

ORDINANCE NUMBER 19 - 30

AN ORDINANCE OF THE VILLAGE OF EAST DUNDEE, COOK AND KANE COUNTIES, ILLINOIS, AMENDING CHAPTER 116 OF THE VILLAGE OF EAST DUNDEE VILLAGE CODE REGARDING THE REMOVAL OF BOND POSTING REQUIREMENTS FOR LIQUOR LICENSE APPLICANTS

**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**, in order to best serve the public's health, safety and welfare, the President and Board of Trustees of the Village desire to make certain amendments to the Village of East Dundee Village Code ("Village Code"), relative to removing bond posting requirements for Village-issued liquor license applicants;

**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 in this Section 1 as if restated herein.

**SECTION 2: Village Code Amendment.** That the Village Code is hereby amended as follows:

**Amendment One:**

Section 116.05(D) of the Village Code, entitled "Contents of Application," with additions underlined and deletions struck through:

All applications shall be on forms approved by the Local Liquor Commissioner and provided by the village; shall be executed by the applicant seeking license; and shall be under oath stating all material information required in ILCS Chapter 235, Act 5, § 7-1. ~~The application shall be accompanied with form of bond showing names and qualifications of sureties, but the bond need not be executed by sureties prior to approval of application by the Local Commissioner. The bond shall be a joint and several bond executed by applicant with or licensed to do business in the state in the sum of \$5,000, conditioned upon true and faithful compliance with this chapter and the laws of the state relating to alcoholic liquors and conditioned further for the payment of fines, penalties, and judgements levied against licensee for the offenses and liabilities arising out of the unlawful sale of alcoholic liquors. Any~~

license application which is not the renewal of an existing license by the same licensee shall be charged an application fee to cover the village's costs for fingerprinting, background checks, and processing.

**Amendment Two:**

Section 116.11(A) of the Village Code is hereby amended as follows, with additions underlined and deletions struck through:

Appeals from orders or actions of the Local Liquor Control Commission may be taken to the State Commission as provided by law. It shall be the duty of the Village Attorney to attend all trials before the State Commission involving appeals from the Local Commission. The Local Commission shall have the power to make all necessary rules and regulations governing hearings and shall cause to be provided forms for applications, ~~bonds~~, complaints and such other proceedings as may properly come before the Local Commission.

**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 or 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 and the same are 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.

**[THIS SPACE INTENTIONALLY LEFT BLANK]**


ADOPTED this 16<sup>th</sup> day of September, 2019 pursuant to a roll call vote as follows:

AYES: Trustees Selep, Wood, Mahony, Andresen and Kunze

NAYES: Ø

ABSENT: Trustee Lynam

APPROVED by me this 16<sup>th</sup> day of September, 2019.



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Lael Miller, Village President

ATTEST:

Katherine Holt  
Katherine Holt, Village Clerk

Published in pamphlet form this 17<sup>th</sup> day of September, 2019, under the authority of the Village President and Board of Trustees.

Recorded in the Village records on September 17<sup>th</sup>, 2019.