

Chapter 10 AMUSEMENTS AND ENTERTAINMENTS

**Chapter 10 AMUSEMENTS AND ENTERTAINMENTS** [u1](#)

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**Secs. 10-1—10-30. Reserved.**

**ARTICLE II. AMUSEMENTS**

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***DIVISION 1. GENERALLY***

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**Sec. 10-31. License required.**

No person or organization of any kind shall, for gain, conduct or manage any theater, circus, menagerie, moving picture show, skating rink, show or other exhibition, contest or amusement for which an admission fee is charged, or give any dramatics, concert or other musical entertainment within the village, for which an admission fee is charged, without a license therefor.

(Ord. No. 97-8, § 1, 6-11-1997)

**Sec. 10-32. Notification of property use.**

- (a) In order to provide for the general health, safety and comfort of the community, general or special units of local government which plan to use or allow to be used any properties owned or leased by such units of government in a manner regulated by this article shall notify the village 30 days in advance of such special events, exhibitions and amusements.
- (b) Notification shall be made as part of applications for licenses or permits which otherwise are required under this article. The public works, police, fire and other departments of or within the village shall be informed of such events and activities in order to determine such impact on the public services which the village provides.
- (c) If no licenses or permits are required, there shall still be notification of any event made to the village clerk or comptroller.

(Ord. No. 97-8, § 2, 6-11-1997)

**Sec. 10-33. Inspection of premises.**

No license under this article shall be issued for the giving of any such entertainment in any building, room or premises, nor shall any license be issued for any building to be used as an amusement hall or for a skating rink until a certificate of inspection and approval thereof has been issued by the chief of the fire department.

(Ord. No. 97-8, § 3, 6-11-1997)

**Sec. 10-34. License fees.**

Fees for licenses issued are as follows: for circus, carnivals, menageries, caravans, sideshows and concert shows, minstrels and musical entertainments, and all other exhibitions, performances and entertainments, not enumerated in this section, given under a covering canvas, or as any outdoor exhibition or performance as follows and subject to approval:

- (1) *Pool tables*. The first pool table shall be \$25.00 per year, and additional tables shall be \$15.00 each per year. The maximum number of tables shall be ten.
- (2) *Video games*. Video games shall be \$25.00 each per year, and the maximum number of games shall be ten units.
- (3) *Jukeboxes*. Jukeboxes shall be \$25.00 each per year.

(Ord. No. 97-8, §§ 4, 9, 6-11-1997)

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**Sec. 10-35. Amusement halls.**

The owner, lessee, or manager of any hall or moving picture theater shall take out a license for such hall or moving picture theater, and persons providing entertainment in such hall or moving picture, during the term of such license, shall be exempt from the payment of license fees, provided that the fee shall be paid in full in advance, and no license shall be granted for a period of less than a year except in the case of an application for a license fee shall be the same as if the license had been granted from the first of the year, nor shall there be any refund for any portion of the license not used by the licensee.

(Ord. No. 97-8, § 5, 6-11-1997)

**Sec. 10-36. Skating rinks.**

No person or organization shall operate a skating rink, hall or place where ice or roller skates are used, for the purpose of practice, amusements or entertainments, without a license therefor.

(Ord. No. 97-8, § 6, 6-11-1997)

**Sec. 10-37. Order of premises.**

It shall be the duty of every owner, operator, lessee or keeper of every licensed theater, skating rink, hall or other building, to keep and preserve good order in and about the premises and to that end shall keep such order.

(Ord. No. 97-8, § 7, 6-11-1997)

**Sec. 10-38. Loafing about entrances.**

No person shall stand in the lobby or other entrance to any licensed theater, skating rink, hall or other public building, or on the sidewalks adjacent to and within 50 feet of such entrance after a request to move on made by the owner, operator, lessee, keeper or any public officer.

(Ord. No. 97-8, § 8, 6-11-1997)

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***DIVISION 2. AMUSEMENT DEVICES***

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**Sec. 10-61. Definitions.**

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Amusement device* means any machine, apparatus, contrivance, appliance or device which may be operated or played involving in its use either skill or chance, including, but not limited to pool table, billiards, bumper pool, tape machine, card machine, pinball machine, bowling game machine, shuffleboard machine, marble game machine, horse racing machine, shuffleboard machine, football game machine, dart game, electronic video game, or any other similar mechanical or electronic game machine or device.

*Persons* means any corporation, association, partnership, club, society or individual.

*Place of public resort* means any premises wherein any service or merchandise is offered for sale to the public or where tables or implements of any kind for playing any game of amusement are kept for use by the general public or by members and guests of any club.

*Proprietor* means the person in whose place of business any such amusement device is placed for the use, amusement, patronage or recreation of the general public or members and guests of any club.

(Ord. No. 97-8, § 9(b), 6-11-1997)

**Cross reference**— Definitions generally, § 1-2.

**Sec. 10-62. License required.**

It shall be unlawful for any person to operate within the village any amusement device, either for gain or not in any place of public resort, without a license therefor.

(Ord. No. 97-8, § 9(a), 6-11-1997)

**Sec. 10-63. Application for license.**

Application for licenses for any amusement device shall be made by the proprietor in whose place of business any such amusement device is placed for the use, amusement, patronage, or recreation of by the general public or members and guests of a club and shall be signed by the applicant, if an individual; by a partner in the case of a partnership; or by an officer in the case of a corporation, club, association, or society, verified by an oath of affidavit; and shall contain the following information:

- (1) The name, address, age, date and place of birth of the applicant, if an individual; the names, addresses, ages, and dates and places of birth of all general or limited partners, if a partnership; the names, addresses, ages, dates and places of birth of all officers and directors of the corporation, club, association, society, if a corporation, club, association or society.

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- (2) Prior convictions of the applicant for any violations of gaming laws of the state or any other state, or of any federal gaming laws.
- (3) Place where machine or device is to be displayed or operated and the business conducted at that place.
- (4) Description of the machine to be covered by the license, mechanical features, and name of manufacturer.
- (5) Whether such machine is owned by the applicant, and if not, the name and address of its owner.

(Ord. No. 97-8, § 9(d), 6-11-1997)

**Sec. 10-64. Enforcement and inspection.**

- (a) All applications shall be referred to the comptroller with a floor plan showing the following:
  - (1) Square footage;
  - (2) Exiting (door locations);
  - (3) Seating arrangement;
  - (4) Amusement device locations;
  - (5) Aisle widths;
  - (6) Emergency and exit lighting;
  - (7) Bathroom locations; and
  - (8) Schematic of electrical system, inclusive of the floor plan.

Any changes of the listed floor plan items shall be immediately reported to the comptroller in order to amend such license.

- (b) In the case of new applicants, an application shall be submitted to the comptroller for a signed permit. If electrical work is to be completed:
  - (1) An application shall be made for an electrical permit;
  - (2) A schematic of the electrical system, inclusive of the floor plan, shall be submitted; and
  - (3) The following shall be repaired or installed:
    - a. An approved locking device for the rear exit (crash bar);
    - b. A dry-type fire extinguisher;

and all necessary permits from the village clerk or comptroller shall have been received.

(Ord. No. 97-8, § 9(e), 6-11-1997)

**Sec. 10-65. Police department check.**

The police department shall investigate the location wherein it is proposed to operate such amusement devices, and determine and verify the information given by the applicant. Yearly inspection of the premises to verify the appropriate number of licensed amusement devices will be the duty of the police department.

(Ord. No. 97-8, § 9(f), 6-11-1997)

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**Sec. 10-66. Village clerk to grant or deny license.**

The application shall be referred to the village clerk who shall grant or deny the license pursuant to this division. The license shall be issued by the village clerk.

(Ord. No. 97-8, § 9(g), 6-11-1997)

**Sec. 10-67. Display of license.**

The license provided for in this division shall be posted prominently and conspicuously at the location of the amusement device in the premises where the device is to be operated or to be maintained to be operated.

(Ord. No. 97-8, § 9(h), 6-11-1997)

**Sec. 10-68. Gambling; authorized video gaming devices permitted.**

Except as otherwise authorized herein, it shall be unlawful for any person owning, possessing or operating any amusement device, whether any of such devices are electronic or otherwise, to permit such device or any scheme whatever to dispense any form of payoff, prize, reward, except free games dispensed by the devices, and nothing in this division shall in any way be construed to authorize a license or permit any gambling device whatsoever or any mechanism which had been judicially determined to be a gambling device, or in any way contrary to the laws of the state. Devices which are authorized in accordance with the Video Gaming Act, 230 ILCS 40/1 et seq., are expressly permitted.

(Ord. No. 97-8, § 9(i), 6-11-1997; Ord. No. 2013-06, § 1, 10-9-2013)

**Sec. 10-69. Penalty.**

- (a) Any person as defined in this division violating any of the provisions of this division shall be subject to punishment as provided in section 1-10 up to the tenth day of the violation, at which time if the violation shall remain, the business will be closed and the license shall be revoked until the violation is corrected and/or stopped and all fines are paid.
- (b) Nothing contained in this section shall preclude the village from instituting any action, either legal or equitable, against any person for violating any provision of this division.

(Ord. No. 97-8, § 9(j), 6-11-1997)

**Sec. 10-70. Curfew.**

- (a) The premises can be open on Sundays if desired.
- (b) No person of school age shall be allowed on the premises during normal school hours without a parent or guardian, with the exception of lunch hours between 11:00 a.m. and 1:00 p.m.
- (c) Persons under the age of 16 years may not be on the premises of an establishment with licensed amusement devices after 9:00 p.m. Sunday through Thursday or after 10:00 p.m. on Fridays and Saturdays. Persons aged 16 years or over but not over 18 years of age may not be on the premises of an establishment with licensed amusement devices after 10:00 p.m. Sundays through Thursdays or after 11:00 p.m. on Fridays and Saturdays.

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(Ord. No. 97-8, § 9(k), 6-11-1997)

**Sec. 10-71. Hours of operation.**

The hours of operation for an amusement device establishment shall be Sunday through Thursday, 7:00 a.m.—11:30 p.m.; Friday through Saturday, 7:00 a.m.—12:00 a.m. (midnight). Such hours are subject to yearly review.

(Ord. No. 97-8, § 9(l), 6-11-1997)