

ORDINANCE NO. 2026-07

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE
VILLAGE OF BRIGHTON
MACOUPIN AND JERSEY COUNTIRS, ILLINOIS

CHAPTER 111.03
VIDEO GAME TERMINALS

WHEREAS, the Village of Brighton has authority under Section 65 of the Illinois Video Gaming Act (230 ILCS 40/1, *et seq.*)(The “Act”), to impose an annual fee not in excess of One-Hundred Fifty and No/100 Dollars (\$150.00) for the operation of an individual video gaming terminal by a terminal operator within the Corporate limits of the Village of Brighton; and

WHEREAS, Section 5 of the Act defines a “video gaming terminal” as any electronic video gaming 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, authorized by the Illinois Gaming Board utilizing a video display and microprocessors in which the player may receive free games or credits that can be redeemed for cash; provided, however, such term does not include a machine that directly dispenses coins, cash, or tokens or is for amusement purposes only; and

WHEREAS, Section 5 of the Act defines a “terminal operator” as an individual, partnership or corporation that is licensed under the Act and that owns, services, and maintains video gaming terminals for placement in licensed establishments, licensed fraternal establishments, licensed veterans establishments, or licensed truck stop establishments; and

WHEREAS, Section 5 of the Act defines a “licensed establishment” as any licensed retail establishment where alcoholic liquor is drawn, poured, mixed, or otherwise served for consumption on the premises; provided, however, such term does not include a facility operated by an organized licensee, an inter-track wagering licensee, or an inter-track wagering location licensee licensed under the Illinois Horse Racing Act of 1975 or riverboat licensed under the Riverboat Gambling Act; and

WHEREAS, Section 5 of the Act defines a “licensed fraternal establishment” as the location where a qualified fraternal organization that derives its charger from a national fraternal organization regularly meets; and

WHEREAS, Section 5 of the Act defines a “licensed veterans establishment” as the location where a qualified veterans organization that derives its charter from a national veterans organization regularly meets; and

WHEREAS, Section 5 of the Act defines a “licensed truck stop establishment” as a facility that is at least 3-acres facility with a convenience store and with separate diesel islands for fueling commercial motor vehicles and parking spaces for commercial motor vehicles as defined in Section 18B-101 of the Illinois Vehicle Code; and

WHEREAS, the Act, as a whole, legalizes the use of video gaming terminals in such establishments throughout the State of Illinois; and

WHEREAS, the Village Board of Trustees of the Village of Brighton finds that it is in the best interest of the Village of Brighton to impose an annual fee of One-Hundred Fifty and No/100 Dollars (\$150.00), (or for such amount(s) as may be established by the State of Illinois from time to time) for the operation of an individual video gaming terminal by a terminal operator within the Village Corporate Limits of the Village of Brighton and to enact certain other limits upon the placement of video gaming terminals within the Village.

NOW THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF BRIGHTON, MACOUPIN AND JERSEY COUNTIES, ILLINOIS, AS FOLLOWS:

Section I: Incorporation of preambles. The Board of Trustee of the Village of Brighton finds that the recitals set forth above are true and correct, and are incorporated into this Ordinance.

Section II: That the following regarding video gaming terminals is hereby adopted:

1. Definitions.
 - (a) The phrases “video gaming terminal”, “licensed establishment”, “licensed fraternal establishment”, “licensed veterans establishment”, and “licensed trust stop establishment” shall have the meanings set forth in the Illinois Video Gaming Act (230 ILCS 40/1 et seq.)
 - (b) “Licensee” shall mean and include all of the establishments defined in paragraph (a) hereof.
2. Imposition of Annual Fee. Commencing upon adoption of this Ordinance, an annual fee of One-Hundred Fifty and No/100 Dollars (\$150.00), is hereby imposed upon each video gaming terminal operated by a licensed establishment, licensed fraternal establishment, licensed veterans establishment or licensed trust stop establishment within the Village of Brighton in accordance with the provisions of the Illinois Video Gaming Act, 230 ILCS 40/1 et. Seq. (The “Act”). The fee paid for each video gaming terminal shall be for the fiscal year May 1 through April 30, and any fee paid during a fiscal year shall apply until the end of the fiscal year in which paid. Any continuing operation of a video gaming terminal shall require the payment of a new annual fee on or before May 1 of each year for the ensuing fiscal year.

3. Application for Permit. Every licensee shall make application to the Village Clerk's office for a permit, and shall pay the annual fee for each video gaming terminal operator. The application shall designate the name of the licensee, the location of the licensed establishment operating the video gaming terminal, the number of video gaming terminals operated at that location, and shall include a copy of the license issued by the State of Illinois for the operation of the video gaming terminal. No permit shall be issued to any person whose video gaming terminal is not licensed by the State of Illinois for the location for which the permit is sought. The Village of Brighton has limited the total number of permits issued to four (4).
4. Limitations upon Placement. No video gaming terminal permit shall be issued to, and no video gaming terminal shall be placed or operated from within, a location that does not also have issued to it a license for the sale of alcoholic beverages at retail by the drink for consumption on the premises. As of the passage of this Ordinance, no more than six (6) video gaming terminals shall be allowed, nor permits be issued therefore, under this ordinance for each licensee at any one location. (However the current number of six (6) video gaming terminals may be automatically adjusted in accordance with the number established by the Illinois legislature, from time to time.)
5. Play by Minors Prohibited: Penalties. No person under the age of twenty-one (21) years shall be permitted to use or play a video gaming terminal, and any licensee who shall suffer or permit a person under the age of twenty-one (21) years to use or play a video gaming terminal shall be subject to fine or have his or her licenses issued under this Ordinance suspended or revoked.
6. Penalty for Violation. Any person, firm or corporation violating the provisions of this Ordinance by operation of a video gaming terminal without having obtained the permit and paid the annual fee therefore, or by operating a video gaming terminal in violation of any provision of this ordinance, shall be guilty of a petty offense, and shall be fined an amount not to exceed \$500.00 for each such offense, and the license or licenses shall be subject to suspension or revocation as herein provided. Each day that a video gaming terminal is operated in violation of this Ordinance shall constitute a separate offense.
7. Inspection of Records. Each licensee shall permit the inspection of the books and records of the license pertaining to and reflecting operation of each video gaming terminal of the licensee at the request of any law enforcement officer of the Village or the State of Illinois at all reasonable times.

Section III: All prior Ordinances in conflict herewith are hereby repealed.

Section IV: If any section, paragraph, sentence, clause or other portion of this Ordinance is held or deemed to be unenforceable or invalid, then such holding or finding of unenforceability or inva

Section V: This Ordinance shall be effective upon its adoption, passage and publication in pamphlet form.

ADOPTED and published in pamphlet form this 1st day of June, 2026, pursuant to a roll call vote by the Board of Trustees of the Village of Brighton, Macoupin and Jersey Counties, Illinois.

	<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Trustee Bradley Arnold	<u>✓</u>	_____	_____
Trustee Christy Jones	<u>✓</u>	_____	_____
Trustee Don Little	<u>✓</u>	_____	_____
Trustee Aaron Mead	<u>✓</u>	_____	_____
Trustee Marcella Wilfong	<u>✓</u>	_____	_____
Trustee Jim Winslade	_____	_____	<u>✓</u>

APPROVED this 1st day of June, A.D., 2026.

VILLAGE OF BRIGHTON
MACOUPIN AND JERSEY COUNTIES, ILLINOIS

By: Matthew P. Kasten
Matthew P. Kasten, President, Board of Trustees

ATTEST:

Tamara Jenkins
Tamara Jenkins, Village Clerk