



ORLAND PARK

**Development Services Department
14700 Ravinia Avenue
Orland Park, IL 60462**

**Phone - (708) 403-5300 Fax (708) 403-6215
Email: developmentsservices@orlandpark.org
www.orlandpark.org**

Amusement Device Operator's License

1. Submit fully completed application. Make sure that the games are each listed along with description and serial number. Include AAMA rating which can be obtained at the following website: <http://coin-op.org/parental-advisory-system/>
2. Have application notarized.
3. Include check for application fee of \$100. If you have more than 2 machines, each additional machine is \$50. Note: Fee of \$50 per machine will be billed annually.
4. Submit drawing showing location of machines and distance to surrounding objects. Show doorways in room.
5. Application needs to be approved by the Village Board of Trustees. It is recommended that someone from your business establishment be present at the Board Meeting to answer questions.

Please read the Amusement Device Ordinances, Title 7, Chapter 5 of the Orland Park Village Code. Pay particular notice to ALL restrictions. Sign below to indicate receipt of said code and to acknowledge that you have read it in it's entirety.

PRINTED NAME of Owner or Agent for Owner

Date

Signature of Owner or Agent for Owner



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APPLICATION FOR AUTOMATIC AMUSEMENT DEVICE OPERATOR'S LICENSE

Please Note:

Any misrepresentation or falsification of the information sought below may result in revocation of the license. You must be 21 years of age or older and be a U.S. Citizen to apply. Licenses are valid January 1st – December 31st.

Name of Business _____ Business Phone _____

Business Address _____

Description of Business _____

Names, Home Addresses and Personal Phone Numbers of Principal Owners of Business:

Have any of the above been convicted of gambling, tax evasion, any felony, or been denied a liquor license?

	Trade Name of Device/ Serial Number	Manufacturer	Description	Game Rating Code Color
1.	_____	_____	_____	_____
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____

6. _____
7. _____
8. _____
9. _____
10. _____
11. _____
12. _____
13. _____
14. _____
15. _____
16. _____
17. _____
18. _____
19. _____
20. _____

(Additional information can be added using attached sheet)

Has a liquor license been issued or applied for? If so, when?

This application is for the machines as listed above. Any changes in the status of those machines will necessitate a new application.

Date

PRINT NAME OF Owner or Agent for Owner

SUBSCRIBED AND SWORN TO
Before me this _____
Day of _____ 20____

Notarized Signature OF Owner or Agent for Owner

Notary Public

CHAPTER 6

AMUSEMENT DEVICES

SECTION:

- 7-6-1: Definition**
- 7-6-2: License; Fees; Emblem**
- 7-6-3: Application**
- 7-6-4: Restrictions**
- 7-6-5: Inspections**
- 7-6-6: Term and Renewal of Automatic Amusement Device Operators License**
- 7-6-7: Seizure and Destruction of Devices Used for Gambling**
- 7-6-8: Revocation of License**
- 7-6-9: Transfer of License**
- 7-6-10: Penalties**

7-6-1: DEFINITION:

The term "automatic amusement device" shall mean any machine or device which, upon the insertion of a coin, slug, token, plate or disc, or via payment of any form may be operated by the public generally for use primarily as a game, entertainment or amusement, whether or not registering a score. It shall include, but not be limited to, such devices as marble machines, pinball machines, billiard, bagatelle, pigeon-hole or pool tables, video games, games played with any number of balls, spheres or electronically operated devices that are actuated by said balls or spheres or electrical contacts, electrical impulse and/or cathode tube games, and all games, operations or transactions similar thereto under whatever name by which they may be indicated or identified. Each payment location shall indicate a separate device. However, said term shall not include juke boxes and other music box devices where the sole purpose of the device is to produce or reproduce any vocal or instrumental sounds which are controlled by the deposit of a coin or token. "Automatic Amusement Device" does not include a video gaming terminal as defined in the Illinois Video Gaming Act (230 ILCS 40/5) and Chapter 18, Title 7 of this Code.

Nothing in this Chapter shall in any way be construed to authorize, license or permit movie and video booths or stands or any gambling machine or device whatsoever, including, but not limited to, a bingo device, a card game device, or any class of mechanism that has been judicially determined to be a gambling device, or in any way prohibited by law, provided, however, that devices or mechanisms used for games licensed by the State of Illinois and in compliance with the Village Codes and Ordinances shall not be considered gambling.

Notwithstanding contrary provisions of this paragraph, video gaming devices licensed by the State of Illinois shall be considered gambling and are prohibited as provided in Chapter 18 of this Title 7. (Ord. 4529, 12-7-09; Amd. Ord. 5119, 9-6-16)

7-6-2 LICENSE; FEES; EMBLEM:

(A) No person, firm, corporation, association or entity shall, within the Village of Orland Park, display for public patronage or keep for operation by patrons any automatic amusement device(s), as defined herein without first having obtained an automatic amusement device operators license and the appropriate individual automatic amusement device current year's emblem or emblems as set forth in subsections 2(B) and 2(C) below.

(B) For the issuance of no more than twenty (20) automatic amusement device operators licenses at the fee of \$100.00 for persons, firms, corporations or associations displaying for public patronage or keeping for operation by patrons any automatic amusement devices. As part of the \$100.00 operator's license fee required under this subsection, each licensee shall also receive two (2) of the current year's emblems required under subsection 2(C) below.

(C) In addition to the license fee required by subsection 2(B), each automatic amusement device shall be charged a separate annual fee of \$50.00. The current year's emblem shall be affixed prominently and conspicuously to each device for which it is issued. Each such emblem shall be issued only for a particular device and may not be transferred or used in any way whatsoever as the required emblem of any other device whether or not such other device is a new or replacement device for the original device. Each and every device must have such an emblem issued for its particular use after the payment of the required fee. In the

event any employee of the Village locates an amusement device that does not have the current year's emblem affixed, the Village retains the right to unplug said device and deem it unusable until the current year's emblem is prominently affixed.

(D) No refund shall be paid at any time to any licensee for fees paid for any emblem provided for in subsection 2(C) above. If, however, the licensee wishes to transfer an emblem which is required under subsection 2(C) above to a replacement device for the original device, the licensee may transfer the emblem to a replacement device if all of the following conditions are met:

- (a) The original device is permanently removed from display for public patronage and is made unavailable for operation by patrons; and
- (b) The fee emblem is taken off the original device and returned to the Village of Orland Park; and
- (c) A transfer fee of \$50.00 is paid to the Village of Orland Park.

Once all of the above requirements have been met, the Village of Orland Park will provide the licensee with a new replacement fee emblem which shall be immediately affixed prominently and conspicuously to the replacement device.

(E) No license shall be issued to any applicant unless he or she is over twenty-one (21) years of age.

(F) All new automatic amusement device operators licenses must be approved by the Village Board of Trustees.

(Ord. 4580, 8-2-10; Amd. Ord. 5107, 7-5-16; Amd. Ord. 5119, 9-6-16)

7-6-3: APPLICATION:

(A) Applications for an automatic amusement device operators license shall be in a form supplied or approved by the Development Services Department and shall be accompanied by the license fees as required pursuant to Section 2.

(B) Application for an automatic amusement device operators license hereunder shall be filed in writing with the Development Services Department on a form to be provided by the Development Services Department, accompanied by the proper license fee, and shall be subscribed to and sworn to under oath, and shall specify:

- (1) The name and address of the applicant, and if a firm, corporation, association or partnership, the principal officers thereof and their addresses; and if a corporation, all shareholders of more than 5%, the corporate purpose, corporation recording numbers, and registered agent.
- (2) The address of the premises where the licensed devices are to be operated together with the character of the business as carried on at such place.
- (3) The trade name and general description of the device or devices to be used, the name of the manufacturer, the serial number, and the number of devices to be used.
- (4) A statement as to whether or not any of the above parties have ever been convicted of gambling, tax evasion, any felony, or have ever been denied a liquor license.
- (5) A statement as to whether or not a liquor license has been or will be issued.
- (6) Such other and further information as the Village may require.

(C) The Development Services Department shall inspect all wiring and connections to the machines to determine if the same complies with the Village Electrical Code.

(D) The Development Services Department shall review the location where the automatic amusement devices are intended to be operated, and determine if the same complies with the Zoning Ordinance and Land Development Code of the Village.

(E) The Development Services Department shall neither issue nor record an automatic amusement device operators license if:

- (1) The zoning is improper;
- (2) There are electrical code violations;
- (3) Any of the parties requesting the automatic amusement device operators license have been convicted of gambling, tax evasion, or other felony;
- (4) A false statement has been made on the application for a license; or
- (5) No other automatic amusement device operators licenses are available.

Such denial shall be in writing and the Development Services Department shall promptly notify the applicant as to the basis of the denial. No denial shall be made on the basis of the applicant's race, creed, color, sex, or national origin.

(Ord. 4580, 8-2-10)

7-6-4: RESTRICTIONS:

(A) No person, firm, corporation or association shall permit the playing of an automatic amusement device within 100 feet of any parcel of real estate or tract of land on which there is located a church, school, or park.

(B) No license issued hereunder shall permit the operation of any automatic amusement device at any place or in any manner which will disturb the peace or quiet of persons outside the licensed premises. It shall be unlawful for a licensee to allow a degree of noise to develop which would cause a disturbance to the adjacent or surrounding uses such that normal use of said adjacent or surrounding uses would be damaged or unreasonably disturbed.

(C) No licensee shall operate an establishment wherein automatic amusement devices are located in a manner which will encourage truancy. Each licensee shall monitor its devices to discourage truancy, and shall prohibit operation of the devices by persons under eighteen (18) years of age, unless that person is accompanied by an adult at least twenty-one (21) years of age who is responsible for not more than six (6) such minors.

(D) The Village of Orland Park has adopted the American Amusement Machine Association Parental Advisory System rating system. All games rated "green" shall be permitted in the Village when properly licensed. All games rated "yellow" shall be permitted in the Village when properly licensed but the Village Board shall maintain the right to revoke. No games rated "red" shall be permitted. Games which are not rated shall be permitted only after specific Village Board approval and licensing.

(E) No automatic amusement device shall be placed in any required exit path of travel.

(F) All licensees shall:

(a) Keep their premises clean and sanitary;

(b) Provide waste receptacles;

(c) Insure that all sidewalks and/or walkways outside the premises are clean and open to pedestrian traffic; and

(d) Maintain and keep all automatic amusement devices in good repair and operating condition.

(G) No license issued hereunder shall permit the operation of any automatic amusement device unless the premises where the automatic amusement devices are located has a distinct and primary business use other than the offering of automatic amusement devices.

(Ord. 4580, 8-2-10; Amd. Ord. 5119, 9-6-16)

7-6-5: INSPECTIONS:

Any person, firm, corporation or association who places an application for an automatic amusement device operators license, or renewal thereof, agrees to allow the Development Services Department to inspect the premises to ascertain whether or not the equipment is in compliance with the Village Electrical Code.

Authorized representatives of the Orland Park Police Department, including sworn peace officers and other individuals as the Chief of the Orland Park Police Department may designate from time to time, may, in the course of their inspections hereunder, also inspect for the presence of video gaming terminals prohibited under Chapter 18, Title 7 of this Code. (Ord. 4529, 12-8-09; Amd. Ord. 4580, 8-2-10)

7-6-6: TERM AND RENEWAL OF AUTOMATIC AMUSEMENT DEVICE OPERATORS LICENSE:

Each automatic amusement device emblem required by this Chapter shall be deemed expired on January 1 next following its issuance. No part of a license or emblem fee will be refunded if the license is revoked by the Village Manager.

Any licensee may renew his, her or its emblem at the expiration thereof, provided he, she or it is then qualified to receive such an emblem and the premises for which such renewal emblem is sought are suitable for such purpose; and provided, further, that the renewal privilege herein provided for shall not be construed as a vested right which shall in any case prevent the President and Board of Trustees from decreasing the number of licenses to be issued within its jurisdiction.

(Amd. Ord. 5119, 9-6-16)

7-6-7: SEIZURE AND DESTRUCTION OF DEVICES USED FOR GAMBLING:

If the Chief of Police shall have probable cause to believe any automatic amusement device is used as a gambling device, such device may be seized by the Police and impounded until a hearing is held as herein provided. A finding of guilty shall result in the destruction of such device by the Police Department. A finding of innocent shall result in the return of said device to the licensee.

7-6-8: REVOCATION OF LICENSE:

Every automatic amusement device operator's license issued under this Chapter is subject to the Village's right, which is hereby expressly reserved, to revocation of same should the licensee directly or indirectly permit the operation of any automatic amusement device contrary to the provisions of this Chapter, any other Section of this Village Code or any Ordinance of the Village or the laws of the State of Illinois. Said license may be revoked by the Development Services Department after written notice to the licensee, which notice shall specify the code section, ordinance or law violations with which the licensee is charged, if after a hearing the licensee is found to be guilty of such violations. The licensee shall be given notice of the hearing ten (10) days in advance of the hearing. At such hearing the licensee and his, her or its attorney may present and submit evidence and witnesses in his, her or its defense. (Ord. 4580, 8-2-10)

7-6-9: TRANSFER OF LICENSE:

An automatic amusement device operators license 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 or hypothecated. Such license shall not descend by the laws of testate or intestate devolution but shall cease upon the death of the licensee.

Nothing contained in this Chapter shall create any vested or property right in any automatic amusement device operators license whatsoever, nor shall it limit or restrict the right of the Village of Orland Park to at any time amend or repeal this Chapter.

(Amd. Ord. 5119, 9-6-16)

7-6-10: PENALTIES:

Any person, firm, corporation or entity who violates, disobeys, omits, neglects, refuses to comply with or who resists enforcement of any of the provisions of this Chapter, shall upon conviction be fined as detailed in Title One, Chapter Four (1-4-1: GENERAL PENALTY).

(Ord. 2776, 9-18-95; Amd. Ord. 5103, 6-6-16)