

**VILLAGE OF DOLTON
COOK COUNTY, ILLINOIS**

ORDINANCE NO. 15-023

**AN ORDINANCE AMENDING THE DOLTON VILLAGE CODE
TO REGULATE ELECTRONIC PRODUCT PROMOTIONS
SWEEPSTAKES KIOSKS**

WHEREAS, electronic video machines referred to as “electronic product promotions sweepstakes kiosks” (“sweepstakes kiosks”) are not regulated by the Illinois Gaming Board; and

WHEREAS, the Mayor and corporate authorities of the Village of Dolton have determined to authorize sweepstakes kiosks subject to reasonable municipal regulation as defined below;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF DOLTON, COOK COUNTY, ILLINOIS, in the exercise of its home rule authority as follows:

SECTION 1: Amendment to Village Code. The Dolton Village Code is hereby amended by adding the following Article H to Title 3, Chapter 4 thereof, “Sweepstakes Kiosks”:

SECTION:

- 3-4H-1: Definitions**
- 3-4H-2: Regulation; License Required**
- 3-4H-3: Eligibility**
- 3-4H-4: Annual Fee; Tax**
- 3-4H-5: Additional Regulations of Kiosks**
- 3-4H-6: Illegal Gambling Devices Prohibited**

3-4H-1: DEFINITIONS: For purposes of this Ordinance, the following definitions apply:

- A. “Bonafide product” means any item of real value, which may include vouchers or coupons, to be used for or towards the purchase

of a retail item. "Bonafide product" does not include Internet access, a telephone card, a calling card, or a phone card.

B. "Sweepstakes Kiosks" or "Electronic product promotions sweepstake kiosk" means any electronic video machine which, upon the insertion of payment, is used to purchase a bona fide product from a sponsor and offers or awards a prize as a means to promote that sponsor and is otherwise consistent with the Act, paragraph (13) of subsection (b) of Section 28-1 of the Criminal Code of 2012 and the Video Gaming Act, and is not capable of connecting directly or indirectly to the Internet, either by hardwire or wireless connection, or to a set of interconnected networked devices.

C. "Instant reveal" means the results of the outcome of a prize offer or reward are immediately displayed.

D. "Internet access" means a connection of individual computer terminals, computers, mobile devices and computer services, such as email and the World Wide Web.

E. "Telephone card" or "calling card" or "phone card" means any stored-value system capable of being discarded when depleted or recharged for reuse and utilized to place a telephone call.

F. "Sweepstakes" is the promotion of products whether through a written or electronic manner.

G. "Person" means any individual, firm, corporation or other entity doing business in the Village of Dolton.

H. "Net Revenues" means revenues derived from a Sweepstakes Kiosk minus the cost of prizes paid to participants.

3-4H-2: REGULATION; LICENSE REQUIRED: It is unlawful for a person to operate Sweepstakes Kiosks without first obtaining a license from the Village.

3-4H-3: ELIGIBILITY: Only Persons holding a valid liquor license from the Village is eligible for the issuance of a license under this Section.

3-4H-3: ANNUAL FEE; TAX:

A. The annual license fee for each electronic product promotion sweepstakes kiosk is ONE THOUSAND & 00/100 (\$1,000.00) DOLLARS.

B. A monthly tax of FIVE (5%) PERCENT of net revenues from each electronic product promotion sweepstakes kiosk is hereby assessed.

3-4H-5: ADDITIONAL REGULATIONS OF KIOSKS:

A. It is unlawful for a Person to operate on any premises more than five (5) electronic product promotion sweepstakes kiosks at any one time.

B. No electronic product promotion sweepstakes kiosk shall be capable of connecting directly to the Internet, either by hardwire or wireless connection, or to a set of interconnected networked devices, and nothing in this Ordinance may be construed to permit any Person to knowingly establish, maintain, or operate an Internet site that permits a person to play a game of chance or skill for money or other thing of value by means of the Internet or to make a wager upon the result of any game, contest, political nomination, appointment, or election by means of the Internet in violation of item (12) of subsection (a) of Section 28-1 of the Criminal Code of 2012.

C. It is unlawful for any Person to operate an electronic product promotion sweepstakes kiosk where the sale of a product is subterfuge for gambling. A subterfuge shall be the sale of Internet access, a telephone card, a calling card, or a phone card.

D. Electronic product promotion sweepstakes kiosks shall provide the option of an instant reveal of the outcome of any prize offer or award.

3-4H-6: ILLEGAL GAMBLING DEVICES PROHIBITED: Nothing in this Ordinance shall in any way be construed to authorize, license or permit any gambling devices whatsoever or any mechanism that has been judicially determined to be a gambling device or in any way contrary to law or that may be contrary to any future laws of the Village and the State of Illinois.

SECTION 2: Effective Date. This Ordinance shall be in full force and effect upon its passage, approval, and publication as required by law.

PASSED AND APPROVED this 6th day of July, 2015.


RILEY H. ROGERS, Mayor

ATTEST:


MARY KAY DUGGAN, Clerk

Ayes: 6 Brown, Henyard, Hunt, Muhammad, Pierson, Stubbs
Nays: 0
Absent: 0
Abstain: 0