

ORDINANCE NUMBER 23- 04

AN ORDINANCE OF THE VILLAGE OF EAST DUNDEE, COOK AND KANE COUNTIES, ILLINOIS, INCREASING THE NUMBER OF CLASS E-4 LIQUOR LICENSES AND REDUCING THE NUMBER OF CLASS E AND E-3 LIQUOR LICENSES

(Aliano's Ristorante & Cafe)

WHEREAS, the Village of East Dundee (“Village”) is a home rule unit of local government pursuant to Section 6 of Article VII of the Constitution of the State of Illinois, and has the authority to exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, the Illinois Liquor Control Act, 235 ILCS 5/1-1, *et seq.*, authorizes the Village to determine the number, kind and classification of licenses for the retail sale of alcohol liquor, and to establish rules and regulations for the sale thereof; and

WHEREAS, the Village has received a request for a Class E-4 liquor license from FLJ River Street, Inc. doing business as Aliano’s Ristorante & Café, located at 304-310 N. River Street, East Dundee, Illinois (“Licensee”); and

WHEREAS, the President and Board of Trustees have determined it to be in the best interest of the Village to create a new Class E-4 liquor license and reduce the number of E and E-3 liquor licenses;

NOW THEREFORE BE IT ORDAINED BY THE VILLAGE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF EAST DUNDEE, COOK AND KANE COUNTIES, ILLINOIS, AS FOLLOWS:

SECTION 1: Incorporation. That the recitals above shall be and are hereby incorporated as Section 1 as if restated herein.

SECTION 2: Amendments. That the Village Code is hereby amended as follows, with additions underlined and deletions struck through:

Section 116.05(B) of the Village Code, entitled “Number of licenses to be permitted,” is hereby amended as follows:

| Classification | Number Permitted |
|----------------|------------------|
| E | <u>4</u> |
| E-3 | <u>0</u> |
| <u>E-4</u> | <u>1</u> |

SECTION 3: Continuation. That all provisions of the Village Code not amended herein shall remain in full force and effect.

SECTION 4: Severability. That if any Section, paragraph or provision of this Ordinance shall be held to be invalid and unenforceable for any reason, the invalidity or unenforceability of such Section, paragraph or provision shall not affect any of the remaining provisions of this Ordinance.

SECTION 5: Repeal. That all ordinances, resolutions, motions or parts thereof in conflict with this Ordinance shall be hereby repealed.

SECTION 6: Effect. That this Ordinance shall be in full force and effect upon its adoption, approval and publication in pamphlet form as provided by law.

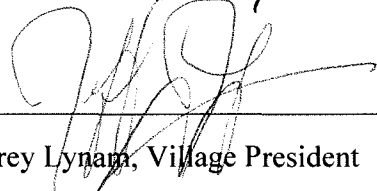
PASSED this 23rd day of January 2023 pursuant to a roll call vote as follows:

AYES: Mahony, Kunze, Brittin, Saviano and Sauder

NAYES: 0

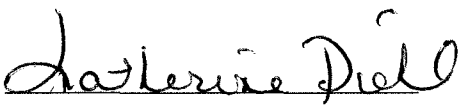
ABSENT: Treiber

APPROVED by me this 23rd of January 2023.



Jeffrey Lynam, Village President

ATTEST:



Katherine Diehl, Village Clerk