



CITY OF AURORA, ILLINOIS

ORDINANCE NO. 023-081
DATE OF PASSAGE November 14, 2023

An Ordinance Amending Chapter 8 - Division 8-IV-6 Pertaining to Video Gaming.

WHEREAS, the City of Aurora has a population of more than 25,000 persons and is, therefore, a home rule unit under subsection (a) of Section 6 of Article VII of the Illinois Constitution of 1970; and

WHEREAS, subject to said Section, a home rule unit may exercise any power and perform any function pertaining to its government and affairs for the protection of the public health, safety, morals, and welfare; and

WHEREAS, there are reports of numerous unlicensed and unregulated video gaming machines in operation within the City of Aurora; and

WHEREAS, while there exists legislation at the State and local levels regulating video gaming machines, business owners have found a loophole in this legislation wherein they feel they can operate video gaming machines in their businesses under the guise of amusement devices; and

WHEREAS, it is in the best interest of public health, safety and welfare of the City of Aurora residents to prohibit the use of unregulated video gambling devices; and

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Aurora, Illinois, as follows:

Section One: That Chapter 8 - Division 8-IV-6 of the Code of Ordinance shall be and hereby are amended as set forth in Exhibit A.

Section Two: That this Ordinance shall be in full force and effect, and shall be controlling, upon passage and approval.

Section Three: That all Ordinances or parts of Ordinances in conflict herewith are hereby repealed insofar any conflict exists.

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Section Four: That any section, phrase or paragraph of this Ordinance that is construed to be invalid, void or unconstitutional shall not affect the remaining sections, phrases or paragraphs of this Ordinance which shall remain in full force and effect.

Section Five: That the City Clerk shall cause this Ordinance to be published in pamphlet form upon its passage.

ORDINANCE NO. 023-081

LEGISTAR NO. 23-0806

PASSED AND APPROVED ON November 14, 2023

AYES 11 NAYS 0 NOT VOTING 1 ABSENT 0

ALDERMAN	Vote
Alderman Llamas, Ward 1	yes
Alderwoman Garza, Ward 2	yes
Alderman Mesiacos, Ward 3	yes
Alderman Donnell, Ward 4	yes
Alderman Franco, Ward 5	yes
Alderman Saville, Ward 6	yes
Alderman Tolliver, Ward 7	yes
Alderwoman Smith, Ward 8	yes
Alderman Bugg, Ward 9	yes
Alderwoman Baid, Ward 10	yes
Alderman Laesch, At Large	yes
Alderman Woerman, At Large	recused

ATTEST:

Jennifer Stallings
City Clerk

D. R. L. L.
Mayor

1 **DIVISION 8-IV-6 ENFORCEMENT**

2 **Sec 8-136 Penalty**

3 **Sec 8-137 Compliance Monitored By City**

4 **Sec 8-138 Suspension Or Revocation**

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7 **Editor's note**— Ord. No. O12-068, § 4, adopted Aug. 28, 2012, redesignated Div. 5, §§
8 8-130—8-132, as Div. 6, §§ 8-136—8-138 to read as set out herein.

9 **Sec 8-136 Penalty**

10 Any person violating any of the provisions of this **article chapter** shall, upon conviction, be
11 punished as provided in section 1-10 **unless otherwise specified**.

12 (Ord. No. O96-105, § 1, 9-24-96; Ord. No. O12-068, § 4, 8-28-12)

13 **Sec 8-137 Compliance Monitored By City**

14 The city treasurer, the **director of inspections and permits compliance officer** and the chief
15 of police, or their respective designees, each has the authority to monitor compliance with
16 the provisions of this article.

17 (Ord. No. O96-105, § 1, 9-24-96; Ord. No. O12-068, § 4, 8-28-12)

18 **Sec 8-138 Suspension Or Revocation**

19 1. Licenses issued under this article may be revoked or suspended for a period not
20 to exceed thirty (30) days and the holder of such a license may be fined up to five
21 hundred dollars (\$500.00) per day per violation or device, plus costs for any of the
22 following causes:

- 23 1. Any fraud, misrepresentation or false statement contained in the application
24 for the license.
25 2. Any violation by the licensee of ordinance or state statutory provisions
26 relating to the license, the subject matter of the license, or the premises
27 occupied.
28 3. Conviction of the licensee or manager of any crime described in sections 8-
29 104, 8-115, 8-127, or 8-130 as applicable.
30 4. Failure of the licensee to pay any amount, fine or penalty owing to the city.
31 5. The occurrence of two (2) or more disturbances at the premises occupied
32 within a ninety-day period, or two (2) or more incidents involving injury or
33 bodily harm to patrons, bystanders or police officers within a ninety-day
34 period, provided that the mayor finds, upon the recommendation of the
35 police chief, that as a result of the disturbances or incidents involving injury
36 or bodily harm a public nuisance exists therein or threat endangering the

- 1 health, safety and welfare of the citizens of the city. This paragraph shall
2 not apply to a distributor.
- 3 2. Additionally, a distributor's license may be revoked or suspended in accordance
4 with this section for violating section 8-102.
- 5 3. Such revocation, if ordered, shall not preclude prosecution and imposition of any
6 other penalties provided for the violation of other applicable ordinances.
- 7 4. Complaints alleging any violation of this article for which the city may suspend or
8 revoke a license or impose a fine upon a licensee shall be brought in the name of
9 the city and adjudicated before an administrative hearing officer in the manner set
10 forth in chapter 3 of this code.

11 (Ord. No. O96-105, § 1, 9-24-96; Ord. No. O12-068, § 4, 8-28-12; Ord. No. O20-032, 5-
12 26-20)

13 HISTORY
14 Amended by Ord. [O20-032](#) on 5/26/2020
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