

**COUNTY OF FAYETTE, ILLINOIS**

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**ORDINANCE NUMBER 2020-02-11-A**

**AN ORDINANCE APPROVING THE ILLINOIS LABORER'S INTERNATIONAL UNION  
LABOR COUNCIL UNION CONTRACT FOR  
DECEMBER 1, 2017 TO NOVEMBER 30, 2020**

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**ADOPTED BY THE FAYETTE COUNTY BOARD OF THE COUNTY OF FAYETTE, ILLINOIS  
THIS 11<sup>TH</sup> DAY OF FEBRUARY 2020**

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**PUBLISHED BY THE AUTHORITY OF THE COUNTY BOARD OF FAYETTE COUNTY  
THIS 11TH DAY OF FEBRUARY 2020.**

AN ORDINANCE APPROVING THE ILLINOIS LABORER'S INTERNATIONAL UNION LABOR COUNCIL UNION CONTRACT FOR DECEMBER 1, 2017 TO NOVEMBER 30, 2020

**WHEREAS**, Fayette County, Illinois (the "County"), has heretofore been duly organized and is now operating as a county under the provisions of the Illinois Counties Code, and all laws amendatory thereof and supplementary thereto (the "Code"); and

**WHEREAS**, the Insurance and Personnel Committee has reviewed and requested approval from the County Board of certain and specific terms of the a negotiated union contract with the Illinois LABORER'S INTERNATIONAL UNION Labor Council pertaining to participating Highway Department employees. (attached hereto as Exhibit A); and,

**WHEREAS**, the Fayette County Board has previously affirmed terms regarding wages and health insurance among other agreements and that the full and complete agreement is attached hereto as Exhibit A; and

**WHEREAS**, it is in the best interests of the County to approve the attached contract.

NOW THEREFORE, BE IT ORDAINED BY THE COUNTY BOARD OF FAYETTE COUNTY, ILLINOIS:

**SECTION 1. INCORPORATION OF PREAMBLES.**

The County hereby finds that the recitals contained in the preambles to this Ordinance are true and correct and does incorporate them into this Ordinance by the reference.

**SECTION 2. APPROVAL OF RECOMMENDATION.**

The County hereby approves the Illinois LABORER'S INTERNATIONAL UNION Labor Council union contract for the fixed term of December 1, 2017 to November 30, 2020.

**SECTION 3. AUTHORIZATION TO OFFICERS.**

The County Board Chairman is authorized, empowered and directed to execute the Contract in the name of the County. The County Clerk is hereby authorized empowered and directed to attest the signature of the County Board Chairman on such Contract. Upon passage and signing of this Ordinance and the Contract, the County Clerk shall file a certified copy of such executed documents.

**SECTION 4. AUTHORIZATION TO OTHERS.**

All Officers, Employees and Agents of the County are hereby authorized, empowered, and directed to take any and all actions necessary, appropriate or convenient to effectuate the purposes of this Ordinance and complete the execution of the Contract.

**SECTION 5. SEVERABILITY.**

If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of this Ordinance.

**SECTION 6. REPEALER.**

All ordinances, resolutions, or orders, or parts thereof, in conflict with the provisions of this Ordinance are to the extent of such conflict hereby repealed.

ADOPTED by the County Board of the Fayette County, Illinois on the 11th day of February 2020, upon ye a and nay vote as follows:

JENNIFER WAGGONER	Aye
JACOB HARRIS	Aye
JEFFREY E. BECKMAN	Aye
MERRELL H. COLLINS	Aye
PATRICK G. CLICK, JR.	Aye
GLEN W. DANIELS	Aye
DEAN J. BERNHARDT	Aye
DEBRA L. WARNER	Absent
KEITH COLE	Aye
DARRELL SCHAAL	Aye
BRYCE KISTLER	Aye
GLENN L. GURTNER	Aye
GLENDA BARTELS	Aye
JOE A. WILLS	Aye

APPROVED by the Chairperson of the Fayette County Board, Illinois on the 11<sup>TH</sup> day of February, 2020.

  
Chairperson Fayette County Board, Illinois

  
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Vicky Conder

Fayette County Clerk



**COUNTY OF FAYETTE, ILLINOIS**

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ORDINANCE NUMBER 2020-02-11-B

AN ORDINANCE REGULATING THE USE AND ISSUANCE  
OF LICENSES FOR VIDEO GAMING

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ADOPTED BY THE FAYETTE COUNTY BOARD  
OF THE COUNTY OF FAYETTE, ILLINOIS  
THIS 11<sup>th</sup> DAY OF FEBRUARY, 2020

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**PUBLISHED BY THE AUTHORITY OF  
THE COUNTY BOARD OF FAYETTE COUNTY  
THIS \_\_\_\_ DAY OF FEBRUARY, 2020**

AN ORDINANCE REGULATING THE USE AND ISSUANCE OF LICENSES  
FOR VIDEO GAMING

WHEREAS, Fayette County, Illinois (the “County”), has therefore been duly organized and is now operating as a county under the provisions of the Illinois Counties Code, and all laws amendatory thereof and supplementary thereto (the “Code”); and

WHEREAS, the Fayette County Board has determined that the regulation and issuance of license for Video Gaming is necessary within the county, excluding the City of Vandalia; and

WHEREAS, it is in the best interest of the citizens of the County of Fayette to enact an ordinance regulating the use and issuance of licenses for video gaming upon the terms and conditions stated herein,

NOW THEREFORE, BE IT ORDAINED BY THE COUNTY BOARD OF FAYETTE COUNTY, ILLINOIS:

**SECTION 1. QUALIFIED EXEMPTION FROM GAMING.**

(A) Licensed video gaming exemption. The prohibitions of this chapter and any other chapter or section of the County Code that may reference or govern gambling or gaming shall not apply to any video gaming terminal that has a valid video gaming terminal permit sticker and is being operated by a licensed liquor, fraternal, veterans or truck stop establishment which has a valid County video gaming establishment license and is in full compliance with this chapter.

(B) Definitions. For purposes of this chapter the following definitions shall apply unless the context clearly indicates or requires a different meaning.

1. LICENSED ESTABLISHMENT OR LICENSED PREMISES. Any establishment which holds a valid license to sell liquor at retail for consumption on the premises under the Fayette County Liquor Control Ordinance and is licensed by the Illinois Gaming Board to operate a video gaming terminal on its premises, or any fraternal establishment, veterans establishment or truck stop establishment that is licensed by the Illinois Gaming Board to operate a video gaming terminal on its premises.

2. VIDEO GAMING TERMINAL. Any electronic video game machine that, upon insertion of cash, is available to play or simulate the play of a video game, including but not limited to video poker, line up, and blackjack, utilizing a video display and microprocessors in which the player may receive free games, receipts or credits which can be redeemed for cash. VIDEO GAMING TERMINAL does not include a machine that directly dispenses coins, cash, or tokens or is for amusement purposes only.

**SECTION 2. VIDEO GAMING PERMIT REQUIRED.**

It shall be unlawful for a licensed establishment to operate any video gaming terminal, unless the licensed establishment obtains and maintains a valid video gaming terminal permit sticker from the County for each video gaming terminal to be operated on the licensed premises.

**SECTION 3. VIDEO GAMING TERMINAL PERMIT STICKER AND FEE.**

In order for any video gaming terminal to be operated at a licensed establishment, the licensed establishment is required to obtain an annual video gaming terminal permit sticker from the County for each video gaming terminal located on its premises by submitting a written application, on a form provided by the County, to the Liquor Commissioner or his designee. The burden is upon each applicant to demonstrate its suitability and qualifications for the permit sticker. Each video gaming terminal permit sticker issued by the County shall expire June 30<sup>th</sup>, next, after date of issue, unless sooner revoked as provided by law, with an annual fee of \$25.00 per video gaming terminal payable in full at the time the application is filed with the County.

A video gaming terminal permit shall be purely a personal privilege and shall not constitute property, nor shall it be subject to attachment, garnishment, or execution, nor shall it be alienable or transferable, voluntarily or involuntarily, or subject to being encumbered by any interest other than the interest of the applicant.

#### **SECTION 4. REGULATIONS FOR OPERATING VIDEO GAMING TERMINALS.**

The following regulations apply to all licensed establishments operating a video gaming terminal on the licensed premises with valid video gaming terminal permit sticker for each video gaming terminal:

- (1) A valid State Gaming Board video gaming license must always be clearly displayed.
- (2) A valid County video gaming terminal permit sticker shall always be clearly displayed on each video gaming terminal on the licensed premises whether operational or not.
- (3) No more than 6 video gaming terminals may be located on the licensed premises.
- (4) Other than having up to 6 video gaming terminals with valid video gaming terminal permit stickers, a licensed establishment is prohibited from having, anywhere on its premises, an electronic video gaming machine which may be available to play or simulate the play of poker, line up, blackjack, faro, roulette, craps, slots, or any other card or dice game or other game of chance, or that is otherwise similar to a gambling or gaming device under this code, even if solely for amusement purposes.
- (5) All video gaming terminals must be in an area restricted to persons 21 years of age or older. The entrance to such area must, always, be within the view of at least 1 employee of the licensee who is at least 21 years of age.
- (6) No licensed establishment may cause, suffer or permit any person under the age of 21 years to use, play or operate a video gaming terminal.
- (7) For licensed establishments with a liquor license, no video gaming terminal may be played except during the legal hours of operation allowed for the consumption of alcoholic beverages at the licensed establishment pursuant to the Fayette County Liquor Control Ordinance.
- (8) The licensed establishment must fully comply with the Illinois Video Gaming Act, 230 ILCS 40/1 et seq., as amended, and all rules, regulations and restrictions imposed by the Illinois Gaming Board.
- (9) The licensed establishment must fully comply with all applicable Fayette County ordinances, including, the Fayette County Liquor Control Ordinance, as well as any applicable federal and Illinois laws or regulations.



(10) Licensed establishments must immediately notify the Liquor Commissioner 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 Illinois Gaming Board video gaming license shall automatically result in the revocation, loss or suspension of the County video gaming permit sticker(s), without refund of any fee, for all video gaming terminals permitted for the establishment.

**SECTION 5. SEVERABILITY.**

Every licensed establishment where a video gaming terminal is kept shall be subject to inspection by the Fayette County Sheriff or his/her authorized agents, at any time, to ensure compliance with the Video Gaming Ordinance. This includes licensed establishments applying for a video gaming establishment license and/or video gaming terminal permit sticker. It shall be unlawful for any person to hinder, resist, oppose or attempt to hinder, resist or oppose the Fayette County Sheriff or his/her respective agents in the course of an inspection.

**SECTION 6. REVOCATION/SUSPENSION OF LICENSE AND PERMIT STICKER.**

The Liquor Commissioner may revoke or suspend any video gaming terminal permit sticker issued by the County if the Liquor Commissioner determines the licensed establishment has violated any of the provisions of this ordinance, any provision of other County ordinances, or any applicable state or federal statutes. No video gaming terminal permit shall be revoked or suspended, except after a public hearing before the Liquor Commissioner, with a 3-day written notice to the licensed establishment, served upon the licensee or the license's manager of the licensed premises. Notwithstanding the foregoing, any licensed establishment which has its liquor license forfeited, revoke, or suspended by the County or by the Illinois State Liquor Commission, or has its state video gaming license revoke or suspended by the Illinois Gaming Board, shall forthwith, without a hearing before the Liquor Commissioner, have all of its County video gaming terminal permit stickers revoked or suspended for the duration for which its liquor and/or Illinois Gaming Board gaming license is suspended.

**SECTION 7. SEIZURE OF UNLAWFUL VIDEO GAMING TERMINALS.**

Every video gaming terminal which does not have a valid video gaming terminal permit sticker or it otherwise unlawful shall be considered a gambling device subject to seizure by the Fayette County Sheriff or his/her respective agents and shall be turned over to the Illinois Gaming Board, in accordance with Board regulations and applicable law, unless otherwise ordered by a court of competent jurisdiction.

**SECTION 8. AUTHORIZATION TO OTHERS.**

All Officers, Employees and Agents of the County are hereby authorized, empowered, and directed to take any and all actions necessary, appropriate or convenient to effectuate the purposes of this Ordinance and complete the execution of the Contract.

**SECTION 9. SEVERABILITY.**

If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of this Ordinance.

**SECTION 10. REPEALER.**

All ordinances, resolutions, or orders, or parts thereof, in conflict with the provisions of this Ordinance are to the extent of such conflict hereby repealed.

**SECTION 11. APPLICABILITY.**

This ordinance applies to the County of Fayette but excludes all establishments and persons withing the City of Vandalia.


ADOPTED by the County Board of the Fayette County, Illinois on the 11th day of February, 2020, upon yea and nay vote as follows:

JENNIFER WAGGONER	Aye
JACOB HARRIS	Aye
JEFFREY E. BECKMAN	Aye
MERRELL H. COLLINS	Aye
PATRICK G. CLICK, JR.	Aye
GLEN W. DANIELS	Aye
DEAN J. BERNHARDT	Aye
DEBRA L. WARNER	Absent
KEITH COLE	Aye
DARRELL SCHAAL	Aye
BRYCE KISTLER	Aye
GLENN L. GURTNER	Aye
GLEND A. BARTELS	Aye
JOE A. WILLS	Aye

APPROVED by the Chairman of the Fayette County Board, Illinois on the 11th day of February, 2020.

  
Jeffrey E. Beckman, Chairman  
Fayette County Board, Illinois

ATTEST:

  
Vicky L. Conder  
Fayette County Clerk

