

ORDINANCE NUMBER 22 - 49

AN ORDINANCE OF THE VILLAGE OF EAST DUNDEE, COOK AND KANE COUNTIES, ILLINOIS, AMENDING THE REGULATIONS RELATING TO EMPLOYEE TRAINING AND REGISTRATION AND RELATING TO VILLAGE RIGHT-OF-WAY SERVICE ENDORSEMENTS

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 Corporate Authorities now desire to further amend the regulations for the required training for liquor managers within the Village; and

WHEREAS, the Corporate Authorities also desire to further amend the regulations for the location of right-of-way service areas, as well as when applicants can apply and hold a right-of-way service area endorsement; and

WHEREAS, amendments are necessary to the Village of East Dundee Village Code (“Village Code”) to allow for the implementation of these policies; and

WHEREAS, the President and Board of Trustees of the have determined that granting of said amendments to the Village Code is in the best interest of the Village;

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 each Whereas paragraph above is incorporated by reference into this Section 1 and made a part hereof as material and operative provisions of this Ordinance.

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

Amendment One:

Subsection A(6) of Section 116.04 of the Village Code, entitled “Employee Training and Registration,” is hereby amended as follows with additions underlined and deletions struck through:

(6) After July 1, 1994, any new employee, manager or agent, requiring BASSET

or TIPS training, shall, within 90 days from the beginning of their employment with that licensee, complete a BASSET or TIPS program and shall until completion of the BASSET or TIPS program work under the supervision of a person who has completed BASSET or TIPS training.

In addition to the other requirements of this section, all liquor managers shall attend a program conducted by the East Dundee Police Department relative to alcohol awareness at least once every two (2) years commencing July 1, 2023, provided that any liquor manager hired after July 1, 2023, shall attend the next available alcohol awareness program.

Amendment Two:

Subsection 21 of Section 116.05 of the Village Code, entitled "Licenses," is hereby amended as follows, with additions underlined and deletions struck through:

- (21) Adjoining village right-of-way service endorsement. A license holder may expand its premises under their existing license with a right-of-way endorsement granted by the Local Liquor Control Commissioner to allow sales and service of alcoholic beverages authorized pursuant to its license on the public right-of-way subject to compliance with the following regulations:
- (a) The right-of-way service area shall be the Depot grounds (319 N River St, East Dundee, IL 60118) or that portion of the village sidewalk or right-of-way ~~within 250 feet of adjacent to~~ the premise of the licensee and shall only be permitted during a special event sponsored by the village or an event approved by the Village Board;
 - (b) The licensee shall comply with all rules and regulations established by the village for the event;
 - (c) All temporary seating or structures in the village's right-of-way shall be approved by the village;
 - (d) All activities in the village right-of-way shall comply with all ordinances and regulations of the village;
 - (e) The licensee shall submit a plan as part of its application for compliance with all liquor regulations in this chapter;
 - (f) Licensees issued an endorsement for a right-of-way service area shall maintain the right-of-way area in a clean and safe condition. The licensee shall clean said area at the end of each event day, so as not to have any food or drink leftovers or refuse remaining on the right-of-way.

- (g) Such other requirements as may be imposed by the Liquor Commissioner taking into account the unique circumstances of the licensee's premises, location and type of event;
- (h) Every applicant for an endorsement for a right-of-way service area shall annually file an application with the Village Clerk upon a form provided by the Village Clerk ~~and pay a filing fee of \$100, which shall not be refundable. Said application shall be submitted to the village by the applicant no later than February 1 of each year;~~
- (i) The application for an endorsement to operate a right-of-way service area must include the following:
 1. A certificate of insurance in the amount of \$1,000,000 naming the Village of East Dundee as an additional insured for the duration of the event;
 2. A signed hold harmless agreement; and
 3. A diagram of the proposed layout of the right-of-way service area, including sizes of fixtures and their location.
- (j) An endorsement for operation of a right-of-way service area which is granted shall permit operation ~~between March 1 and November 1 of that calendar year only~~ for one calendar year following the granting of the endorsement.

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.

ADOPTED this 7th day of November, 2022 pursuant to a roll call vote as follows:

AYES: Kunze, Brittin, Treiber, Sauder and Mahony

NAYES: None


ABSENT: Saviano

APPROVED by me this 7th day of November, 2022.



Jeff Lynam, Village President

ATTEST:



Katherine Diehl, Village Clerk

Published in pamphlet form this 8th day of November, 2022, under the authority of the Village President and Board of Trustees.

Recorded in the Village records on November 8, 2022.