

Ordinance No. 17-59

**AN ORDINANCE OF THE VILLAGE OF EAST DUNDEE, ILLINOIS
AMENDING THE VILLAGE CODE REGARDING
THE BEER GARDEN FENCE REQUIREMENTS**

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, the Village desires to amend the Village Code related to the required fencing for beer gardens for Class A-1 liquor licenses; and,

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

Section 1: That Section 116.01 (B)(2), Definitions, is hereby amended by adding the following definition:

"BEER GARDEN. An outdoor area where alcoholic liquors are sold for consumption and which is contiguous to a Class A-1 liquor licensed establishment as identified in the Village Code."

Section 2: That Section 116.05 (A)(2), Call A-1, is hereby deleted in its entirety and replaced as follows:

"Class A-1. For retail sale, on the premises specified, of all kinds of legalized alcoholic liquors for consumption on the premises as well as other retail sales of the alcoholic liquors which include sales in the original package to be consumed off the premises where sold. Beer and wine, in the original package, may be sold for consumption on the premises where sold. The retail sale and consumption shall be permitted both in the interior of a building having a valid occupancy permit as well as an adjoining contiguous exterior area, so long as the following conditions are maintained by the licensee:

(a) Any beer garden must be on the existing premises contiguous to the building occupied by the licensee.

(b) Any beer garden must be completely enclosed by a fence or a wall with a height of at least four feet.

(c) Any beer garden must be completely enclosed by a solid opaque eight-foot fence or wall, when a property is within 100 feet of a residential district or when required by the Liquor Commissioner."

Section 3: That this ordinance shall be in full force and effect from and after its passage and approval according to law.


PASSED this 18th day of Dec, 2017, pursuant to a roll call vote as follows:

AYES:


NAYS:

ABSENT: 0

APPROVED this 18th day of Dec, 2017



Village President

Attest: 

Village Clerk