

ORDINANCE NUMBER 22 - 04

**AN ORDINANCE OF THE VILLAGE OF EAST DUNDEE, COOK
AND KANE COUNTIES, ILLINOIS, INCREASING THE NUMBER OF
CLASS A-2 LIQUOR LICENSES
(Spartan Axe Throwing)**

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 A-2 liquor license from Spartan Axe Throwing 2, Inc. located at 315 4th Street, East Dundee, Illinois (“Licensee”); and

WHEREAS, the President and Board of Trustees have deemed it to be in the best interest of the Village to create a new Class A-2 liquor license;

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: Amendment. 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 by adding the following row therein:

| Classification | Number Permitted |
|----------------|------------------|
| <u>A-2</u> | <u>1</u> |

SECTION 3: Conditions. Licensee’s Class A-2 liquor license is subject to the following conditions:

A. The eight foot (8’) solid opaque fence requirement surrounding the beer garden in Section 116.05(A)(2-1)(c) is modified for Licensee’s premises and only the eastern boundary of the beer garden must have a six foot (6) solid opaque fence above the existing retaining wall, and the remainder of the beer garden boundaries shall be enclosed by a solid or open fence or a wall with a height of at least four feet (4’).

B. The beer garden on Licensee's premises shall be occupied by no more than forty (40) persons at any time.

C. No dispensing/consumption of alcohol is allowed after Axe Throwing activity/operations have ceased for the day.

SECTION 4: Continuation. That all provisions of the Village Code not amended herein shall remain in full force and effect.

SECTION 5: 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 6: Repeal. That all ordinances, resolutions, motions or parts thereof in conflict with this Ordinance shall be and the same are hereby repealed.

SECTION 7: Effect. That this Ordinance shall be in full force and effect upon its adoption, approval and publication in pamphlet form as provided by law.

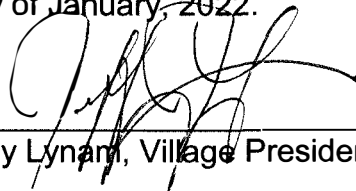
ADOPTED this 24th day of January, 2022 pursuant to a roll call vote as follows:

AYES: Mahony, Runze, Saviano, Brittin and Treiber

NAYES: Ø

ABSENT: Sauder

APPROVED by me this 24th day of January, 2022.



Jeffrey Lynam, Village President

ATTEST:

Katherine Diehl
Katherine Diehl, Village Clerk

Published in pamphlet form this 24th day of January, 2022, under the authority of the Village President and Board of Trustees.

Recorded in the Village records on January 25, 2022.