

VILLAGE OF LOMBARD  
REQUEST FOR BOARD OF TRUSTEES ACTION  
For Inclusion on Board Agenda

Resolution or Ordinance (Blue)      X       
Recommendations of Boards, Commissions & Committees (Green)  
Other Business (Pink)     

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: David A. Hulseberg, Village Manager *dan*

DATE: August 7, 2008 (B of T) Date: August 21, 2008

TITLE: Text Amendment to the Lombard Village Code (Coin-Operated Amusement Devices)

SUBMITTED BY: Department of Community Development *WDA*

BACKGROUND/POLICY IMPLICATIONS:

The Department of Community Development transmits for your consideration an ordinance amending Title 11, Chapter 110, Section 110.21(C) of the Lombard Village Code changing the number of class provisions for coin-operated amusement devices.

Staff recommends approval of this request.

Staff is requesting a waiver of first reading.

Please place this item on the August 21, 2008 Board of Trustees agenda.

Fiscal Impact/Funding Source:

Review (as necessary):

Village Attorney X

Finance Director X

Village Manager X

*Lombard & Hulseberg*

Date

*8/10/08*

Date

Date

NOTE: All materials must be submitted to and approved by the Village Manager's Office by 12:00 noon, Wednesday, prior to the Agenda Distribution.



**MEMORANDUM**

**TO:** David A. Hulseberg, Village Manager

**FROM:** William J. Heniff, AICP *WJH*

Acting Director of Community Development

**DATE:** August 21, 2008

**SUBJECT:** Text Amendment to Section 110.21 (C) of the Village Code – Coin Operated Amusement Devices

Attached is a draft Ordinance for Village Board consideration that amends the Class Provisions for Coin-Operated Amusement Device Establishments. The proposed code change is being initiated by staff to ensure consistency and eliminate confusion between the amusement license provisions in Section 110 of the Village Code and the Zoning Ordinance.

Currently, the Zoning Ordinance lists restaurants with more than eight (8) amusement devices as a conditional use in the B3, B4 and B4A Districts. The provisions set forth within Section 110 identify three distinct classes of licenses:

- Class A – four (4) to six (6) licenses;
- Class B – seven (7) to ten (10) licenses; and
- Class C – more than ten (10) licenses.

When reviewed in tandem, the codes can create confusion among license holders. Staff also notes that the current Class B category serves no valuable purpose.

To alleviate any confusion, staff is recommending that instead of three classes of licenses, two should be established. The division between the proposed classes should be at eight (8) machines, which would make the amusement license provisions in synchronization with the Zoning Ordinance provisions.

Staff reviewed all license holders and notes that the proposed code changes will not affect existing licenses as there are no license with nine or ten devices at present. The number of available licenses is not expanded by this text amendment.

**ACTION REQUESTED**

Please place this item on the August 21, 2008 Village Board agenda for consideration. Staff recommends approval of the attached Ordinance with a waiver of first reading.

passage, approval and publication in pamphlet form as provided by law.

**SECTION 3:** That this Ordinance shall be in full force and effect from and after its

designation, at no additional charge to the licensee for the current license year.

different license class, said licensee shall be issued a new license, for the revised class

results in a current Class B or Class C coin-operated amusement device licensee falling into a

**SECTION 2:** That, where the Village Code amendment set forth in Section 1 above

No annual license under this subsection (C) shall be required where not more than four (4) coin-operated amusement devices are displayed for public patronage or kept for operation"

Class B  
More than eight (8) coin-operated amusement devices.  
No more than three (3) licenses.

Class A  
Four (4) to eight (8) coin-operated amusement devices.  
No more than nine (9) licenses.

"(C) In addition to the license required by subsection (B) for each individual coin-operated amusement device, there shall be issued no more than the stated number of annual licenses in the following classifications for persons, firms, corporations or associations displaying for public patronage or keeping for operation any coin-operated amusement device:

Code is amended to read in its entirety as follows:

**SECTION 1:** That Title 11, Chapter 110, Section 110.21(C) of the Lombard Village

DuPage County, Illinois, as follows:

BE IT ORDAINED by the President and Board of Trustees of the Village of Lombard,

**AN ORDINANCE AMENDING TITLE 11, CHAPTER 110,  
SECTION 110.21(C) OF THE LOMBARD VILLAGE CODE  
IN REGARD TO COIN-OPERATED AMUSEMENT DEVICES**

ORDINANCE NO. \_\_\_\_\_

PASSED on first reading this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

First reading waived by action of the Board of Trustees this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

PASSED on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSENT: \_\_\_\_\_

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

William J. Mueller, Village President

ATTEST:

Brigitte O'Brien, Village Clerk

Published by me in pamphlet form this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

Brigitte O'Brien, Village Clerk