



## CITY OF WASHINGTON, ILLINOIS City Council Agenda Communication

- Meeting Date:** March 10, 2025
- Prepared By:** Dennis Carr – City Engineer  
Jeff Stevens – Deputy Police Chief
- Agenda Item:** Ordinance Amendment Allowing Increase in Video Gaming Terminals
- Explanation:** The City's current limitations on gaming establishments and terminals were established by ordinance and, after discussion and reflection by Council, incrementally adjusted to manage potential negative impacts of gaming on our community's character. Historically, the City has sought to balance business development with these concerns by restricting gaming to locations that provide significant benefits to the social fabric of the community. The determination of gaming terminal numbers reflects this approach and was part of the same deliberation.
- The Peak's* business plan was presented from the start as including a gaming establishment. Following discussions regarding this specific business, the ordinance's waiting period for terminal installation was adjusted from two years to one year, demonstrating a prior instance of ordinance modification.
- City of Washington ordinance (Article II, *Video Gaming*, Section 8-48) currently limits the total number of video gaming terminals to 57 and the total number of gaming establishments to 11. While state law allows up to six terminals per licensed establishment, the history of the City restriction relates to the considerations above, with the initial number based on terminals in use or desired by establishments at the time of ordinance creation. Regulation of both the number of establishments and the number of terminals allowed granularity of regulation and prevented presumptuous claims of entitlement to terminals based only on some establishments holding fewer than the maximum number of terminals. *The Peak* applied to operate six terminals, starting May 1, 2025, while only four terminals are available under the current cap of 57.
- Granting *The Peak's* request would require an ordinance change to allow 59 terminals or more. As gaming was a part of this business plan from initiation through prior ordinance modification, presumably the consideration for the Council relates to the number of terminals.
- Fiscal Impact:** For the City, additional terminal stickers, if sold, would generate fees of \$300.00 each. The City would get a small share of any marginal revenue from additional terminals as provided in state law. We do not have the capacity to predict that

marginal revenue, although the applicant believes that marginal revenue will be vitally important to the business.

**Action Requested:** Consideration of the amendment increasing the number of available terminal stickers.

**Addendum:**

	Establishment	Current Stickers	No Authorized Change	Add 2	Allow 6 Each
1	Becks	6	6	6	6
2	Bernardi's Restaurant, Inc.	3	3	3	6
3	The Brickhouse	5	5	5	6
4	Christy's Place	6	6	6	6
5	Kep's Sports Bar, Inc.	6	6	6	6
6	Mariachi's Restaurant	3	3	3	6
7	Parish's Pub	6	6	6	6
8	Plaza Lanes	6	6	6	6
9	<b>The Peak (New Gaming Applicant)</b>	0	<b>4</b>	<b>6</b>	<b>6</b>
10	Walker Danforth Post No. 9016 VFW	6	6	6	6
11	W-Down Under	6	6	6	6
	(Code currently allows 11 establishments and 57 terminals)	<b>53</b>	<b>57</b>	<b>59</b>	<b>66</b>

**Historical Changes:**

Date	Synopsis
7/2/2012	Permitting the limited use of video gaming terminals at particular liquor establishments (no more than 5 terminals per premise)
2/18/2013	Restricting types of establishments eligible for video gaming
10/2/2017	Further regulate video gaming; also limiting number of video gaming establishments to 9 and terminal permit stickers to 40
9/3/2019	Increase number of video gaming terminals from 5 to 6 in any one licensed establishment and increase overall number of terminal stickers allowed from 40 to 46
6/1/2020	Permitting truck stop establishments to obtain video gaming license and increasing number of establishments allowed to 10 and terminals to 54
1/19/2021	Exempting previous gaming location from waiting periods for licensing
3/7/2022	Cost of fees imposed shared equally between establishment and terminal operator
9/22/2022	Adjusting number of video gaming establishments to 11 and number of terminal permit stickers to 57
1/17/2023	Clarification on rules regarding applicable waiting period for gaming licensure of existing licensed establishment

ORDINANCE NO. \_\_\_\_\_

Synopsis: Adoption of this ordinance would adjust the number of video gaming terminal permit stickers to sixty-six (66) within the City of Washington.

AN ORDINANCE AMENDING CHAPTER ~~136 ENTITLED "GAMBLING OFFENSES"~~ 8 – AMUSEMENTS AND ENTERTAINMENT, ARTICLE II – VIDEO GAMING, SECTION 8-48(7) OF THE CITY OF WASHINGTON CODE OF ORDINANCES BY ~~ALLOWING~~ BY ALLOWING FOR 66 TOTAL LICENSED VIDEO ~~GAME TERMINALS~~ GAMING TERMINAL PERMIT STICKERS

**WHEREAS**, the City of Washington is a home rule government pursuant to the 1970 Illinois Constitution, Article VII, Section 6(a); and

**WHEREAS**, pursuant to its home rule power, the City of Washington may exercise any power and perform any function relating to its government and affairs including the power to regulate for the protection of the public health, safety, morals, and welfare; and

**WHEREAS**, the State of Illinois passed the Video Gaming Act, 230 ILCS 40/1, *et seq.*, permitting the limited use of video gaming terminals at particular establishments within the State; and

**WHEREAS**, the City Council of the City of Washington has determined that adjusting the allowed number of licensed video gaming ~~terminal~~ terminal permit stickers is in the best interest of the City and its citizens; and therefore deems it necessary and appropriate to enact this ordinance pursuant to its home rule authority.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WASHINGTON:

**Section 1.** That Section ~~136.51(F)~~ of the Code be, and the same hereby is, amended as follows: The foregoing recitals are incorporated herein as findings of the City Council.

~~There shall be no more than eleven (11) Video Gaming Establishment Licenses in the City in force at any one time;~~

**Section 2.** That Chapter 8, Article II, Section ~~136.51(G)~~ 8-48(7) of the Code ~~be of Ordinances of the City of Washington, Tazewell County, Illinois, be, and the same hereby is~~ amended as follows:

~~“(7) Maximum number of permit stickers available. There shall be no more than sixty-six (57 66) Video Gaming Terminal Permit Stickers video gaming terminal permit stickers in the Citycity in force at any one time;.”~~

**Section 3.** This Ordinance shall otherwise be in full force and effect from and after its passage and approval and publication as required by law.

**Section 4.** Any Section or provision of this Ordinance that is construed to be invalid or void shall not affect the remaining sections or provisions, which shall remain in full force and effect thereafter.

**Section 5:** That all ordinances or parts thereof in conflict herewith are hereby expressly repealed.

PASSED AND APPROVED THIS \_\_\_\_\_ day of \_\_\_\_\_, 2025.

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

\_\_\_\_\_  
MAYOR

ATTEST:

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CITY CLERK

**ORDINANCE NO. \_\_\_\_\_**

Synopsis: Adoption of this ordinance would adjust the number of video gaming terminal permit stickers to sixty-six (66) within the City of Washington.

AN ORDINANCE AMENDING CHAPTER 8 – AMUSEMENTS AND ENTERTAINMENT, ARTICLE II – VIDEO GAMING, SECTION 8-48(7) OF THE CITY OF WASHINGTON CODE OF ORDINANCES BY ALLOWING FOR 66 TOTAL LICENSED VIDEO GAMING TERMINAL PERMIT STICKERS

**WHEREAS**, the City of Washington is a home rule government pursuant to the 1970 Illinois Constitution, Article VII, Section 6(a); and

**WHEREAS**, pursuant to its home rule power, the City of Washington may exercise any power and perform any function relating to its government and affairs including the power to regulate for the protection of the public health, safety, morals, and welfare; and

**WHEREAS**, the State of Illinois passed the Video Gaming Act, 230 ILCS 40/1, *et seq.*, permitting the limited use of video gaming terminals at particular establishments within the State; and

**WHEREAS**, the City Council of the City of Washington has determined that adjusting the allowed number of licensed video gaming terminal permit stickers is in the best interest of the City and its citizens and therefore deems it necessary and appropriate to enact this ordinance pursuant to its home rule authority.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WASHINGTON:

**Section 1.** The foregoing recitals are incorporated herein as findings of the City Council.

**Section 2.** That Chapter 8, Article II, Section 8-48(7) of the Code of Ordinances of the City of Washington, Tazewell County, Illinois, be, and the same hereby is amended as follows:

“(7) *Maximum number of permit stickers available.* There shall be no more than ~~57~~ **66** video gaming terminal permit stickers in the city in force at any one time.”

**Section 3.** This Ordinance shall otherwise be in full force and effect from and after its passage and approval and publication as required by law.

**Section 4.** Any Section or provision of this Ordinance that is construed to be invalid or void shall not affect the remaining sections or provisions, which shall remain in full force and effect thereafter.

**Section 5:** That all ordinances or parts thereof in conflict herewith are hereby expressly repealed.

PASSED AND APPROVED THIS \_\_\_\_\_ day of \_\_\_\_\_, 2025.

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK