

ORDINANCE NO. 4837

**AN ORDINANCE PROHIBITING ELECTRONIC SWEEPSTAKES MACHINES
IN THE CITY OF EAST PEORIA**

WHEREAS, Section 11-51-1 of the Illinois Municipal Code (65 ILCS 5/11-5-1) authorizes Illinois municipalities to regulate “gaming, gambling houses, lotteries, and all fraudulent devices or practices for the purpose of obtaining money or property;” and

WHEREAS, Section 11-42-1 of the Illinois Municipal Code (65 ILCS 5/11-42-1), further authorizes municipalities to regulate “amusements;” and

WHEREAS, the City Council finds that electronic sweepstakes machines are detrimental to the public health, safety and welfare; and

WHEREAS, the City Council further finds that it is in the best interests of the City and its citizens that electronic sweepstakes machines be prohibited;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS, THAT:

Section 1. The findings and recitations set forth above are adopted and found to be true and correct.

Section 2. Chapter 36 is hereby added to Title 3 of the East Peoria City Code as follows:

Chapter 36

ELECTRONIC SWEEPSTAKES MACHINES

Sections:

- | | |
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| 3-26-1 | Definitions |
| 3-26-2 | Electronic Sweepstakes Machines Prohibited |
| 3-26-3 | Video Gaming |
| 3-26-4 | Penalty |

3-26-1 Definitions. The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

“Electronic sweepstakes machine” is any mechanically, electrically, or electronically operative machine or device with an entertaining display (including video monitors), other than a duly licensed video gaming terminal or coin-operated amusement device authorized by this City Code, that allows the user to:

- (i) wager money or other items of value (including, but not limited to, credits or coupons that may be redeemed for prizes) by playing games of chance or luck; or
- (ii) purchase an entry or chance or to otherwise participate, with or without payment of consideration, in a sweepstakes in which one or more winners are selected to receive prizes based upon randomized matching or other elements of chance or luck.

“Entertaining display” means visual information that takes the form of actual game play or simulated game play for which the outcome of the game is not in whole or in part dependent on the skill or dexterity of the player that is played in the course of revealing a prize as a result of an entry into a sweepstakes, and such game play includes, but is not limited to, poker or other card games, bingo, keno, lotto, any casino game, or any other games based on or involving chance or random outcomes.

“Prize” means any gift, cash, award, gratuity, good, service, credit, or anything else of value, which may be transferred to a person, whether possession of the prize is actually transferred or placed on an account or other records as evidence of the intent to transfer the prize.

“Sweepstakes” means any game, drawing, advertising scheme or plan, or other promotion, which a person may enter to win or become eligible to receive any prize.

3-26-2 Electronic Sweepstakes Machines Prohibited. It shall be unlawful for any person to own, lease, operate, or place into operation, an Electronic Sweepstakes Machine in any location open to the public within the City.

3-26-3 Video Gaming. Nothing contained in this chapter shall be construed as prohibiting duly licensed video gaming terminals as authorized by the City Code.

3-26-4 Penalty. Every person convicted of a violation of any provision of this chapter shall be punished by a fine of not less than Two Hundred Fifty Dollars (\$250.00) nor more than Seven Hundred Fifty Dollars (\$750.00) for each offense. Each day a violation is committed or permitted

to continue under this chapter shall constitute a separate offense and shall be punishable as such hereunder.

Section 3. This Ordinance is hereby ordered to be published in pamphlet form by the East Peoria City Clerk and said Clerk is ordered to keep at least three (3) copies hereof available for public inspection in the future and in accordance with the Illinois Municipal Code.

Section 4. This Ordinance shall be in full force and effect from and after its passage, approval, and ten (10) day period of publication in the manner provided by law.

PASSED BY THE COUNCIL OF THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS, IN REGULAR AND PUBLIC SESSION THIS 18th DAY OF February, 2025.

AYES: Commissioners Hill, Mingus, and Sutherland & Mayor Kahl.

NAYS: None.

ABSENT: Commissioner Decker.

APPROVED:

/s/ John P. Kahl
Mayor

ATTEST:

/s/ Morgan R. Cadwalader
City Clerk

EXAMINED AND APPROVED:

/s/ Scott A. Brunton
Corporation Counsel