

**AN ORDINANCE CLARIFYING CITY CODE PROHIBITIONS
PERTAINING TO ELECTRONIC SWEEPSTAKES MACHINES AND
ESTABLISHING SPECIFIC FINES FOR RELATED VIOLATIONS**

WHEREAS, the City Council has determined it desirable, necessary and in the public interest to clarify existing law related to the prohibition of electronic sweepstakes machines in the City of Rolling Meadows.

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

SECTION 1. Section 10-230, entitled “Electronic Sweepstakes Machines Prohibited”, of Article IX, entitled “Electronic Sweepstakes Machines”, of Chapter 10, “Amusements and Entertainment” of the Code of Ordinances is hereby amended to read as follows:

“Sec. 10-230 – Electronic sweepstakes machines prohibited.

(a) For purposes of this Section 10-230, the following definitions shall apply:

- 1) Electronic machine or device means a mechanically, electrically or electronically operated machine or device, that is owned, leased or otherwise possessed by a sweepstakes sponsor or promoter, or any of the sweepstakes sponsor’s or promoter’s partners, affiliates, subsidiaries or contractors, that is intended to be used by a sweepstakes entrant, that uses energy, and that is capable of displaying information on a screen or other mechanism.
- 2) Enter or entry means the act or process by which a person becomes eligible to receive any prize offered in a sweepstakes.
- 3) Entertainment display. Visual information capable of being seen by a sweepstakes entrant that takes the form of actual game play or simulated game play of games, including, but not limited to, a poker game or any other kind of playing card game; a bingo game; a craps game; a keno game, a lotto game, an eight-liner game; a pot-of-gold game; a game based on or involving the random or chance matching of different pictures, words, numbers or symbols not dependent on the skill or dexterity of the player; a casino or gambling game; and any other video game the outcome of which is not in whole or in part dependent on the skill or dexterity of the player

that is played in the course of revealing a prize as a result of an entry into a sweepstakes.

- 4) Prize means any gift, award, gratuity, good, service, credit or anything else of value, which may be transferred to a person, whether possession of the prize is actually transferred, or placed on an account or other record as evidence of the intent to transfer the prize.
- 5) Sweepstakes means any game, advertising scheme or plan, or other promotion, which, with or without payment of any consideration, a person may enter to win or become eligible to receive any prize, the determination of which is based upon chance.

(b) Except for licenses granted by the Illinois Gaming Board pursuant to the provisions of the *Illinois Gaming Act*, 230 ILCS 40/1, *et seq.* and this City Code, it shall be unlawful for any person to operate, display, or place into operation, an electronic machine or device to do either of the following in the City:

- 1) Conduct a sweepstakes through the use of an entertaining display, including the entry process or the reveal of a prize.
- 2) Promote a sweepstakes that is conducted through the use of an entertaining display, including the entry process or the reveal of a prize.

(c) It is the intent of this Section to prohibit any mechanism that seeks to avoid application of this Section through the use of subterfuge or pretense whatsoever.

SECTION 2. Appendix B “Schedule of Rates, Fees, Fines and Penalties” of the Rolling Meadows City Code is hereby amended by adding to Article XIII the following paragraph E:

“E. Penalty for Violation of Chapter 10, Article IX, Section 10-230 (Electronic Sweepstakes Machines): Any person or entity that violates any provision of Chapter 10, Article IX, Section 10-230 shall be punished by a fine of not less than \$100.00 nor more than \$750.00. Each day that a violation continues shall be deemed a separate offense. A second or subsequent violation, after having been found guilty of a first violation, occurring within 12 months of the finding of guilty, shall be a fine of not less than \$500.00 nor more than \$750.00.”

SECTION 3. The amendments made to Chapter 10, Article IX, Section 10-230 shall be deemed declarative of existing law and shall not be construed as a new enactment.

SECTION 4. This Ordinance shall be in full force and effect upon 10 days after its passage and approval and publication as required by law.

PASSED AND APPROVED by the City Council of Rolling Meadows, Cook County, Illinois this 25th day of July, 2023.

AYES: O'Brien, Boucher, Reyez, Koehler, McHale, Budmats

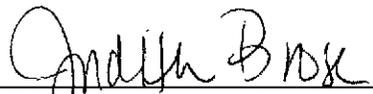
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ABSENT: Vinezeano



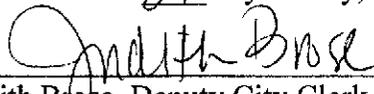
Lara Sanoica, Mayor

ATTEST:



Judith Brose, Deputy City Clerk

Published this 27th day of July, 2023,



Judith Brose, Deputy City Clerk