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

ORDINANCE NO. 25 - 03

AN ORDINANCE AMENDING CHAPTER 4.12 OF THE VILLAGE OF HARWOOD HEIGHTS CODE OF ORDINANCES TO INCREASE THE NUMBER OF CLASS V - VIDEO GAMING SUPPLEMENTARY LIQUOR LICENSES BY TWO AND TO ADD A \$25 STICKER REPLACEMENT FEE FOR VIDEO GAMING MACHINE TERMINAL LICENSES

Passed by the Board of Trustees, March 11, 2025

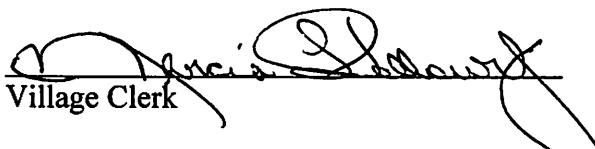
Printed and Published March 11, 2025 in Pamphlet Form
By Authority of the Village Board of Trustees

VILLAGE OF HARWOOD HEIGHTS
COOK COUNTY, ILLINOIS

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

GENE BRUTTO
ANNETTE BRZEZNIAK-VOLPE
ANNA BRZOWSKI-WEGRECKI
ZBIGNIEW LEWANDOWSKI
LAWRENCE STEINER
GIUSEPPE "JOE" ZERILLO

I hereby certify that this document was properly published in pamphlet form by authority of the Board of Trustees on the date stated above.


Village Clerk

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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;

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

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, the Village Board allows video gaming in the Village in accordance with State and locally-imposed regulations and limitations; and

WHEREAS, Article IV of the Illinois Liquor Control Act of 1934, 235 ILCS 5/4-1, *et seq.*, and 65 ILCS 5/11-42-10.1 authorize 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, the Village wishes to increase the number of Class V – Video Gaming

supplementary liquor licenses as set forth herein; and

WHEREAS, the Village President and Board of Trustees find that so amending the Village Code in accordance with this Ordinance will be in the best interest of the Village and consistent with the health, welfare and safety of Village residents and visitors.

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. INCREASING NUMBER OF CLASS V LICENSES IN FEE TABLE. Table 4.12.055 shall be, and hereby is amended as follows (additions in **bold and underline**, deletions in ~~**bold and strikethrough**~~), with classifications not listed remaining unchanged:

Table 4.12.055 – Table of License Fees & Number of Licenses.

<u>Classification</u>	<u>Non-Refundable One-Time Application Fee</u>	<u>Annual Fee</u>	<u># Issued</u>
V	\$1,000	\$1,000	14 <u>16</u>

SECTION 3. INCREASING NUMBER OF CLASS V LICENSES.

Title 4

(“Business Licenses and Regulations”), Chapter 4.12 (“Alcoholic Beverages”), Section 4.12.070 (“Number of Licenses to Be Issued”) 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 set forth herein remaining in effect as currently written:

4.12.70 - Number of licenses to be issued.

...

- K. Class V: There shall be no more than ~~fourteen (14)~~ **sixteen (16)** Class V licenses issued and outstanding at any one time.

SECTION 4. Title 4 (“Business Licenses and Regulations”), Chapter 4.12 (“Alcoholic Beverages”), Section 4.28.1520 (“Video Gaming Fees”) 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 set forth herein remaining in effect as currently written:

4.28.1520 Video gaming fees.

A. An annual fee in amount set forth in the village fee schedule appended to this code as Appendix 1 is hereby imposed on each video gaming terminal operated within the village. The annual fee for each terminal must be paid at the time of submission of an application for a video gaming license, and annually thereafter. Following issuance, each video gaming terminal license shall terminate the following April 30. No prorations are allowed for partial year video gaming terminal applications other than a reduced per-terminal license fee in an amount set forth in the village fee schedule appended to this code as Appendix 1 shall be due if the application for a video gaming license is submitted after February 1 of the license year.

B. Replacement Terminal Sticker. **In the event a video gaming terminal is replaced on a one-for-one basis by a new video gaming terminal during a license term, such that there is no actual increase in the number of operational video gaming terminals at the licensed establishment, a replacement video gaming terminal sticker may be issued for the new replacement terminal upon payment to the Village of a replacement sticker fee in an amount set forth in the Village fee schedule appended to this code as Appendix 1.**

SECTION 5. Fee Table Update. Appendix 1 – Fee Schedule to the Harwood Heights Municipal Code shall be amended as follows (additions in **bold and underline**, deletions in ~~**bold and strikethrough**~~), with all fees and penalties not set forth herein remaining in effect as currently written:

APPENDIX 1
Village of Harwood Heights Fee Schedule

<u>Chapter and Corresponding Section of the Village of Harwood Heights Code of Ordinances</u>	<u>Notes and Description</u>	<u>Amount</u>
4.28.1520	Video gaming terminal fees	A. Annual Terminal Fee: \$1,000/terminal each year (\$250 proration if license issues on/after Feb. 1) B. <u>(Intra-year) Replacement Terminal Sticker Fee: \$25</u>

SECTION 5. RESOLUTION OF CONFLICTS. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

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 in pamphlet form in the manner provided by law.

SIGNATURE PAGE FOLLOWS

VOTES

AYES: Trustee Brutto, Steiner, Brzezniak-Volpe, Brzozowski-Wegrecki, Zerillo, Lewandowski

NAYS:

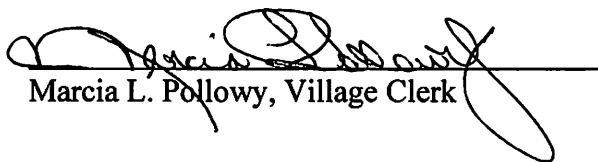
ABSENT:

ABSTAIN:

Passed and Approved this 11th day of March, 2025.


Mayor Arlene Jezierny

ATTEST:


Marcia L. Pollowy, Village Clerk

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 25-03 entitled:

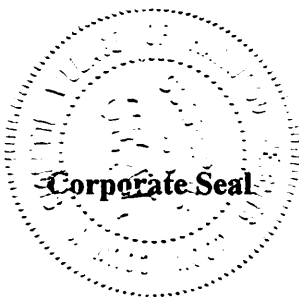
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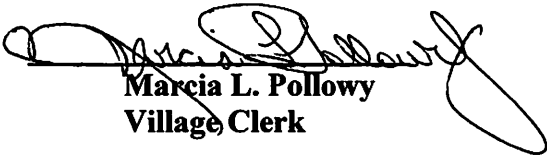
Is true and correct copy of an Ordinance adopted by the Board of Trustees of the Village of Harwood Heights at a meeting held on the 11th day of March, 2025.

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 12th day of March, 2025.




Marcia L. Pollowy
Village Clerk

THE CONSTITUTION

Article I, Section 1, Clause 1: All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

Article I, Section 2, Clause 1: The House of Representatives shall be composed of Members chosen every second Year by the People of the several States, and the Electors in each State shall have the Qualifications requisite for Electors in that State.

Article I, Section 3, Clause 1: The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof, for six Years; and each Senator shall have the Qualifications requisite for Senators in that State.

Article I, Section 4, Clause 1: The Times, Places and Manner of holding the Elections of Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by Law alter or change the Time, Place or Manner of holding such Elections, provided they do not alter or change the same so as to take away or abridge the Choice of the People.

Article I, Section 5, Clause 1: The Senate shall have the sole Power to try all Impeachments, when the House of Representatives shall have impeached; and no Senator or Representative shall be tried, while on Trial, for any Crime or Offense, until he or she shall have been acquitted.

Article I, Section 6, Clause 1: The Senators and Representatives, together with the Clergymen, Ministers, Members of either House, and all Officers, justices and Judges of the United States, shall be privileged in all their Speeches and Debates in either House, and in all their Writings and Publications, not to be questioned in any Court or Place, for any Speech or Debate done or uttered in the Course of their official Business.

Article I, Section 7, Clause 1: All Bills for raising Revenue shall originate in the House of Representatives; but the Senate may propose or concur with Amendments as on other Bills.

Article I, Section 7, Clause 2: No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all moneys shall be published from time to time in such Manner as the Congress may direct.

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