

ORDINANCE

WHEREAS, the City of Chicago authorized the development of a casino in Chicago to support various community benefits, chief among which include workforce opportunities for Chicago residents; and

WHEREAS, the City of Chicago authorized and entered into that certain Host Community Agreement with the selected casino developer, Bally's Chicago Operating Company, LLC, a subsidiary of Bally's Corporation (the "Casino Developer"), to memorialize and govern the commitments of the Casino Developer; and

WHEREAS, the City of Chicago desires to promote and authorize business activities, including those within the gaming industry, that provide meaningful workforce opportunities; now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:

SECTION 1. Section 2-32-031 of the Municipal Code of Chicago is hereby amended by deleting the language struck-through, and by inserting the underscored language, as follows:

2-32-031 Debt management policies; retention of rebate calculation agents, financial advisors, consultants, dissemination agents and qualified independent representatives.

(Omitted text is unaffected by this ordinance)

(h) (1) In connection with revenues from operation of any casino located within the City pursuant to a temporary operator permit or owners license issued by the Illinois Gaming Board, the Chief Financial Officer shall have authority to enter into agreements, instruments and other documents and provide consents, waivers or approvals as contemplated under the Host Community Agreement referenced in Section 13 of ~~this ordinance~~ (the "Host Community Agreement"), and perform any other ministerial acts necessary for the administration of the Host Community Agreement.

(2) Notwithstanding subparagraph (h)(1), no material amendment or change to: (i) the Host Community Agreement; or (ii) any such agreement, instrument or other document referenced in subparagraph (h)(1), shall be made or be effective unless ratified or authorized by an ordinance duly adopted by the City Council. The term "material" for the purpose of this subsection (h) means any deviation in terms which operates to cancel or otherwise reduce any developmental, construction, sourcing or job-creating obligations of the casino developer by more than ten percent (10%) or materially changes the casino project sites or character of the casino project or the activities undertaken by the casino developer affecting the casino project sites, the casino project, or both, or increases any time agreed for performance by the casino developer by more than ninety (90) days.

(3) The Chief Financial Officer shall have the authority to retain financial advisors, consultants and services firms to provide the City advice and services in connection with administering, or otherwise relating to any activities contemplated by or arising from, any such Host Community Agreement.

(4) Any City revenues from operation of a casino within the City shall be subject to appropriation by the City Council.

(5) The Chief Financial Officer is authorized to negotiate and enter into an amended agreement with the casino developer for the inclusion of one or more terms in the following categories so that the casino developer would:

A. make commercially reasonable efforts to: (i) provide training opportunities to City residents desiring to gain employment at the casino facility; and (ii) partner with workforce development organizations to identify training and employment opportunities at the casino facility and to host job fairs.

B. exercise best efforts to work with the City Colleges of Chicago to support the development of new hospitality programs and expand existing construction and hospitality apprenticeship programs.

C. fund and maintain human resources hiring and training practices at the casino facility.

D. offer advancement opportunities to casino facility personnel that must at minimum include an internship program, tuition reimbursement, a management development program, and a local college partnership.

E. make entry-level semi-skilled positions available to individuals facing employment barriers, and provide on-the-job training and an evaluation period for employment for such individuals.

Nothing provided in this subsection h(5) shall be construed to abridge any existing contractual obligation between the City and the casino developer.

SECTION 2. Section 4-6-120 of the Municipal Code of Chicago is hereby amended by deleting the language struck through, as follows:

4-6-120 Automatic amusement operator.

(a) *Definitions.* As used in this section:

"Automatic amusement device" means any machine, which, upon the insertion of a coin, slug, token, card or similar object, or upon any other payment method, may be operated by the public generally for use as a game, entertainment or amusement, whether or not registering a score, and includes, but is not limited to, such devices as jukeboxes, marble machines, pinball machines, movie and video booths or stands and all games, operations or transactions similar thereto under whatever name by which they may be indicated. Bingo devices are deemed gambling devices and are therefore prohibited for use except as provided by state law. If a machine consists of more than one game monitor which permits individuals to play separate games simultaneously, each separate game monitor shall be deemed an automatic amusement

device. ~~The term "automatic amusement device" shall not include a duly licensed video gaming terminal that is lawfully maintained and operated in accordance with Chapter 4-155.~~

(Omitted text is unaffected by this ordinance)

SECTION 3. Chapter 4-155 of the Municipal Code of Chicago is hereby repealed in its entirety.

SECTION 4. Section 4-5-010 of the Municipal Code of Chicago is hereby amended by deleting the language struck through, as follows:

4-5-010 Establishment of license fees.

(Omitted text is unaffected by this ordinance)

~~(45) Video Gaming~~

~~Location License — \$500, plus \$1,000 per video gaming terminal~~

~~Terminal License — \$500, plus \$1,000 per video gaming terminal~~

SECTION 5. Section 4-156-150 of the Municipal Code of Chicago is hereby amended by deleting the language struck through, as follows:

4-156-150 Definitions.

As used in this chapter:

"Automatic amusement device" means any machine, which, upon the insertion of a coin, slug, token, card or similar object, or upon any other payment method, may be operated by the public generally for use as a game, entertainment or amusement, whether or not registering a score, and includes but is not limited to such devices as jukeboxes, marble machines, pinball machines, movie and video booths or stands and all games, operations or transactions similar thereto under whatever name by which they may be indicated. Bingo devices are deemed gambling devices and are therefore prohibited for use except as provided by state law. If a machine consists of more than one game monitor which permits individuals to play separate games simultaneously, each separate game monitor shall be deemed an automatic amusement device. An "automatic amusement device" does not include a machine used for lawful gambling at a casino, as that term is defined in 230 ILCS 10/4, ~~or a video gaming terminal that is lawfully maintained and operated in accordance with Chapter 4-155.~~

"Illegal amusement device" means an automatic amusement device that: includes a knock-off circuit; or allows more than ten replays or free games, or maintains a count of payoffs or the number of times a person has won a game played on the device; or maintains a tally of players' scores other than the tally displayed to players; or fails to display in the required manner a tax emblem required by chapter; or has been used for illegal gambling. "Illegal amusement device" does not include a device that properly displays a required tax emblem, that is not used for illegal

gambling and that qualifies either as a crane game as defined in the Illinois Criminal Code of 1961 or as a redemption machine as defined in the Illinois Criminal Code. An automatic amusement device shall not be deemed an illegal automatic amusement device because of internal diagnostic devices or capabilities that are able to record and maintain statistical data such as the number of coins or tokens deposited, the number of games played or the number of games won, if such diagnostic devices or capabilities are intended and used exclusively for auditing of game performance. ~~The term "illegal amusement device" shall not include a duly licensed video gaming terminal that is lawfully maintained and operated in accordance with Chapter 4-155.~~

~~"Video gaming terminal" has the meaning ascribed in Chapter 4-155.~~

(Omitted text is unaffected by this ordinance)

SECTION 6. Section 4-156-450 of the Municipal Code of Chicago is hereby amended by deleting the language struck through, as follows:

4-156-450 Gambling.

It is unlawful for any licensee to conduct or permit any person to conduct any raffle, lottery or chance distribution of money, or article of value, or any gift enterprise or any form of gambling upon the licensed premises; provided, however, that nothing in this Section shall be construed to prohibit any conduct authorized by: ~~(1) Chapter 4-155; or (2)~~ the Sports Wagering Act, 230 ILCS 45/25-1, et seq. or the Illinois Gambling Act, 230 ILCS 10/1, et seq., each as in effect on May 4, 2022.

(Omitted text is unaffected by this ordinance)

SECTION 7. Section 8-12-010 of the Municipal Code of Chicago is hereby amended by deleting the language struck through, as follows:

8-12-010 Definitions.

No person shall play or engage in faro, roulette, or gambling for money or other valuable thing, or in any other device or game of chance, hazard, or skill, either as bookmaker, dealer, keeper, player, or otherwise, for the purpose of gaming or gambling for money or other valuable thing. Nothing in this chapter shall be construed to prohibit any conduct authorized by: ~~(1) Chapter 4-155; or (2)~~ the following statutes, each as in effect on May 4, 2022: the Illinois Lottery Law, the Illinois Horse Racing Act, the Raffles and Poker Runs Act, the Illinois Pull Tabs and Jar Games Act, the Bingo License and Tax Act, the Charitable Games Act, the Illinois Gambling Act, or the Illinois Sports Wagering Act.

SECTION 8. In the event of a conflict or inconsistency between this ordinance and any other ordinance, resolution, motion, or order, this ordinance shall prevail.

SECTION 9. This ordinance shall take effect upon passage and approval. A copy of this ordinance shall be presented by the Clerk of the City of Chicago to the Illinois Gaming Board within five days of its effective date.