

**AN ORDINANCE ADOPTING VARIOUS AMENDMENTS TO THE
CITY OF ROLLING MEADOWS CODE OF ORDINANCES**

WHEREAS, Municipal Code Corporation (“Municode”), as the City’s codifier, has suggested various revisions to the Code of Ordinances to eliminate redundant, conflicting and obsolete provisions in the Code of Ordinances; and

WHEREAS, the City Council has determined to amend the Code of Ordinances to eliminate redundant, conflicting and obsolete provisions in the Code of Ordinances.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Rolling Meadows, Illinois, as follows:

SECTION ONE: Chapter 2 entitled “Administration” of the City Code of the City of Rolling Meadows is hereby amended by amending sections 2-37, 2-39, 2-40, 2-47, 2-114, 2-189, 2-661, 2-723, and 2-752 by replacing “alderman” with the word “alderperson”.

SECTION TWO: Chapter 2 entitled “Administration” of the City Code of the City of Rolling Meadows is hereby amended by amending sections 2-36, 2-40, 2-47, 2-49, 2-96, 2-104, 2-106, 2-113, 2-114, and 2-1133 by replacing the word “aldermen” with the word “alderpersons”.

SECTION THREE: Chapter 78 entitled “Planning” of the City Code of the City of Rolling Meadows is hereby amended by amending section 78-97 by replacing the word “aldermen” with the word “alderpersons”.

SECTION FOUR: Section 2-40 entitled “Mayor to preside; right to vote”, of Division 1 entitled “Generally”, of Article II entitled “Council”, of Chapter 2 entitled “Administration” of the City Code of the City of Rolling Meadows is hereby amended by deleting Section 2-40 and

replacing it with the following:

Sec. 2-40. - Mayor to preside; right to vote.

The mayor shall preside at all meetings of the city council. The mayor shall not vote on any ordinance, resolution or motion except: (i) where the vote of the alderpersons has resulted in a tie; or (ii) where one-half of the alderpersons then holding office have voted in favor of an ordinance, resolution or motion even though there is no tie vote; or (iii) where a vote greater than a majority of the corporate authorities is required by law to adopt an ordinance, resolution, or motion. In each instance specified, the mayor shall vote unless the ordinance, resolution, or motion has received a vote sufficient for adoption. Nothing in this section shall deprive an acting mayor or mayor pro tem from voting in his capacity as alderman, but he shall not be entitled to another vote in his capacity as acting mayor or mayor pro tem.

State Law reference— Similar provisions, 65 ILCS 5/5-3-5.

SECTION FIVE: Section 2-292 entitled “Compensation”, of Division 4 entitled “City Clerk”, of Article III entitled “Officers”, of Chapter 2 entitled “Administration” of the City Code of the City of Rolling Meadows is hereby amended by repealing paragraph (a) and deleting the paragraph number “(b)” from the second paragraph.

SECTION SIX: Section 2-331 entitled “Position created; appointment”, of Division 5 entitled “City Treasurer”, of Article III entitled “Officers”, of Chapter 2 entitled “Administration” of the City Code of the City of Rolling Meadows is hereby amended by deleting the state law reference.

SECTION SEVEN: Section 2-332 entitled “Salary”, of Division 5 entitled “City Treasurer”, of Article III entitled “Officers”, of Chapter 2 entitled “Administration” of the City Code of the City of Rolling Meadows is hereby amended by repealing paragraph (a) and deleting

the paragraph number “(b)” from the second paragraph.

SECTION EIGHT: Section 2-981 entitled “Sunset provision”, of Article VII entitled “Ethics”, of Chapter 2 entitled “Administration” of the City Code of the City of Rolling Meadows is hereby deleting Section 2-981 in its entirety.

SECTION NINE: Article X entitled “Gift Ban”, of Chapter 2 entitled “Administration” of the City Code of the City of Rolling Meadows is hereby amended by deleting the state law reference.

SECTION TEN: Section 3-39 entitled “Code hearing unit”, of Article II entitled “Code Hearing Unit Adjudication”, of Chapter 3 entitled “Code Hearing Unit Adjudication”, of the City Code of the City of Rolling Meadows is hereby amended by adding the following sentence beneath paragraph 1, subsection (d):

A person who has served as a judge in Illinois, is not required to fulfill the requirements of items (1) through (4) of the subsection.

SECTION ELEVEN: Section 3-51 entitled “Procedure”, of Article III entitled “Administrative Adjudication of Vehicular Standing, Parking and Compliance Violations,” of Chapter 3 entitled “Code Hearing Unit Adjudication”, of the City Code of the City of Rolling Meadows is hereby amended at paragraph 3, by adding thereto the following:

(c) mailing the notice to the address of the registered owner or lessee of the cited vehicle as recorded with the Secretary of State or the lessor of the motor vehicle within 30 days after the Secretary of State or the lessor of the motor vehicle notifies the municipality or county of the identity of the owner or lessee of the vehicle, but not later than 90 days after the date of the violation, except that in the case of a lessee of a motor vehicle, service of a parking, standing, or compliance violation notice may occur no later than 210 days after the violation.

SECTION TWELVE: Section 6-34 entitled “Application contents and procedure”, of Article II entitled “Licenses”, of Chapter 6 entitled “Alcoholic Beverages”, of the City Code of the City of Rolling Meadows is hereby amended by deleting the state law reference at the end

of said section.

SECTION THIRTEEN: Section 6-77 entitled “Hours and days of sale”, of Article III entitled “Sales”, of Chapter 6 entitled “Alcoholic Beverages”, of the City Code of the City of Rolling Meadows is hereby amended by deleting the state law reference at the end of said section.

SECTION FOURTEEN: Section 14-3 entitled “Noise disturbance”, of Article I entitled “In general”, of Chapter 14 entitled “Animals”, is hereby repealed.

SECTION FIFTEEN: Section 14-4 entitled “Securing unattended horses attached to vehicles”, of Article I entitled “In general”, of Chapter 14 entitled “Animals”, is hereby repealed.

SECTION SIXTEEN: Section 14-5 entitled “Backing horse-drawn vehicles to curb”, of Article I entitled “In general”, of Chapter 14 entitled “Animals”, is hereby repealed. Chapter 14, “Animals”, Section 14-5, is hereby repealed.

SECTION SEVENTEEN: Section 14-8 entitled “Running at large”, of Article I entitled “In general”, of Chapter 14 entitled “Animals”, is hereby amended by amending paragraph (c)(1) to read as follows:

- (1) Attached to a harness, chain or leash not exceeding six feet in length, and held continuously by a person capable of controlling the animal;

SECTION EIGHTEEN: Section 22-474 entitled “Fire limits”, of Division 9 entitled “Fuel oil, wholesale gasoline dealers”, of Article III entitled “Other Businesses”, of Chapter 22 entitled “Businesses”, is hereby repealed.

SECTION NINETEEN: Section 22-1122 entitled “License application procedures”, of Division 29 entitled “Young Adult Entertainment Facilities”, of Article III entitled “Other

Businesses”, of Chapter 22 entitled “Businesses”, is hereby amended by deleting “1961” and inserting, in lieu thereof, “2012”.

SECTION TWENTY: Section 22-1123 entitled “Procedures for issuance or denial of license”, of Division 29 entitled “Young Adult Entertainment Facilities”, of Article III entitled “Other Businesses”, of Chapter 22 entitled “Businesses”, is hereby amended by amending paragraph (2)a.1 of said section by deleting “1961” and inserting, in lieu thereof, “2012”.

SECTION TWENTY ONE: Section 22-1124 entitled “Operating rules and regulations”, of Division 29 entitled “Young Adult Entertainment Facilities”, of Article III entitled “Other Businesses”, of Chapter 22 entitled “Businesses”, is hereby amended by amending paragraph (u) by altering the listing to delete the reference to the Illinois Criminal Code of “1961” and inserting, in lieu thereof, “2012”.

SECTION TWENTY TWO: Section 22-1157 entitled “Raffle restrictions”, of Division 30 entitled “Raffles”, of Article III entitled “Other Businesses”, of Chapter 22 entitled “Businesses”, is hereby amended by deleting said section and replacing it with the following:

(a) The conducting of raffles and are subject to the following restrictions:

(1) The entire net proceeds of any raffle must be exclusively devoted to the lawful purposes of the organization permitted to conduct that game.

(2) No person except a bona fide director, officer, employee, or member of the sponsoring organization may manage or participate in the management of the raffle. No person may receive any remuneration or profit for managing or participating in the management of the raffle. Sponsoring organizations may contract with third parties who, acting at the direction of and under the supervision of the sponsoring organization, provide bona fide services to the sponsoring organization in connection with the operation of a raffle and may pay reasonable compensation for such services. Such services include the following: (a) advertising, marketing and promotion, (b) legal, (c) procurement of goods, prizes, wares and merchandise for the purpose of operating the raffle, (d) rent, if the premises upon which the raffle will be held is rented, (e) accounting, auditing and bookkeeping, (f) website hosting, (g) mailing and delivery, (h) banking and payment processing, and (i) other services relating to the operation of the raffle.

(3) A licensee may rent a premises on which to determine the winning chance or chances in a raffle provided that the rent is not determined as a

percentage of receipts or profits from the raffle.

(4) Raffle chances may be sold throughout the State, including beyond the borders of the city. Winning chances may be determined only at those locations specified on the license for a raffle.

(5) A person under the age of 18 years may participate in the conducting of raffles or chances or only with the permission of a parent or guardian. A person under the age of 18 years may be within the area where winning chances in a raffle or winning hands or scores in a poker run are being determined only when accompanied by his parent or guardian.

SECTION TWENTY THREE: Section 22-1158 entitled “Fidelity bond required; waiver”, of Division 30 entitled “Raffles”, of Article III entitled “Other Businesses”, of Chapter 22 entitled “Businesses”, is hereby amended by deleting said section and replacing it with the following:

Sec. 22-1158. - Fidelity bond required; waiver.

All management, operation, and conduct of raffles shall be under the supervision of a single manager designated by the organization. The manager shall give a fidelity bond in an amount determined by the licensing authority in favor of the organization conditioned upon his honesty in the performance of his duties. Terms of the bond shall provide that notice shall be given in writing to the licensing authority not less than 30 days prior to its cancellation. The City Council may waive this bond requirement by including a waiver provision in the license issued to an organization under this Act, provided that a license containing such waiver provision shall be granted only by the affirmative vote of the requisite number of members of the city council.

SECTION TWENTY FOUR: Section 22-1159 entitled “Records required”, of Division 30 entitled “Raffles”, of Article III entitled “Other Businesses”, of Chapter 22 entitled “Businesses”, is hereby amended by deleting paragraph (c) of said section and replacing it with the following:

(c) Each organization licensed to conduct raffles and chances events shall keep records of its gross receipts, expenses and net proceeds for each single gathering or occasion at which winning chances in a raffle are determined. All deductions from gross receipts for each single gathering or occasion shall be documented with receipts or other records indicating the amount, a description of the purchased item or service or other reason for the deduction, and the recipient. The distribution of net proceeds shall be itemized as to payee, purpose, amount and

date of payment.

Gross receipts from the operation of raffles shall be segregated from other revenues of the organization, including bingo gross receipts, if bingo games are also conducted by the same nonprofit organization pursuant to license therefor issued by the Department of Revenue of the State of Illinois, and placed in a separate account. Each organization shall have separate records of its raffles. The person who accounts for gross receipts, expenses and net proceeds from the operation of raffles shall not be the same person who accounts for other revenues of the organization.

Each organization licensed to conduct raffles shall report promptly after the conclusion of each raffle to its membership or, if the organization does not have members, to its governing board. Each organization licensed to conduct raffles shall report promptly to the city its gross receipts, expenses and net proceeds from the raffle, and the distribution of net proceeds itemized as required in this Section.

Records required by this Section shall be preserved for 3 years, and organizations shall make available their records relating to operation of raffles or poker runs for public inspection at reasonable times and places.

SECTION TWENTY FIVE: Section 38-51 entitled "Definitions", of Division 1.1 entitled "Chronic Nuisance Property Abatement", of Article II entitled "Nuisances", of Chapter 38 entitled "Environment", is hereby amended at the definition of "Nuisance Activities" by deleting 720 ILCS 5/11-9 at paragraph (7) and inserting, in lieu thereof, 720 ILCS 5/11-30 and by deleting 720 ILCS 5/12-15 at paragraph (9) and inserting, in lieu thereof, 720 ILCS 5/11-1.50.

SECTION TWENTY SIX: Article IV entitled "Small Unmanned Aircraft", of Chapter 38 entitled "Environment", is hereby repealed.

SECTION TWENTY SEVEN: Section 42-1 entitled "Fireworks", of Article I entitled "In General", of Chapter 42 entitled "Fire Protection and Prevention", is hereby amended by deleting the definition of "Fireworks" and replacing the definition with the following:

(a) The term fireworks shall mean and include any explosive composition or any substance or combination of substances, or article prepared for the purpose of producing a visible or audible effect of a temporary exhibitional nature by explosion, combustion, deflagration or detonation, and shall include blank cartridges, toy cannons in which explosives are used, the type of balloons which require fire underneath to propel the same, firecrackers, torpedoes, sky rockets,

Roman candles, bombs or other fireworks of like construction and any fireworks containing any explosive compound; or any tablets or other device containing any explosive substance, or containing combustible substances producing visual effects. The term "fireworks" shall not include snake or glow worm pellets; smoke devices; sparklers; trick noisemakers known as "party poppers", "booby traps", "snappers", "trick matches", "cigarette loads" and "auto burglar alarms"; toy pistols, toy canes, toy guns, or other devices in which paper or plastic caps containing twenty-five hundredths grains or less of explosive compound are used, provided they are so constructed that the hand cannot come in contact with the cap when in place for the explosion; and toy pistol paper or plastic caps which contain less than twenty-five hundredths grains of explosive mixture; the sale and use of which shall be permitted at all times.

(b) The term "fireworks plant" shall mean and include all lands, with buildings thereon, used in connection with the manufacture or processing of fireworks, as well as storehouses located thereon for the storage of finished fireworks.

(c) The term "fireworks factory building" shall mean any building or other structure in which the manufacture of fireworks, or in which any processing involving fireworks is carried on.

(d) The term "magazine" shall mean any building or other structure used for the storage of explosive raw materials used in the manufacture of fireworks.

(e) The term "Office" shall mean the Office of the State Fire Marshall.

SECTION TWENTY EIGHT: Article III entitled "Codes", of Chapter 42 entitled "Fire Protection and Prevention", is hereby repealed.

SECTION TWENTY NINE: Section 46-64 entitled "Duties of enforcement official", of Article III entitled "Development In Special Flood Hazard Areas", of Chapter 46 entitled "Floods", is hereby amended by amending paragraph (9) by deleting the reference to "92 Ill. Adm. Code, Part 708" and replacing it with "17 Ill. Adm. Code, pt. 3708".

SECTION THIRTY: Section 46-67 entitled "Occupation and use of identified floodways", of Article III entitled "Development In Special Flood Hazard Areas", of Chapter 46 entitled "Floods", is hereby amended by amending paragraphs (c)(1) and (c)(2)e.3 of said Section, to delete the reference to "92 Ill. Adm. Code Part 708" and inserting, in lieu thereof, "17 Ill. Adm. Code, pt. 3708", and deleting "transportation" from paragraph (c)(2)e.3 and inserting, in lieu thereof, "natural resources".

SECTION THIRTY ONE: Section 46-67 entitled “Occupation and use of identified floodways”, of Article III entitled “Development In Special Flood Hazard Areas”, of Chapter 46 entitled “Floods”, is hereby amended by amending paragraphs (c)(2) and (f), by deleting the reference to “92 Ill. Adm. Code Part 708” and inserting, in lieu thereof, “17 Ill. Adm. Code pt. 3702”.

SECTION THIRTY TWO: Chapter 50 entitled “Health and Sanitation”, is hereby amended by amending Section 50-183 of Division 2, Section 50-216 of Division 3, Section 50-286 of Division 5, and Section 50-326 of Division 6 by adding “730 ILCS 5/5-4.5-60” following “Class B Misdemeanor”.

SECTION THIRTY THREE: Section 50-431 entitled “Exceptions to article”, of Article VI entitled “Toxic Substances Disclosure to Employees” of Chapter 50 entitled “Health and Sanitation”; is hereby amended by deleting “9-109.1” and inserting, in lieu thereof, “9-102” in reference to the Uniform Commercial Code.

SECTION THIRTY FOUR: Section 70-34 entitled “Public drinking; open containers of alcoholic liquor”, of Division 1 entitled “Generally”, of Article II entitled “Offenses Against the Public Peace and Safety”, of Chapter 70 entitled “Offenses and Miscellaneous Provisions”, is hereby amended by adding the following to the beginning of subsection (c), “Except as provided by 235 ILCS 5/6-28.8 and 235 ILCS 5/6-33”.

SECTION THIRTY FIVE: Section 70-37 entitled “Noise”, of Division 1 entitled “Generally”, of Article II entitled “Offenses Against the Public Peace and Safety”, of Chapter 70 entitled “Offenses and Miscellaneous Provisions”, is hereby amended by amending subsections (a)(2) and (a)(4), by adding to the beginning of each subsection, “Subject to the standards of a reasonable person.”

SECTION THIRTY SIX: Section 70-37 entitled “Noise”, of Division 1 entitled “Generally”, of Article II entitled “Offenses Against the Public Peace and Safety”, of Chapter 70 entitled “Offenses and Miscellaneous Provisions”, is hereby amended by amending subsection (b)(3), by deleting “that are noncommercial in character”.

SECTION THIRTY SEVEN: Section 70-40 entitled “Disorderly conduct”, of Division 1 entitled “Generally”, of Article II entitled “Offenses Against the Public Peace and Safety”, of Chapter 70 entitled “Offenses and Miscellaneous Provisions”, is hereby amended by deleting subsection (1) and renumbering the remaining subsections.

SECTION THIRTY EIGHT: Subsection (d)(3) entitled “Criminal gang activity”, of Section 70-41 entitled “Gang loitering”, of Division 1 entitled “Generally”, of Article II entitled “Offenses Against the Public Peace and Safety”, of Chapter 70 entitled “Offenses and Miscellaneous Provisions”, is hereby amended by deleting “(a)(13)” and inserting, in lieu thereof, “(c)(2) and (c)(3)”, deleting “5/12-4” and inserting, in lieu thereof, “5/12-3.05”, deleting “5/12-4.1, 5/12-4.2, 5/12-4.3 and 5/12-4.6”, deleting “5/12-6.1” and inserting, in lieu thereof, “6/12-6.5”, deleting “5/12-11” and replacing it with “5/19-6”, deleting “5/12-14” and replacing it with “5/11-1.30”, deleting “5/24-1 (a)(12)” and deleting subsection (d) of “Section 5/25-1 (Mob Action – Violence)”.

SECTION THIRTY NINE: Section 78-121 entitled “Notice required prior to the city council’s consideration of certain annexations ordinances”, of Article V entitled “Notices for Certain Annexations”, of Chapter 78 entitled “Planning”, is hereby amended by correcting the state law reference to :65 ILCS 5/7-1-2.

SECTION FORTY: Section 6-34 entitled “Application contents and procedure”, of Article II entitled “Licenses”, of Chapter 6 entitled “Alcoholic Beverages”, of the City Code of

the City of Rolling Meadows is hereby amended by replacing paragraph (12)(B) with the following:

- (B) The city shall undertake a determination of whether the video gaming establishment is a video gaming cafe (requiring a class GC license and special use permit pursuant to the City's Zoning Ordinance) or whether video gaming is an accessory to the establishment (requiring a class GA license). The city manager, or his designee the director of public works, will conduct an investigation, based upon the submittals referenced in subsection (A) above along with any other information deemed necessary by city staff, to determine whether or not an establishment constitutes a video gaming cafe. The city manager, or his designee the director of public works, shall evaluate the 12 criteria set forth in subsection (C) immediately below, and if the investigation reveals that the establishment meets any five of the 12 criteria, the establishment shall be determined a video gaming cafe. Upon completion of the investigation, the city manager, or the director of public works, shall prepare a written report detailing the information and findings of the investigation and shall specifically determine whether the establishment constitutes a video gaming cafe (requiring a class CG license and special use permit) or whether video gaming is an accessory to the establishment (requiring a class GA license). The report and the designation of the establishment contained therein shall be approved by the city manager and the mayor, as the local liquor commissioner, and thereafter presented to the city council. If the establishment qualifies for class GA license, the city council will consider whether to allow for the class GA license, by increasing the total number of liquor licenses in that classification. If the establishment qualifies for a class GC license, the city council will consider whether to refer the matter to the city's planning and zoning commission for special use consideration. If the city council refuses to refer the matter to the city's planning and zoning commission, the matter shall not move forward and the class GC license will not be considered or processed any further. If the city council refers the matter to the city's planning and zoning commission, the matter shall proceed in accordance with the relevant provisions of the City's Zoning Ordinance. If the special use is ultimately approved by the city council and the establishment is in good standing with the city and any other state or regulatory agency, the city council will allow for the class GC license, by increasing the total number of liquor licenses in that classification, simultaneously with the granting of the special use permit.

SECTION FORTY ONE: Section 6-34 entitled "Application contents and procedure", of Article II entitled "Licenses", of Chapter 6 entitled "Alcoholic Beverages", of the City Code of the City of Rolling Meadows is hereby amended by replacing paragraph (12)(D) with the following:

(D) An applicant may forgo the determination/investigation process set forth above in subsections (B) and (C) and may specifically request to directly apply for a class GC license. In that event, the applicant must still submit all of the materials required under subsection (A) with the application for the liquor license. Such materials will be presented to the city council for its determination of whether to refer the matter to the city's planning and zoning commission for special use consideration. If the city council refuses to refer the matter to the city's planning and zoning commission, the matter shall not move forward and the class GC license will not be considered or processed any further. If the city council refers the matter to the city's planning and zoning commission, the matter shall proceed in accordance with the City's Zoning Ordinance. If the special use is ultimately approved by the city council and the establishment is in good standing with the city and any other State or regulatory agency, the city will allow for the class GC license, by increasing the total number of liquor licenses in that classification, simultaneously with the granting of the special use permit.

SECTION FORTY TWO: Section 6-36 entitled "Classification and licenses for retail sale", of Article II entitled "Licenses", of Chapter 6 entitled "Alcoholic Beverages", of the City Code of the City of Rolling Meadows is hereby amended by replacing paragraph (l) with the following:

- (l) Class GC (Gaming Café) license shall authorize the retail sale of alcoholic liquor in video gaming cafes/video gaming lounges for consumption on the premises, and authorize the operation of video gaming devices upon the licensed premises, subject to the following:
 - (1) A class GC licensed premises shall only be located in the C-1, C-2 or C-3 commercial zoning district of the city, and in the geographic areas described in the City's Zoning Ordinance and identified on the Gaming License Map maintained by the city. A maximum of five (5) video gaming cafes may operate within the City.(2) Each GC licensed premises shall comply with all regulations set forth in the City's Zoning Ordinance.
 - (3) Window and door signage on a GC-licensed establishment shall not take up more than 30 percent of the gross area of each window and door. All other signs shall comply with all city sign regulations.
 - (4) The city shall issue no more than five (5) class GC licenses. This cap on the number of GC-licensed establishments shall in no way obligate the city to grant, or limits its ability to deny, a GC license application, even if the city has not reached this designated cap on GC-licensed establishments.
 - (5) There shall be no more than one (1) GC-licensed establishment in any commercial building designated to accommodate multiple businesses.
 - (6) The GC-licensed establishment must maintain a commercial-grade cooking device and the beverage and food offerings of a GC-licensed establishment shall include a variety of non-alcoholic beverages and food items, in accordance with the regulations set forth

in the City's Zoning Ordinance. A menu of all food offerings must be submitted as part of the license application and will be subject to approval by the mayor, as the local liquor commissioner.

- (7) A class GC-licensed establishment must have a video gaming license issued by the Illinois Gaming Board in accordance with the provisions of the Video Gaming Act (230 ILCS 40/1 et seq.) prior to operation of the establishment and shall comply with all provisions of the Illinois Video Gaming Act and all rules, regulations and restrictions imposed by the Illinois Gaming Board.
- (8) It is required that the video gaming area of a GC-licensed establishment be separated from the other area of the establishment by a partition wall consisting of a four-foot solid and permanent/stable material such as wood, paneling, or finished or painted dry wall visual barrier for the lower half and lattice or design blocks for the upper half. By each video gaming machine there must be a table, cabinet, or shelf so drinks and food are not placed on the floor or on the machine.
- (9) The operation of video gaming terminals shall be not be permitted during the hours alcoholic liquor sales are prohibited.
- (10) A special use permit shall be required in order to operate a class GC-licensed establishment.
- (11) At the time of the class GC licensee's application for a subsequent renewal license and no sooner than nine months after the establishment has been in operation, the GC-licensed establishment shall have the opportunity to present information to the city manager indicating the establishment is not operating as a video gaming cafe as set forth in section 6-34(12) of the City Code and the City's Zoning Ordinance, but instead operates with video gaming as an accessory to the establishment. The information must be presented to the city manager at least 30 days prior to the issuance of the renewal license and must be supported by credible evidence establishing that the premises is not primarily used for video gaming, and must include financial information regarding revenues allocated to gaming and revenues allocated for food and beverage. If the evidence presented clearly shows that the establishment is not operating as a video gaming cafe, the city manager will provide a written recommendation to the mayor, as the local liquor commissioner, that such license be converted to a class GA license. The local liquor commissioner shall make the final determination as to whether the renewal license shall be granted under the class GA license or the class GC license.
- (12) Motor fuel may not be sold by any class GC license holder.

SECTION FORTY THREE: This Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

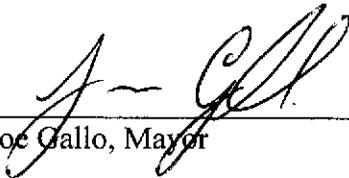
SECTION FORTY FOUR: This Ordinance shall be printed and published in pamphlet form by order of the City Council of the City of Rolling Meadows.

PASSED AND APPROVED by the City Council of Rolling Meadows, Cook County,
Illinois this 24th day of January, 2023.

AYES: McHale, Budmats, O'Brien, Vinezeano, Bisesi, Reyez, Sanoica

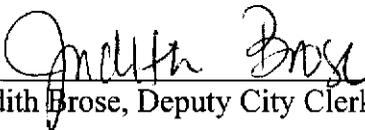
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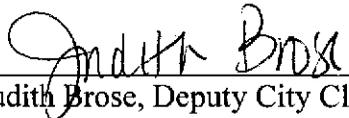
Joe Gallo, Mayor

ATTEST:



Judith Brose, Deputy City Clerk

Published this 27th day of January, 2023.



Judith Brose, Deputy City Clerk