

STATE OF ILLINOIS    )  
                                  )  
COUNTY OF LAKE     )

CERTIFICATE

I, Karen Walsh, certify that I am the duly elected Municipal Clerk for the Village of Mundelein, Lake County, Illinois.

I further certify that on October 28, 2024 the Corporate Authorities of such Village passed and approved:

Ordinance No. O-24-10-53  
which is entitled

**Ordinance Amending Chapter 5.98 of Mundelein Municipal Code Increasing the Total Number of Authorized Video Gaming Terminals**

The pamphlet form of said Ordinance, including the Ordinance and a cover sheet thereof was prepared and a copy of such Ordinance was posted in the Village Hall commencing on 10/29/2024, and was posted for at least ten days thereafter.

Copies of such Ordinance are available for public inspection upon request in the Customer Service Office.

Dated at Mundelein, Illinois on 10/29/2024.

Village Clerk

**ORDINANCE NO. O-24-10-53**

**AN ORDINANCE AMENDING CHAPTER 5.98 OF THE MUNDELEIN MUNICIPAL CODE TO INCREASE THE TOTAL NUMBER OF AUTHORIZED VIDEO GAMING TERMINALS BY SIX (6) TERMINALS WITHIN THE VILLAGE OF MUNDELEIN AS IT RELATES TO THE PHILLY SPECIAL, 1408 SOUTH BUTTERFIELD ROAD.**

**WHEREAS**, the Board of Trustees has determined that it is in the best interests of the Village to amend Section 5.98.040 of the Mundelein Municipal Code to increase the number of authorized video gaming terminals within the Village of Mundelein from ninety-one (91) to ninety-seven (97) as it relates to an addition of 6 gaming terminals for 4th and South, LLC doing business as The Philly Special located at 1408 S. Butterfield Road.

**WHEREAS**, the Village of Mundelein, Lake County, Illinois, is a home rule municipality as contemplated under Article VII, Section 6, of the Constitution of the State of Illinois, and the passage of this Ordinance constitutes an exercise of the Village's home rule powers and functions as granted in the Constitution of the State of Illinois.

**NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF MUNDELEIN, LAKE COUNTY, ILLINOIS**, that:

**SECTION I.** Section 5.98.040, License required, is hereby amended to increase the number of authorized video gaming terminals within the Village of Mundelein from eighty-eight (88) to ninety-one (91) and shall henceforth read as follows:

Section 5.98.040 - License required.

No person shall keep or display for operation or patronage by the public within this Village any video gaming terminal without having first obtained a written license therefor from the Village, which license shall be hung in plain view in a conspicuous place on the licensed premises, and such posted license shall include the number of video gaming terminals licensed on such premises. It shall be a prerequisite to any such video gaming terminal license issued by the Village that such an establishment keeping the video gaming terminal have in place the following licenses:

- (1) A valid license from the Illinois Gaming Board for each such device; and
- (2) If alcoholic liquor is drawn, poured, mixed, or otherwise served for consumption on the premises, (a) a valid State of Illinois liquor license issued by the Illinois Liquor Commission; and (b)(i) a valid Class A or Class A1 liquor license for service of alcoholic liquor on the premises issued by the Mundelein Liquor Control Commissioner, provided that such license was originally issued or is a renewal of a license originally issued prior to May 1, 2019; or (b) (ii) a valid Class H, Class VG, or Class VG1 liquor license for service of alcoholic liquor on the premises issued by the Mundelein Liquor Control Commissioner.

The revocation, loss or suspension of any license set forth in subsections (1), (2)(a), (2)(b)(i) or (2)(b)(ii) of this section shall automatically result in the revocation, loss, or suspension of the Village video gaming terminal license issued hereunder, without refund of any license fee, for all video gaming terminals licensed for the establishment.

There shall be no more than a total of ninety-seven (97) video gaming terminals in operation within the Village at any one time.

**SECTION II. Severability.** If any section, clause, paragraph, or provision of this Ordinance shall be found invalid by a court of competent jurisdiction, such judgment shall not affect, impair, invalidate, or nullify the remainder of this Ordinance, but only that part is found invalid by such court.

**SECTION III. Repeal of Prior Ordinances.** All prior Ordinances in conflict or inconsistent herewith are hereby expressly repealed only to the extent of such conflict or inconsistency.

**SECTION IV. Effective Date.** This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

<b>RESULT:</b>	<b>Passed [Yes 4, No 2, Abstained 0]</b>
<b>MOVER:</b>	Trustee Daniel Juarez
<b>SECONDER:</b>	Trustee Tim Wilson
<b>AYES:</b>	Daniel Juarez, Robin Meier, Jenny Berman Ross, Tim Wilson
<b>NAYS:</b>	Kara Lambert, Erich Schwenk
<b>ABSTAIN:</b>	None

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President

ADOPTED: Monday, October 28, 2024

APPROVED: Monday, October 28, 2024

ATTEST: \_\_\_\_\_

Village Clerk