,000') of the property line of an educational institution that minors attend. (Ord. 98-O-10, 3-9-1998)

3-19-8: GENERAL LIMITATIONS:

- (A) A maximum of fifteen (15) amusement devices shall be permitted at any one location. (Ord. 03-O-03, 2-10-2003)
- (B) There shall be a minimum of forty (40) square feet of floor area, exclusive of aisles and exit areas, dedicated for each amusement device. No other use, object, amusement device or activity relating to any other use shall be permitted within the dedicated floor area.
- (C) No amusement device, nor the floor area dedicated to said device, shall be located within a required aisle, passageway, or exitway or in any other fashion that is contrary to the requirements stipulated in the Village's Building Code or any other provisions of this Code. (Ord. 98-O-10, 3-9-1998)

Chapter 19A

VIDEO GAMING

3-19A-1: DEFINITIONS:

As used in this chapter, the following terms shall have the following meanings:

APPLICANT: A person applying for a video gaming license under this chapter.

CODE: The Code of ordinances of the Village of Willowbrook, DuPage County, Illinois.

FRATERNAL ORGANIZATION: An organization or institution organized and conducted on a not for profit basis with no personal profit inuring to anyone as a result of the operation and that is exempt from Federal income taxation under section 501(c)(8) or (c)(10) of the Internal Revenue Code.

GAME: A gambling activity that is played for money, property or anything of value, including, without limitation, those played with cards, chips, tokens, vouchers, dice, implements, or electronic, electrical or mechanical devices or machines.

ILLINOIS GAMING BOARD: The board created by the Illinois legislature to regulate video gaming by the State of Illinois.

LICENSED ESTABLISHMENT: Any retail liquor licensed premises in the Village where alcoholic liquor is drawn, poured, mixed, or otherwise served for consumption on the premises.

LICENSED FRATERNAL ESTABLISHMENT: The location in the Village where a qualified fraternal organization that derives its charter from a national fraternal organization regularly meets.

LICENSED TERMINAL HANDLER: A person, including, but not limited to, an employee or independent contractor working for a manufacturer, distributor, supplier, technician, or terminal operator, who is licensed under the Video Gaming Act to possess or control a video gaming terminal or to have access to the inner workings of a video gaming terminal. A licensed terminal handler does not include an individual, partnership, corporation, or limited liability company defined as a manufacturer, distributor, supplier, technician, or terminal operator under the Video Gaming Act.

LICENSED VETERANS' ESTABLISHMENT: The location in the Village where a qualified veterans' organization that derives its charter from a national veterans' organization regularly meets.

LICENSED VIDEO GAMING LOCATION: A licensed establishment, licensed fraternal establishment or a licensed veterans' establishment, all as defined in section 5 of the Video Gaming Act and this chapter that holds a valid permit issued by the Illinois Gaming Board and an authorization granted by the Village permitting the licensee to locate one or more, but not more than five (5) video gaming terminals at the establishment.

LICENSEE: The person, firm or entity to whom an authorization granted by the Village permitting it to engage in the defined activities of video gaming.

LIQUOR COMMISSIONER: The Liquor Commissioner of the Village or his/her designee.

LIQUOR LICENSE: A local retail license issued by the Village authorizing the holder to sell and offer for sale at retail alcoholic liquor for use or consumption on the premises.

STATE: The State of Illinois.

STATE LICENSE: Authorization granted by the Illinois Gaming Board permitting a licensee to engage in the defined activities of video gaming.

TERMINAL OPERATOR: An individual, partnership, corporation, or limited liability company that is licensed under the Video Gaming Act and that owns, services, and maintains video gaming terminals for placement in licensed video gaming locations in the Village.

VETERANS' ORGANIZATION: An organization or institution organized and conducted on a not for profit basis with no personal profit inuring to anyone as a result of the operation and that is exempt from Federal income taxation under section 501(c)(19) of the Internal Revenue Code (26 USC 501(c)(19)).

VIDEO GAMING ACT: The Illinois Video Gaming Act¹.

VIDEO GAMING LICENSE: Authorization granted by the Village permitting a licensee to locate a video gaming terminal at a permitted location in the Village.

VIDEO GAMING TERMINAL: Any electronic video game machine that, upon insertion of cash, is available to play or simulate the play of a video game, including, but not limited to, video poker, line up, and blackjack, as authorized by the Illinois Gaming Board utilizing a video display and microprocessors in which the player may receive free games or credits that can be redeemed for cash. The term does not include a machine that directly dispenses coins, cash, or tokens or is for amusement purposes only.

VILLAGE: The Village of Willowbrook, DuPage County, Illinois. (Ord. 13-O-31, 8-12-2013)

3-19A-2: LICENSE REQUIRED:

It shall be unlawful to permit, suffer or allow video gaming within the Village, except as otherwise permitted by the Video Gaming Act, 230 Illinois Compiled Statutes 40/1 et seq., and this chapter. For the purposes of this section, gambling shall be defined in accordance with the definition ascribed thereto, from time to time, in 720 Illinois Compiled Statutes 5/28-1 et seq. (Ord. 13-O-31, 8-12-2013)

3-19A-3: APPLICATION FOR LICENSE:

No person, corporation, or partnership shall display or offer for play any video gaming terminal within the Village without first having applied for and received a Village video gaming terminal license for each video gaming terminal located on the licensed premises. The license fee shall be as set forth in section 3-1A-1 of this title. (Ord. 13-O-31, 8-12-2013)

3-19A-4: VIOLATIONS:

Any person, corporation, or partnership violating the provisions of this chapter shall be fined in an amount not to exceed seven hundred fifty dollars (\$750.00) for each violation. Each day that a violation exists shall constitute a separate offense. (Ord. 13-O-31, 8-12-2013)