

Ordinance No. 15-44

AN ORDINANCE OF THE VILLAGE OF EAST DUNDEE, ILLINOIS, ESTABLISHING REGULATIONS FOR LIQUOR LICENSEES TO SERVE ALCOHOLIC BEVERAGES ON CERTAIN ADJOINING VILLAGE RIGHT-OF-WAYS DURING VILLAGE SPONSORED OR APPROVED EVENTS

WHEREAS, the Village of East Dundee (the “*Village*”) is a duly organized and validly existing home-rule municipality created in accordance with the Constitution of the State of Illinois of 1970 and the laws of the State; and,

WHEREAS, Article IV of the Liquor Control Act (235 ILCS 5/4-1) authorizes the Village to determine the number, kind and classification of licenses for the retail sale of alcoholic liquor and establish rules and regulations regulating the sale of alcoholic beverages; and,

WHEREAS, the Village desires to establish a service endorsement during special events approved by the Village or events approved by the Village Board and within 150 feet of the Licensee’s premises.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of East Dundee, Cook and Kane County, Illinois, as follows:

Section 1: That the Code of the Village of East Dundee, as amended, be and is hereby amended by adding subsection (20) to Section 116.05(A) to read as follows:

“(20) *Adjoining Village right-of-way service endorsement.* A License holder may expand its premises under their existing license with a right-of-way endorsement granted by the Local Liquor Control Commissioner to allow sales and service of alcoholic beverages authorized pursuant to its license on the public right-of-way subject to compliance with the following regulations:

- (a) The right-of-way service area shall be that portion of the Village sidewalk or right-of-way within one hundred fifty feet (150’) of the premise of the Licensee and shall only be permitted during a special event sponsored by the Village or an event approved by the Village Board,
- (b) The Licensee shall comply with all rules and regulations established by the Village for the event,
- (c) All temporary seating or structures in the Village’s right-of-way shall be approved by the Village,
- (d) All activities in the Village right-of-way shall comply with all ordinances and regulations of the Village,
- (e) The Licensee shall submit a plan as part of its application for compliance with all liquor regulations in this chapter,
- (f) Licensees issued an endorsement for a right-of-way service area shall maintain the right-of-way area in a clean and safe condition. The Licensee shall clean said area at the end of each event day, so as not to have any food or drink leftovers or refuse remaining on the right-of-way.

- (g) Such other requirements as may be imposed by the Liquor Commissioner taking into account the unique circumstances of the licensee's premises, location and type of event,
- (h) Every applicant for an endorsement for a right-of-way service area shall file an application with the Village Clerk upon a form provided by the Village Clerk and pay a filing fee of \$100.00, which shall not be refundable.
- (i) The application for an endorsement to operate a right-of-way service area must include the following:
 1. A certificate of insurance in the amount of \$1,000,000 naming the Village of East Dundee as an additional insured for the duration of the event,
 2. A signed hold harmless agreement,
 3. A diagram of the proposed layout of the right-of-way service area, including sizes of fixtures and their location."

Section 2: This Ordinance shall be in full force and effect upon its passage, approval, and publication in pamphlet form as provided by law.

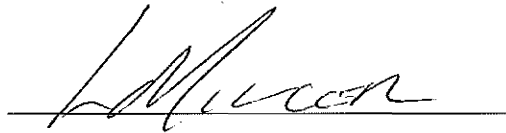
ADOPTED this 19th day of Oct, 2015 pursuant to a roll call vote as follows:

AYES: Trustees Gorman, Skillicorn, Lynam, Selep, Wood and Hall

NAYS: Ø

ABSENT: Ø

APPROVED by me this 19th day of Oct, 2015.



Village President

Attest:



Village Clerk

Published in pamphlet form:

October 20, 2015