

**ORDINANCE NUMBER 09 - 39**

**ORDINANCE REPEALING TITLE XI,  
BUSINESS REGULATIONS, CHAPTER 116,  
SECTION 116.05, (A)(5)(c)(1) AND SECTION 116.05, (A)(7)(c)(2)  
FROM THE VILLAGE OF EAST DUNDEE CODE OF ORDINANCES**

**WHEREAS**, the Village of East Dundee is a home rule unit of local government under and pursuant to Section 6 of Article VII of the Constitution of the State of Illinois, has the authority to exercise any power and perform any function pertaining to its government and affairs, including but not limited to the power to regulate for the protection of the public health, safety, morals, and welfare; and

**WHEREAS**, the President and Board of Trustees of the Village of East Dundee having determined that it is in the best interests of the health, safety and welfare of the residents of the Village of East Dundee that the East Dundee Code of Ordinances, Title XI, Business Regulations, Chapter 116, Alcoholic Beverages, Section 116.05, Licenses, (A)(5)(c)(1) and Section 116.05, Licenses, (A)(7)(c)(2) be repealed.

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

**Section One.** The East Dundee Code of Ordinance, Title XI, Business Regulations, Chapter 116, Alcoholic Beverages, Section 116.05, Licenses, (A)(5)(c)(1) and Section 116.05, Licenses, (A)(7)(c)(2) does not allow the temporary point of sale, beer or wine advertising to be located on gasoline islands and no lighted or unlighted permanent signage advertising beer or wine shall be located on buildings, in windows or within five feet of any window, except that if a free standing sign is permitted on the licensed premises pursuant to a village ordinance, no brand or price advertising shall be permitted thereon, but only generic advertising using the words "beer" or "wine" and descriptive terms relative thereto. This section will be removed from the Village Code of Ordinances and will no longer apply to B-2 and B-4 class liquor licenses.

**Section Two. Severability.** 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 Three. Repeal.** All ordinances, resolutions, motions or parts thereof in conflict herewith shall be and the same are hereby repealed.

**Section Four. Publication.** This ordinance shall be in full force and effect forthwith upon its adoption, approval and publication in pamphlet form as provided by law.

Adopted this 7<sup>th</sup> day of December, 2009, pursuant to a roll call vote as follows:

AYES: 7 - Trustees Ruffalo, Gorman, Lynam, Miller, Cichowski, Van Ostenbridge & President Bartels

NAYES: 0

ABSENT: 0

Approved by me this 7<sup>th</sup> day of December, 2009.

Jerald Bartels  
JERALD BARTELS, President

Published in pamphlet form this 7<sup>th</sup> day of December, 2009, under the authority of the President and Board of Trustees.

ATTEST:

Jennifer Rehberg  
JENNIFER REHBERG, Village Clerk

Recorded in the Village Records on December 10<sup>th</sup>, 2009.

