



# Office of the City Clerk

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## Legislation Details (With Text)

**File #:** O2022-3567

**Type:** Ordinance      **Status:** Failed to Pass

**File created:** 10/26/2022      **In control:** City Council

**Final action:** 5/24/2023

**Title:** Amendment of Municipal Code Chapter 4-156 by modifying Sections 4-156-150 and 4-156-305 regarding electronic product promotions for automatic amusement devices

**Sponsors:** Brookins, Jr., Howard

**Indexes:** Ch. 156 Amusements

**Attachments:** 1. O2022-3567.pdf

Date	Ver.	Action By	Action	Result
5/24/2023	1	City Council	Failed to Pass	
10/26/2022	1	City Council	Referred	

REFERRED TO COMMITTEE ON LICENSEING AND CONSUMER PROTECTION The following limited sections shall be amended as follows:

### ARTICLE II. AUTOMATIC AMUSEMENT DEVICES (4-156-150 et seq.)

4-156-150 Definitions. As used in this chapter:

"Automatic amusement device" means any machine, which, upon the insertion of a coin, slug, token, card or similar object, or upon any other payment method, may be operated by the public generally for use as a game, entertainment or amusement, whether or not registering a score, and includes but is not limited to such devices as jukeboxes, marble machines, pinball machines, electronic product promotion, movie and video booths or stands and all games, operations or transactions similar thereto under whatever name by which they may be indicated. Bingo devices are deemed gambling devices and are therefore prohibited for use except as provided by state law. If a machine consists of more than one game monitor which permits individuals to play separate games simultaneously, each separate game monitor shall be deemed an automatic amusement device.

"Electronic product promotion " means a device used to promote the purchase of a bona fide product including gift certificates to be used for or towards the purchase of a retail item; but does not include coupons, discount coupons. Internet access, a telephone card, a calling card, or a phone card and offers or awards a prize, without requiring payment or purchase to participate in compliance with 720 ILCS 5-28-a(12) and b(13); contains a Fill System which permits the operation of the device solely determined on a fee basis or the amount of revenue generated but does not include a system based on time, number of spins or spin equivalent or other non-revenue based system, and automatically ceases to operate upon the completion of a predetermined cycle; and is not connected directly or indirectly to the Internet, either by cellular modem, hardwire or wireless connection, or to a set of interconnected networked devices in order to participate in the game or contest or to receive or retrieve

any data related to the device unless the connected device is a redemption vault that is for the sole purpose of redeeming a prize or award.

"Illegal amusement device" means an automatic amusement device that: includes a knock-off circuit; or allows more than ten replays or free games, or maintains a count of payoffs or the number of times a person has won a game played on the device; or maintains a tally of players' scores other than the tally displayed to players; or fails to display in the required manner a tax emblem required by chapter; is in violation of 720 ILCS 5-28-af12) or has been used for illegal gambling.

"Illegal amusement device" does not include a device that properly displays a required tax emblem, that is not used for illegal gambling and that qualifies either as a crane game as defined in the Illinois Criminal Code of 1961 as a redemption machine as defined in the

Illinois Criminal Code; or is otherwise lawful under 720 ILCS 5-28-b( 13). contains a Fill System which permits the operation of the device solely determined on a fee basis or the amount of revenue generated but does not include a system based on time, number of spins or spin equivalent or other non-revenue based system, and automatically ceases to operate upon the completion of a pre-determined cycle, and is not in violation of 720 ILCS 5-28-af 12) including connected directly or indirectly to the Internet, either by cellular modem, hardwire or wireless connection, or to a set of interconnected networked devices in order to participate in the game or contest or to receive or retrieve any data related to the kiosk or device unless the connected device is a redemption vault solely used to redeem an award prize.

#### 4-156-305 License - Exceptions.

No public place of amusement license under this Article III shall be required, if the only amusement to be produced, presented, or conducted is one or more of the following:

- a) single pool or billiard table regardless of whether players must pay to use the pool or billiard table;
- b) less than four automatic amusement devices; provided, however, that when calculating the number of automatic amusement devices, jukeboxes and Electronic product promotion shall not be counted. A pool or billiard table shall be included when calculating the number of automatic amusement devices for purposes of this subsection if players must pay to use the pool or billiard table; provided that, in no case shall this subsection create an exemption for establishments which contain more than one pool or billiard table regardless of whether any payment is required;