

ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:

SECTION 1. Section 4-156-150 of the Municipal Code of Chicago is hereby amended by inserting the language underscored, as follows:

4-156-150 Definitions.

As used in this chapter:

(Omitted text is unaffected by this ordinance)

"Payoff" means the giving of money or other thing of value in exchange for a player's accumulated points or free games or replays.

(Omitted text is unaffected by this ordinance)

"Sweepstakes machine" means any mechanically, electrically, or electronically operated machine or device, including, without limitation, a vending or other electronic machine or device that uses an interactive display to offer gameplay, simulated gameplay, or entry into any contest, competition, sweepstakes, scheme, plan, or other promotional or selection process in which a person participates, which is dependent upon an element of chance, and for which a person may purchase, receive, or be awarded a payoff, prize, gift, award, or any coupon, certificate, voucher, or other credit that can be redeemed or applied toward any item, service, or other thing of value, whether from such machine or device or otherwise. "Sweepstakes machine" does not include: (1) an automatic amusement device that is lawfully maintained and operated in accordance with this chapter; or (2) a licensed video gaming terminal that is lawfully maintained and operated in accordance with Chapter 4-155.

SECTION 2. Chapter 4-156 of the Municipal Code of Chicago is hereby amended by inserting a new section 4-156-185, as follows:

4-156-185 Prohibition- Sweepstakes machines.

It shall be unlawful for the owner or lessee of any premises or person in control of such premises to permit the installation or use of a sweepstakes machine within the City.

SECTION 3. Section 4-156-190 of the Municipal Code of Chicago is hereby amended by inserting the language underscored, as follows:

4-156-190 Seizure for unlawful use.

If the Mayor-mayor, Superintendent of Police-superintendent of police, or the Comptroller comptroller, the Commissioner of Business Affairs and Consumer Protection-commissioner of business affairs and consumer protection, the City Clerk-city clerk or their duly authorized enforcement officer shall have a reasonable basis for believing any amusement machine or device is an illegal amusement device or sweepstakes machine, said machine or device or any part or contents thereof may be seized by any duly authorized enforcement official, followed by

an administrative hearing with notice to the owner within seven days of such seizure for the purpose of reviewing the appropriateness of the seizure, and held until such time as the owner of such machine or device pays the delinquent tax, reimburses the Department of Finance ~~department of finance, the Department of Business Affairs and Consumer Protection,~~ business affairs and consumer protection or the City Clerk ~~city clerk~~ for actual cartage cost incurred in the seizure and pays to the department of finance, business affairs and consumer protection or the City Clerk ~~city clerk~~ \$20.00 for each day or part of day said machine or device has been in storage. If criminal charges involving the use or condition of the machine or device are pending, the machine or device shall be held until disposition of the criminal charges. If it is determined at the hearing by a preponderance of the evidence that the seized machine or device is not an illegal amusement device or sweepstakes machine, it shall be returned to the owner without charge. If it is determined at the hearing that ~~the automatic amusement~~ such machine or device was used for illegal gambling, it shall be destroyed by the City ~~city~~, and all money found within the machine or device at the time of confiscation shall become the property of the City ~~city~~, and shall be used to defray the costs of cartage, notice, storage and hearings. If the owner of the device does not claim the ~~automatic amusement~~ machine or device within 14 days

SECTION 4. Section 4-156-280 of the Municipal Code of Chicago is hereby amended by inserting the language underscored, as follows:

4-156-280 Violation – Penalty.

(a) The owner, manager, licensee or person in control of premises where an automatic amusement device is used for illegal gambling, or where an illegal amusement device or sweepstakes machine is installed or used, shall be subject to a fine of \$5,000.00 for each device so used. Any other person violating any other provision of this chapter by possession or use of an illegal amusement device shall be fined not less than \$500.00 nor more than \$1,000.00 for each offense. Every day such violation continues shall constitute a separate and distinct offense. Fines under this section shall be in addition to suspension or revocation of business licenses issued under this Code, and in addition to confiscation and destruction of illegal amusement devices.

(b) Upon a third or subsequent violation of this section ~~the provisions of this chapter relating to possession or use of an illegal amusement device occurring on the same premises within any five-year period, for a period of five years~~, all City licenses issued for business activity on those premises shall be revoked, and no automatic amusement device or video gaming terminal may be placed on the premises for a period of one year from the date of revocation. Nothing in this section limits the authority of the Commissioner to revoke a license on a licensee's first or second violation during such period. For purposes of this subsection (b), "licensee" includes an employee or agent of a licensee.

SECTION 5. This ordinance takes effect 10 days after passage and publication.

Daniel La Spata 1st Ward

Brian Hopkins 2nd Ward

Pat Dowell 3rd Ward

Lamont J. Robinson 4th Ward

Desmon C. Yancy 5th Ward

William E. Hall 6th Ward

Gregory I. Mitchell 7th Ward

Michelle A. Harris 8th Ward

Anthony A. Beale 9th Ward

Peter J. Chico 10th Ward

Nicole T. Lee 11th Ward

Julia M. Ramirez 12th Ward

Marty Quinn 13th Ward

Jeylú B. Gutiérrez 14th Ward

Raymond A. López 15th Ward

Stephanie D. Coleman 16th Ward

David Moore 17th Ward

Derrick G. Curtis 18th Ward

Matthew J. O'Shea 19th Ward

Jeanette B. Taylor 20th Ward

Ronnie L. Mosley 21st Ward

Michael D. Rodriguez 22nd Ward

Silvana Tabares 23rd Ward

Monique L. Scott 24th Ward

Byron Sigcho-Lopez 25th Ward

Jessica L. Fuentes 26th Ward

Walter R. Burnett 27th Ward

Jason C. Ervin 28th Ward

Christopher Taliaferro 29th Ward

Ruth Cruz 30th Ward

Felix Cardona, Jr. 31st Ward

Scott E. Waguespack 32nd Ward

Rossana Rodríguez-Sánchez 33rd Ward

William Conway 34th Ward

Anthony J. Quezada 35th Ward

Gilbert Villegas 36th Ward

Emma Mitts 37th Ward

Nicholas Sposato 38th Ward

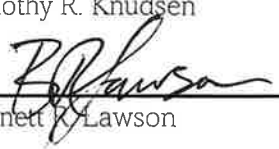
Samantha Nugent 39th Ward

Andre Vasquez 40th Ward

Anthony V. Napolitano 41st Ward

Brendan Reilly 42nd Ward

Timothy R. Knudsen 43rd Ward

 44th Ward

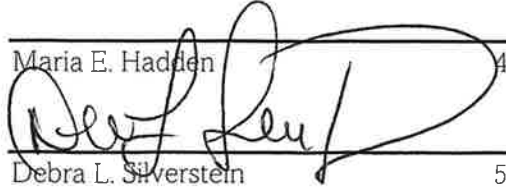
James M. Gardiner 45th Ward

Angela Clay 46th Ward

Matthew J. Martin 47th Ward

Leni Manaa-Hoppenworth 48th Ward

Maria E. Hadden 49th Ward

 50th Ward