
**VILLAGE OF HARWOOD HEIGHTS
COOK COUNTY, ILLINOIS**

ORDINANCE NO. 19 - 15

**AN ORDINANCE AMENDING THE VILLAGE CODE TO FURTHER REGULATE
THE MINIMUM SIZE OF A LICENSED PREMISES ELIGIBLE FOR A
SUPPLEMENTARY VIDEO GAMING LIQUOR LICENSE IN THE VILLAGE AND
PROVIDING FOR TEMPORARY GRAND OPENING SIGNAGE FOR VIDEO
GAMING ESTABLISHMENTS**

Passed by the Board of Trustees, August 8, 2019

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By Authority of the Village Board of Trustees

VILLAGE OF HARWOOD HEIGHTS
COOK COUNTY, ILLINOIS

ARLENE C. JEZIERNY, MAYOR
MARCIA L. POLLOWY, VILLAGE CLERK

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I hereby certify that this document was
properly published on the date stated above.


Village Clerk

ORDINANCE NO. 19 - 15

AN ORDINANCE AMENDING THE VILLAGE CODE TO FURTHER REGULATE THE MINIMUM SIZE OF A LICENSED PREMISES ELIGIBLE FOR A SUPPLEMENTARY VIDEO GAMING LIQUOR LICENSE IN THE VILLAGE AND PROVIDING FOR TEMPORARY GRAND OPENING SIGNAGE FOR VIDEO GAMING ESTABLISHMENTS

WHEREAS, the Village of Harwood Heights (the "Village") is an Illinois municipal corporation organized and operating pursuant to authority granted by the Constitution and Laws of the State of Illinois;

WHEREAS, the Village is a home rule unit of government pursuant to Section 6(a), Article VII of the 1970 Illinois Constitution; and

WHEREAS, pursuant to its home rule power, the Village may exercise any power and perform any function relating to its government and affairs; and

WHEREAS, in 2009, the Illinois General Assembly passed the Video Gaming Act (230 ILCS 40/1 *et seq.*) (the "Act") permitting video gaming in certain licensed establishments, subject to certain conditions and criteria; and

WHEREAS, Article IV of the Illinois Liquor Control Act of 1934, 235 ILCS 5/4-1, *et seq.*, authorizes the corporate authorities of the Village to license and regulate the sale of alcoholic liquor within the Village, to determine the number, kind and classification of local liquor licenses, establish fees for such licenses, and to regulate establishments that sell and dispense alcoholic beverages; and

WHEREAS, on August 9, 2018, the Village Board enacted Ordinance 18-25, which authorized video gaming in the Village, created a supplementary video gaming liquor license, and established regulations governing the conduct of and eligibility for video gaming in the Village;

WHEREAS, the Village Board hereby finds and determines that further defining the minimum size requirements of licensed premises eligible for a supplementary video gaming license will further the Village’s intended purpose of restricting video gaming to locations that have distinct, bona fide business purposes other than the mere operation of video gaming operations; and

WHEREAS, the Village Board further finds that allowing Class V – Video Gaming liquor licensees to erect temporary, on-premises grand opening-type banner signage in accordance with the regulations set forth herein balances the goals of offering licensees an enhanced opportunity to inform the public of the availability of video gaming while still preventing visual blight; and

WHEREAS, the Village Board finds it to be in the best interests of the Village to amend the Village Code as set forth herein.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Harwood Heights, County of Cook, Illinois, in the exercise of the Village’s home rule powers, that the Village Code be amended as follows, with all existing provisions of the Village Code not set forth below continuing in full effect as currently written:

SECTION 1. Recitals. The foregoing recitals shall be and are hereby incorporated into and made a part of this Ordinance as if fully set forth in this Section 1. The findings and recitals herein are declared to be prima facie evidence of the law of the Village and shall be received in evidence as provided by the Illinois Compiled Statutes and the courts of the State of Illinois.

SECTION 2. Temporary Signage. Title 4 (“Business Licenses and Regulations”), Chapter 4.28 (“Other Businesses”), Article 30 (“Video Gaming”), Section

4.28.1540 of the Harwood Heights Code of Ordinances is hereby amended as follows (additions in **bold and underline**, deletions in ~~**bold and strikethrough**~~), with those subsections not referenced herein continuing in full force and effect as written:

Title 4 (“Business Licenses and Regulations”)

Chapter 4.28 (“Other Businesses”)

Article 30 (“Video Gaming”)

4.28.1540 - Regulations.

The following regulations apply to all licensed establishments operating a video gaming terminal on the licensed premises:

1. A valid state video gaming license must be clearly displayed at all times.
2. Valid village video gaming terminal license must be clearly displayed at all times.
3. No more than five (5) video gaming terminals may be located on the licensed premises.
4. All video gaming terminals must be located in an area restricted to persons over twenty-one (21) years of age. No licensed establishment, or its employee or agent may permit any person under the age of twenty-one (21) years to be within the restricted area. Licensed establishments that admit individuals under the age of twenty-one (21) must have the video gaming restricted area separated from the rest of the premises by a constructed divider that shields gaming machines from view of seated patrons outside the restricted area. The entrance to the restricted area must be within the view of at least one (1) employee of the establishment who is over twenty-one (21) years of age. Each underage person located within the restricted area constitutes a separate and distinct violation of this subsection.
5. No licensed establishment, or its employee or agent may permit any person under the age of twenty-one (21) years to use, play, or operate a video gaming terminal. Each underage person playing a video gaming terminal constitutes a separate and distinct violation of this subsection.
6. It is unlawful for any person under twenty-one (21) years of age to play or operate a video gaming terminal. The fine for violating this subsection shall be seven hundred fifty dollars (\$750.00) per offense, imposed against the individual violating this subsection.
7. Signage must be posted at the entrance to, and inside of, the designated gaming area in accordance with the regulations adopted by the Illinois Gaming Board.

8. The licensed establishment must fully comply with all applicable village ordinances, including the village's liquor control regulations, as well as any applicable federal and state laws and regulations.
9. The licensed establishment must fully comply with the Illinois Video Gaming Act, as amended, and all rules, regulations, and restrictions imposed by the Illinois Gaming Board.
10. Licensed establishments must immediately notify the village president in the event the Illinois Gaming Board revokes or suspends the licensed establishment's video gaming license. The revocation, loss, or suspension of a valid state video gaming license shall automatically result in the revocation, loss, or suspension of the village video gaming license for all video gaming terminals without any refund of any fee.
11. An owner, manager, or employee over the age of twenty-one (21) must be present during all hours of operation when video gaming terminals are available for use by the public.
12. Video recording and monitoring equipment shall be installed and maintained in good working order in the licensed premises pursuant to specifications as determined from time to time by the chief of police or his or her designee and shall continuously record the restricted area containing video gaming terminals during all hours of operation. Video recordings shall be stored and maintained for a period of at least sixty (60) days and must be accessible to the chief of police or his or her designee upon request at anytime. A written notice that "video gaming operations are video recorded" shall be posted at the entrance to the restricted area. Licensees who have video gaming terminals shall record all persons entering or leaving the building, the operation and playing of all video gaming terminals, and all payouts/distributions of winnings from gaming activities.
13. The licensed establishment shall prevent access to video gaming terminals by persons who are visibly intoxicated.
14. **Except as otherwise provided herein, on-premises exterior signage by the licensee pertaining to video gaming is limited to one (1) single-faced sign or one (1) double-faced sign not to exceed 11" x 17" placed in or on a window stating, in block lettering no larger than six (6) inches, "VIDEO GAMING." Such sign shall not feature any flashing, blinking or intermittent lights. Notwithstanding the foregoing, each newly licensed holder of a supplementary Class V liquor license in the Village may post a temporary sign for up to thirty (30) days upon commencement of video gaming operations open to the public announcing the grand opening of video gaming on the premises. Such sign shall be limited to a banner sign, as defined in Section 17.36.070(B)(2), and may not exceed eighteen feet (18') long, or three feet (3') tall, notwithstanding stricter limitations set forth in Section 17.36.130. Such temporary signage shall be placed in a single location on the exterior wall of the licensed premises along**

the primary frontage of the building for a maximum of thirty (30) days and may only be posted upon the issuance of a permit.

15. Upon receipt of proof of the issuance of an Illinois video gaming license, the issuance of a Class V village liquor license, and payment of all appropriate fees, the village shall issue Village of Harwood Heights video gaming terminal stickers, which shall be affixed to each video gaming terminal in a conspicuous place and shall be clearly displayed at all times on each video gaming terminal. Video gaming stickers shall not be transferable. It is unlawful to operate a video gaming terminal in the village without a valid video gaming terminal sticker affixed thereon.
16. Each licensed terminal operator must be an Illinois resident or have performed business continuously within Illinois for a period of forty-eight (48) months prior to the effective date of the Video Gaming Act.
17. A video gaming terminal operator may not be a video gaming terminal manufacturer or distributor. An owner or manager of a licensed video gaming location may not be a video gaming terminal manufacturer or distributor.
18. A burglar alarm system shall be installed and maintained in good working order in the licensed premises. The burglar alarm system shall alert the licensed premises' alarm system monitor who will in turn promptly notify the village police department in instances of unpermitted entry into the licensed premises. Alarm systems operating within the village shall have an alarm permit issued by the village and such system shall be approved by the chief of police.
19. No building housing a video gaming terminal shall be located within one hundred (100) feet of another building housing a video gaming terminal. This distance separation requirement shall be measured to the nearest corner of the building or leased space housing the video gaming terminal to the nearest corner of the building or leased space housing another video gaming terminal. No license shall be issued if the village determines that this distance separation requirement is not met.

SECTION 3. Minimum Size. Title 4 (“Business Licenses and Regulations”), Chapter 4.12 (“Alcoholic Beverages”), Section 4.12.050 (“License Classifications”) of the Harwood Heights Village Code of Ordinances, shall be, and hereby is amended as follows (additions in **bold and underline**, deletions in ~~**bold and strikethrough**~~), with those subsections not referenced herein continuing in full force and effect as written:

Title 4 (“Business Licenses and Regulations”)

Chapter 4.28 (“Other Businesses”)

Article 30 (“Video Gaming”)

4.12.050 – License Classifications.

A. Licenses required herein shall be and are divided into ten classes:

...

8. Class V—Video Gaming. Class V licenses shall be supplemental in nature and shall only be issued to the holder of a Class A, Class A-1, Class F, or Class F-1 license. A Class V license shall authorize the retail sale of alcoholic liquor, as defined in Section 4.12.010 of this code, for consumption on the premises where the operation of video gaming is conducted. In addition to the rights with respect to the sale and service of alcoholic liquor for on-premises consumption afforded by the underlying Class A, A-1, F, or F-1 license, a Class V license shall additionally authorize Class V licensees to operate video gaming terminals upon the licensed premises, subject to the following:
 - a. In addition to any other eligibility criteria for a Class V liquor license set forth hereinabove or incorporated by reference, any applicant for a Class V license must at the time of initial application or renewal:
 - i. Be the holder of a current, valid video gaming license that has been issued by the Illinois Gaming Board; and
 - ii. Have held a Village of Harwood Heights Class A, A-1, F, or F-1 liquor license and have been in good standing and continuous operation within the village for no less than thirty-six (36) consecutive months; and
 - iii. Not have had its Class A, A-1, F, or F-1 license suspended or revoked by the village or its liquor license suspended or revoked by the State of Illinois for a period of at least thirty-six (36) months; and
 - iv. Not owe the village any outstanding sums of money; and
 - v. Demonstrate that at least seventy-five (75) percent of proposed or actual revenue for the licensed premises is derived from food and beverage sales as a percentage of total gross revenues for the licensed premises on an annual basis in the year prior to the initial application or renewal based on audited financial statements, corporate financial reports, tax return information, state liquor license reports, or any other form of information deemed acceptable by the liquor commissioner; and

- vi. **Demonstrate** ~~That the licensed premises must be~~ **consists of** a minimum of one thousand seven hundred (1,700) square feet **of contiguous interior space open to the general public on a single level, accessible via a common entrance, inclusive of bathrooms and corridors, but excluding adjacent exterior areas such as sidewalks, streets, parking areas and patios, and restricted-access areas such as (by way of illustration and not of limitation) mechanical rooms, boiler rooms, supply storage rooms, employee offices or lounges, janitorial closets;** and
- vii. The premises subject to the application for a Class V license shall not be located within one hundred (100) feet of another premises subject to a Class V license. This distance separation requirement shall be measured to the nearest corners of the building or leased spaces housing the Class V licensees. No license shall be issued if the village determines that this distance separation requirement is not met.
- b. All video gaming operations must be conducted pursuant to and in strict accordance with the Illinois Video Gaming Act, 230 ILCS 40/1 et seq., all rules, regulations and restrictions imposed by the Illinois Gaming Board, all requirements of Article 30 ("Video Gaming") of Chapter 4.28 of Title 4 of the Village Code, and the regulations of this Section 4.12.050(A)(1.25) of the Village Code and its subparts; and
- c. Video gaming terminals may only be operated during such times as the holder of the liquor license hereunder is authorized to serve alcohol; and
- d. Any denial, revocation or suspension of an Illinois video gaming license by the Illinois Gaming Board or of a video gaming terminal license by the village shall constitute a revocation or suspension of a Class V license for the same period, provided however, that a Class V licensee subject to an automatic revocation or suspension of its Class V license due to such denial, revocation or suspension of video gaming privileges shall continue to enjoy the rights and privileges of its underlying Class A, A-1, F, or F-1 liquor license for the duration of such suspension or revocation.
- e. The one-time application and annual fees for a Class V license shall be as set forth in Table 4.12.055.
- B. There shall be no apportions of such fee for fractions of a year, nor shall there be any refund in case of a revocation of the license.
- C. All applications shall be accompanied by a nonrefundable fee for each fingerprint check and background investigation of the applicant and each additional individual, authorized agent or manager for which an investigation must be conducted. Background investigation fees are in addition to the yearly license fee and will be determined as needed by the liquor commissioner and approved by the village board.

D. Video gaming, as defined by the Illinois Video Gaming Act, 230 ILCS 40/1 et seq., shall not be allowed in a Class G licensed premises. Class G licensees are ineligible for a Class V license.

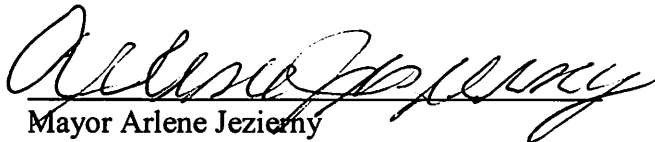
SECTION 4. RESOLUTION OF CONFLICTS. All ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 5. SAVING CLAUSE. If any section, paragraph, clause, or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this Ordinance, which are hereby declared to be separable.

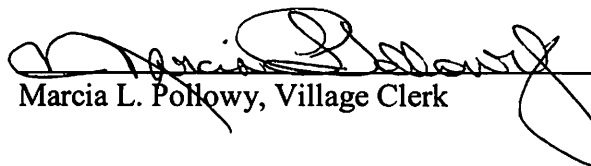
SECTION 6. SAVING CLAUSE. If any section, paragraph, clause, or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this Ordinance, which are hereby declared to be separable.

SECTION 7. EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

Passed and Approved this 8th day of August, 2019.


Mayor Arlene Jezierny

ATTEST:


Marcia L. Polowy, Village Clerk

VOTES

AYES: Trustee Schuepfer, Steiner, Brzozowski-Wegrecki, Zerillo, Lewandowski

NAYS:

ABSENT: Trustee Brzezniak-Volpe

ABSTAIN:

STATE OF ILLINOIS

COUNTY OF COOK

CERTIFICATION

I, Marcia L. Pollowy, do hereby certify that I am the duly elected and acting Clerk of the Village of Harwood Heights, County of Cook, State of Illinois.

I do further certify that the foregoing Ordinance 19-15 entitled:

AN ORDINANCE AMENDING THE VILLAGE CODE TO FURTHER REGULATE THE MINIMUM SIZE OF A LICENSED PREMISES ELIGIBLE FOR A SUPPLEMENTARY VIDEO GAMING LIQUOR LICENSE IN THE VILLAGE AND PROVIDING FOR TEMPORARY GRAND OPENING SIGNAGE FOR VIDEO GAMING ESTABLISHMENTS

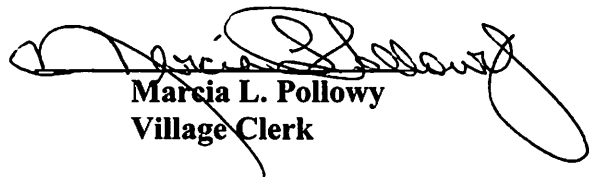
Is true and correct copy of an Ordinance adopted by the Board of Trustees of the Village of Harwood Heights at a meeting held on the 8th day of August, 2019.

I do further certify that the original of which the foregoing is a true copy is entrusted to my care and safekeeping, and that I am keeper of the same.

I do further certify that I am the keeper of the records, ordinances, and resolutions of said Village of Harwood Heights, Cook County, Illinois.

In witness whereof I have hereunto set my official hand and seal this 9th day of August, 2019.




Marcia L. Pollowy
Village Clerk

THE UNIVERSITY OF THE SOUTH PACIFIC
SCHOOL OF DISTANCE EDUCATION
SUVA, FIJI

Dear Sir,
I am pleased to inform you that your application for admission to the Bachelor of Education programme has been approved.

You are invited to attend an orientation programme on the 15th of September at 9.00 am in the main hall of the University. Please bring your application form and a copy of your school certificate.

Yours faithfully,
The Registrar

Enclosed for you are the following documents:
1. A copy of the prospectus for the Bachelor of Education programme.

2. A copy of the University calendar for the year 1980-1981.

3. A copy of the University regulations.

[Handwritten Signature]
The Registrar

