

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

 X Resolution or Ordinance (Blue) _____ *Waiver of First Requested*
_____ Recommendations of Boards, Commissions & Committees (Green)
_____ Other Business (Pink)

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: Scott Niehaus, Village Manager

DATE: November 24, 2020 (B of T) Date: December 3, 2020

TITLE: Ordinance Amending the Ordinance Regarding Video Gaming and Liquor Licenses for Establishments with Video Gaming to Delete the Sunset Provisions

BACKGROUND/POLICY IMPLICATIONS:

The attached memo provides an overview of a proposed ordinance to delete the sunset provisions of Ordinance 7647, as later amended by Ordinance 7763, regarding video gaming and liquor licenses for establishments with video gaming to delete the December 31, 2020 sunset provisions contained therein. Please place this ordinance for consideration on the December 3, 2020 Village Board of Trustees meeting agenda for separate action on first reading.

Review (as necessary):

Village Attorney X _____ Date _____
Finance Director X _____ Date _____
Village Manager X Scott Niehaus _____ Date 11/24/20

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: Scott Niehaus, Village Manager
FROM: Nicole Aranas, Assistant Village Manager
DATE: November 24, 2020
SUBJECT: **ORDINANCE AMENDING THE ORDINANCE REGARDING VIDEO GAMING AND LIQUOR LICENSES FOR ESTABLISHMENTS WITH VIDEO GAMING TO DELETE THE SUNSET PROVISIONS**

Attached please find a proposed ordinance to delete the sunset provisions of Ordinance 7647, as later amended by Ordinance 7763, regarding video gaming and liquor licenses for establishments with video gaming to delete the December 31, 2020 sunset provisions contained therein.

On April 4, 2019, the Village Board of Trustees adopted Ordinance 7647 which provided for video gaming in the Village of Lombard and set forth liquor licenses for establishments to permit video gaming. The ordinance provided that absent further action of the Village President and Board of Trustees, the provisions permitting video gaming within the Village of Lombard would automatically sunset at 11:59:59 p.m. on June 30, 2020. A subsequent Ordinance 7763 was adopted on December 5, 2019, amending the date of the sunset provisions from June 30, 2020 to December 31, 2020.

The revised date of the automatic sunset provisions for video gaming was set to accommodate the placement of a non-binding advisory question regarding whether video gaming should be allowed within the Village to be placed on local ballots for the November 3, 2020 General Election. The results of the non-binding advisory question provided that 22,814 ballots were cast on the question with 11,957 (53%) in favor and 10,857 (48%) against.

At the November 5, 2020 Village Board Meeting, it was requested that staff work with Village Counsel to prepare an ordinance for consideration at the December 3, 2020 that would delete the December 31, 2020 sunset provisions that would automatically repeal video gaming. Accordingly, attached please find a proposed ordinance that, if approved, would delete the sunset provisions of Ordinance 7647, as amended in 7763, and would permit video gaming to continue uninterrupted beyond December 31, 2020.

Please place this ordinance for consideration on the December 3, 2020 Village Board of Trustees meeting agenda for separate action on first reading and reach out should you have any questions or concerns whatsoever.

ORDINANCE NO. _____

**AN ORDINANCE AMENDING ORDINANCE NO. 7647,
ADOPTED APRIL 4, 2019, ENTITLED,
“AN ORDINANCE AMENDING TITLE XI, CHAPTER 110, SECTION 110.11;
TITLE XI, CHAPTER 112; AND TITLE XI, CHAPTER 115
OF THE LOMBARD VILLAGE CODE IN REGARD TO VIDEO GAMING
AND LIQUOR LICENSES FOR ESTABLISHMENTS WITH VIDEO GAMING”,
AS AMENDED BY ORDINANCE NO. 7763, ADOPTED DECEMBER 5, 2019,
TO DELETE THE SUNSET PROVISIONS CONTAINED THEREIN**

BE IT ORDAINED by the President and Board of Trustees of the Village of Lombard, DuPage County, Illinois, as follows:

SECTION 1: That Sections 14, 15 and 16 of Ordinance No. 7647, adopted April 4, 2019, as amended by Ordinance No. 7763, adopted December 5, 2019, are hereby repealed.

SECTION 2: That all other provisions of Ordinance No. 7647, adopted April 4, 2019, as amended by Ordinance No. 7763, adopted December 5, 2019, and the Lombard Village Code amendments made thereby, not amended hereby, shall remain in full force and effect.

SECTION 3: That this Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form, as provided by law.

Passed on first reading this 3rd day of December, 2020.

First reading waived by action of the Board of Trustees this ____ day of _____, 2020.

Passed on second reading this 17th day of December, 2020, pursuant to a roll call vote as follows.

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED by me this 17th day of December, 2020.

Keith Giagnorio, Village President

ATTEST:

Sharon Kuderna, Village Clerk

Published by me in pamphlet form this 18th day of December, 2020.

Sharon Kuderna, Village Clerk