
**VILLAGE OF SUGAR GROVE
BOARD REPORT**

TO: VILLAGE PRESIDENT & BOARD OF TRUSTEES
FROM: BRENT EICHELBERGER, VILLAGE ADMINISTRATOR
ALISON MURPHY, SR MANAGEMENT ANALYST/VILLAGE CLERK
SUBJECT: RESOLUTION: AUTHORIZING AN IGA WITH KANE COUNTY FOR THE
ADMINISTRATION OF RAFFLE PERMITS
AGENDA: OCTOBER 20, 2020 REGULAR BOARD MEETING
DATE: OCTOBER 14, 2020

ISSUE

Should the Village Board approve a resolution authorizing an Intergovernmental Agreement with Kane County for the administration of raffle permits.

DISCUSSION

At the October 6, 2020 Village Board meeting, the Board discussed and reached consensus to return the issuance of raffle licenses to Kane County through an intergovernmental agreement. An ordinance repealing and amending Title 3, Chapter 11 – Raffles, required to allow for the change prior to approval of this resolution, is also up for approval at the October 20, 2020 Village Board meeting.

COST

There will be no reduction in revenues as raffle license revenue is not included in the current budget due to the small amount. Attorney costs to review and prepare necessary documentation is estimated at less than \$200.

RECOMMENDATION

That the Board approve a resolution authorizing an intergovernmental agreement with Kane County for the administration of raffle permits, subject to attorney review.



RESOLUTION NO. 20201020A

**AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE
VILLAGE OF SUGAR GROVE AND THE COUNTY OF KANE FOR
ADMINISTRATION OF RAFFLE PERMITS**

WHEREAS, the Illinois Constitution of 1970, article VII, Section 10 and the Intergovernmental Cooperation Act (5 ILCS 200/1 *et seq.*) authorizes Kane County (“County”) and Village of Sugar Grove (“Village”) to cooperate in the performance of the respective duties and responsibilities by contracts and other agreements; and

WHEREAS, the Village has expressed a desire for the Office of the Kane County Clerk to assume responsibility for the administration and issuance of raffle licenses pursuant to the Kane County Raffle Ordinance; and

WHEREAS, the Village of Sugar Grove has passed Ordinance 20201020A approving an intergovernmental agreement with the County for the administration of raffle licensure pursuant to the Kane County Raffle Ordinance;

NOW, THEREFORE, BE IT RESOLVED by the Village of Sugar Grove President and Board of Trustees that the President thereof is directed to enter into, on behalf of the Village of Sugar Grove, an intergovernmental agreement with the County of Kane for administration of the Kane County Raffle Ordinance which shall also be on file with the Kane County Clerk and the Kane County Auditor upon execution.

PASSED AND APPROVED by the President and Board of Trustees of the Village of Sugar Grove, Kane County, Illinois on this 20th day of October, 2020.

P. Sean Michels,
President of the Board of Trustees of the Village of Sugar
Grove, Kane County, Illinois

ATTEST: _____

Alison Murphy
Clerk, Village of Sugar Grove

	Aye	Nay	Absent	Abstain				
Trustee Heidi Lendi	___	___	___	___				
Trustee Ryan Walter	___	___	___	___				
Trustee Sean Herron	___	___	___	___	___	___	___	___
Trustee Ted Koch	___	___	___	___				
Trustee Rick Montalto	___	___	___	___				
Trustee Jen Konen	___	___	___	___				
Village President P. Sean Michels	___	___	___	___				

Intergovernmental Agreement for Raffle Licensure

This Intergovernmental Agreement for Raffle Licensure (“Agreement”) is entered into by and between the Village of Sugar Grove (“Municipality”) and the County of Kane (“County”). Based upon the covenants contained herein and other good and valuable consideration, the adequacy and receipt of which is acknowledged, the Municipality and County agree as follows:

I. PURPOSE AND OBJECTIVES

The purpose of this Agreement is to enter into an intergovernmental cooperation agreement between the Municipality and the County whereby the parties will jointly establish a system for the licensing of organizations to operate raffles within the unincorporated area of the County and within the corporate limits of the Municipality and within the corporate boundaries of any other municipality entering into an intergovernmental agreement with the County relating to the operation of raffles.

II. AUTHORITY

The Municipality is a non-home rule municipality existing by and under the laws of the State of Illinois; the County is a body politic and corporate existing by and under the laws of the State of Illinois, and each is a unit of government as defined under Article VII, Section 1 of the State of Illinois Constitution. Both the Municipality and the County have the authority to license the conduct of raffles as defined in the Illinois Raffles and Poker Runs Act, 230 ILCS 15/The imposition of the penalties authorized by this Code for a violation of this chapter shall not preclude the State's Attorney from instituting appropriate action to prevent unlawful raffles or to restrain, correct or abate a violation of this chapter or of the conditions of a raffle license issued pursuant to this chapter or as otherwise authorized pursuant to State or Federal law. This Agreement, therefore, is entered into by and between the Municipality and the County pursuant to and in accordance with the authority granted them by the Intergovernmental Cooperation Act and Article VII, Section 10 of the State of Illinois Constitution.

III. CONSTRUCTION

In the construction of this Agreement, the words, phrases and definitions contained in the Raffle Ordinance of Kane County, hereinafter referred to as the Raffle Ordinance, shall be observed and applied except when the context clearly indicates otherwise.

IV. COUNTY RESPONSIBILITIES AND POWERS

The County agrees that it shall have and exercise the following responsibilities:

- 1) Retain all fees associated with the application for issuance of raffle licenses from the County Clerk.
- 2) Allow and permit within its jurisdiction the sale, conveyance, issuance or transfer of raffle chances for and allow and permit within its jurisdiction the conduct of all raffles licensed by the County or any municipality participating in an intergovernmental agreement with the County relating to raffles.

V. MUNICIPALITY RESPONSIBILITIES AND POWERS

The Municipality agrees that it shall have and exercise the following responsibilities and powers:

- 1) Allow and permit the sale, conveyance, issuance or transfer of raffle chances for and allow and permit the conduct of all raffles licensed by the County or any municipality participating in an intergovernmental agreement with the County relating to raffles.
- 2) Enforce its own ordinance relating to raffles (if any) within its jurisdiction.

- 3) Make applications available at its municipal building and assist organizations in completing applications.

VI. TERM

This Agreement shall be in full force and effect from the date of execution hereof until terminated by either party by giving not less than 30 days written notice of termination to the Municipal Clerk or County Clerk.

VII. EXTENT OF AGREEMENT

This Agreement represents the entire and integrated agreement, subject to the requirements of the Intergovernmental Cooperation Act and Raffle Ordinance, between the Municipality and the County and supersedes all prior negotiations and representation, either written or oral. None of the provisions of this Agreement may be waived, changed, or modified except by an instrument in writing signed by both parties hereto.

IN WITNESS WHEREOF

This Agreement has been executed by the Village of Sugar Grove and County of Kane as provided below.

County of Kane:

_____ Attest: _____

Date: _____

Village of Sugar Grove:

_____ Attest: _____

Date: _____