

amusement devices

ORDINANCE NO. _____

AN ORDINANCE AMENDING AMUSEMENT DEVICE LICENSES

BE IT ORDAINED by the Village Council of the Village of Downers Grove in DuPage County, Illinois, as follows: (Additions are indicated by /underline; deletions by ~~strikeout~~):

Section 1. That Section 8.48. is hereby amended to read as follows:

8.48. Amusement devices--Licenses required.

No person shall engage in the business of keeping or providing any amusement device as defined in Section 8-47 for public use within the Village without first having obtained a license therefor from the Village Clerk. For purposes of this section, any person that keeps or provides more than ~~one~~five amusement devices for public use within the Village shall be conclusively presumed to be engaged in the business of keeping or providing amusement devices for public use. (Ord. No. 2167, § 6; Ord. No. 2494, § 1; Ord. No. 2685, § 1; Ord. No. 2816, § 1.)

Section 2. That Section 8.51. is hereby amended to read as follows:

8.51. Conditions and regulations; violation; penalty.

(a) In addition to any other condition or regulation contained in this Code or in the statutes of the State of Illinois, the following conditions and regulations shall be applicable to and shall govern and control the business of keeping or providing amusement devices for public use within the Village:

1. The amusement devices shall be an accessory use to the primary business located on the premises.
2. The walls, ceiling or floor, or any combination thereof, of the building or structure, or portion thereof, containing such devices shall be insulated or otherwise constructed so that no noise or vibration that is detectable without the aid of any mechanical device or instrument will be allowed beyond the outer perimeter of the licensed premises.
3. No amusement device shall 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 otherwise used for purposes of gambling as defined in Section 15-16.
4. No person under fifteen years of age shall be allowed on the licensed premises during regularly scheduled school hours unless accompanied by a parent, teacher, guardian or an adult member of the immediate family of such person.
5. At all times during the hours of operation of the licensed premises, there shall be present one of the managers who has filed the required application information with the Village Clerk pursuant to Section 8-49(a) and has been determined to meet all standards of Section 8-2(a)(b) of this chapter. Each such manager shall be not less than twenty-five years of age in order to provide adequate control and supervision of the licensed premises and the use of the amusement devices present therein.
6. Upon a change of a manager conducting business for the licensee, the licensee shall, within ten regular business days, give the Village Clerk written notice of such change by actual delivery or by registered or certified mail. The licensee shall thereafter, as promptly as practicable, but in any event within five regular business days, provide the information concerning the new manager which is required in Section 8-49(a) of this Chapter.
7. No amusement device business shall be located within one thousand feet of any public or private school or within two hundred feet of any ~~residential structure property which is zoned for residential purposes pursuant to the Zoning Ordinance of the Village.~~ Such distances shall be measured

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along a straight line, without regard to intervening structures or objects, from the nearest customer entrance to the amusement device business to the nearest property line of a school or ~~to the nearest residential structure of property zoned for residential use~~ in the Village.

(b) It shall be unlawful for any person licensed to engage in the business of keeping or providing amusement devices for public use within the Village to fail to comply with the conditions and regulations set forth in subsection (a) of this section or to suffer or permit noncompliance with such conditions and regulations on or within the licensed premises. (Ord. No. 2167, § 6; Ord. No. 2399, § 4; Ord. No. 2494, § 4; Ord. No. 2541, § 13; Ord. No. 2685, § 4; Ord. No. 2816, § 1; Ord. No. 3019, § 1.)

Section 2. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 3. That this ordinance shall be in full force and effect from and after its passage and publication in the manner provided by law.

Mayor

Passed:

Published:

Attest: _____

Village Clerk