

ORDINANCE NUMBER 22 - 19

AN ORDINANCE OF THE VILLAGE OF EAST DUNDEE, COOK AND KANE COUNTIES, ILLINOIS, AMENDING THE VILLAGE OF EAST DUNDEE VILLAGE CODE REGARDING THE TERMS OF LIQUOR LICENSES

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, amending the Village of East Dundee Village Code ("Village Code") to change the terms of Village-issued liquor licenses from July 1 through June 30 to January 1 to December 31 best serves the public's health, safety and welfare;

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:

Amendment One:

Section 116.05(E)(1) of the Village Code shall read as follows:

All license fees shall be payable in one installment. All licenses shall expire on December 31 ~~June 30~~ next after the date of issue.

Amendment Two:

Section 116.05(H) of the Village Code, entitled "Fees," shall read as follows:

(1) Liquor licenses issued on January ~~July~~ 1 of each year and the fees for licenses issued shall be prorated based for issue date, determined as follows:

(a) January 1 ~~July 1~~ through March 31 ~~September 30~~: fee to be prorated 100% not prorated;

(b) April 1 ~~October 1~~ through June 30 ~~December 31~~: fee to be prorated 75%;

(c) ~~July 1 January 1~~ through September 30 ~~March 31~~: fee to be prorated 50%; and

(d) October 1 ~~April 1~~ through December 31 ~~June 30~~: fee to be prorated 25%.

(2) Licenses, regardless of issue date, will expire December 31 ~~June 30~~ of each year.

Amendment Three:

Section 137.05 (C) of the Village Code shall read as follows:

The fee for a supplemental liquor video gaming establishment license shall be \$1,000 per license year and the fee for each video gaming terminal in an establishment in the village shall be \$250 per machine per license year. The \$250 per machine per license year fee shall be paid 50% by the terminal operator and paid 50% by the licensed establishment, per ILCS Chapter 230, Act 40, § 65. The license year shall be from January 1 ~~July 1~~ through December 31 ~~June 30~~ of the following year. The license fees shall not be prorated or refunded. Notwithstanding any term in this Section to the contrary, all licenses in effect as of May 16, 2022 shall expire on June 30, 2022 and such licenses may thereafter be renewed, if the requirements of this Section are met, with terms as set forth in this Section, which will result in a partial-year term of July 1, 2022 through December 31, 2022, and then with full-year terms thereafter of January 1 through December 31 each year.

Amendment Four:

Section 37.07(U) of the Village Code, entitled "Alcoholic Beverages," shall read as follows:

~~(1) Basset application fee: \$5~~

(2) Liquor license fees. Liquor licenses issued on January 1 ~~July 1~~ of each year and the fees for licenses issued shall be prorated based for issue date, determined as follows:

(a) January 1 – March 31 ~~July 1 – September 30~~:
Not prorated

(b) April 1 – June 30 ~~October 1 – December 31~~:
75% of liquor license fee

(c) July 1 – September 30 ~~January 1 – March 31~~:
50% of liquor license fee

(d) October 1 – December 31 ~~April 1 – June 30~~:
25% of liquor license fee

(e) Annual license fees:

1. Class A (tavern): \$2,000
2. Class A-1 (tavern/beer garden): \$3,000
3. Class A-2 (beer/wine on-premises/beer garden): \$2,500
4. Class B (package liquor): \$2,000
5. Class B-1 (supermarket and drug store): \$2,000
6. Class B-2 (incidental sales - beer and wine): \$1,200
7. Class B-3 (mail order sales): \$300
8. Class B-4 (incidental sales - beer, wine and hard liquor): \$1,500
9. Class C (incorporated not-for-profit): \$750
10. Class C-1 (public golf course restaurant): \$2,500
11. Class D (outdoor amusement parks): \$1,250 plus \$375 per additional point of distribution
12. Class E (restaurants): \$2,500
13. Class E-1 (restaurants with service bar only): \$1,500
14. Class E-2 (restaurants with beer and wine only): \$1,000

15. Class E-3 (restaurant with beer and wine only and packaged sales): \$2,500

16. Class F (special events license): \$100 per day

17. Class G (banquet license): \$2,500 plus \$750 per additional point of distribution

18. Class H (entertainment venue license): \$3,000

19. Class I (specialty food and beverage establishment): \$1,000

20. Class J (village caterer): \$500

21. Class J-1 (caterer with business location outside of village): \$300

22. Class K (caboose concession stand): \$500, application fee waived

23. Class L (brew pub): \$2,500

(3) Liquor license application fee: \$500

(4) Fee for additional license. A licensee who desires, qualifies for, and receives more than one class of license for any one establishment shall pay the full cost of the license having the highest fee, and the additional fee for the second license shall be \$1,000 or the actual fee, whichever is less.

(5) Endorsement fees.

(a) Adjoining village sidewalk service endorsement: \$100

(b) Adjoining village right-of-way service endorsement: No fee

(6) Consumption of alcohol by a person under 21: \$100

(7) Liquor license fees refunds. The transferor of the legal or beneficial ownership of more than 50% of the voting securities or legal or equitable interest of a liquor licensee shall receive a

prorated refund of the fees it paid the Village for its liquor license(s), in the following amount, based on the date of transfer:

(a) January 1 – March 31 ~~July 1 through September 30~~: refund of 100% of the fees paid;

(b) April 1 – June 30 ~~October 1 – December 31~~: refund of 75% of the fees paid;

(c) July 1 – September 30 ~~January 1 – March 31~~: refund of 50% of the fees paid; and

(d) October 1 – December 31 ~~April 1 – June 30~~: refund of 25% of the fees paid.

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.

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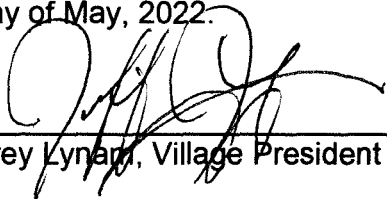
ADOPTED this 16th day of May, 2022 pursuant to a roll call vote as follows:

AYES: Mahony, Kunze, Brittin, Saviano, Treiber and Sauder

NAYES: Ø

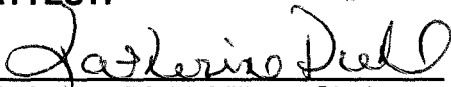
ABSENT: Ø

APPROVED by me this 16th day of May, 2022.



Jeffrey Lynam, Village President

ATTEST:



Katherine Diehl, Village Clerk

Published in pamphlet form this 16th day of May, 2022, under the authority of the Village President and Board of Trustees.

Recorded in the Village records on May 19, 2022.