

**ORDINANCE NUMBER 09- 02**

**ORDINANCE AMENDING TITLE XI, BUSINESS REGULATIONS, CHAPTER 116, ALCOHOLIC BEVERAGES BY REVISING SECTION 116.01 DEFINITIONS**

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 Title XI, **Business Regulations**, Chapter 116, **Alcoholic Beverages**, Section 116.01, Definitions be revised, to add a definition of floor area open to the public.

**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. That Title XI, Business Regulations, Chapter 116, Alcoholic Beverages, Section 116.05 be revised to now read as follows:

**§ 116.01 DEFINITIONS.**

(A) Words or phrases as used herein shall be defined as provided by An Act Relating to Alcoholic Liquors, passed by the Second Special Session of the 58th General Assembly, ILCS Chapter 235, Act 5, §§ 1-1 *et seq.*

(B) For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**ENCLOSED FLOOR AREA OPEN TO THE PUBLIC.** The area of available retail sales space.

**PERSON or PERSONS.** Individuals, partnerships, firms, associations and corporations.

**PREMISES.** The interior of a building having a valid occupancy permit, except as expressly otherwise set forth herein.

**Section Two. Severability.** If any section, paragraph or provision of this ordinance shall be held to be invalid or unenforceable for any reason, the validity 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 Repeal.** All ordinances, resolutions, motions or parts thereof in conflict herewith shall be and the same are hereby repealed.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 5<sup>th</sup> day of Jan, 2009, pursuant to a roll call vote as follows:

AYES: Ruffalo, Gorman, Carlini, Lynan,  
Mahony, Pres. O'Leary

NAYES: \_\_\_\_\_

ABSENT: Cichowski

Approved by me this 5<sup>th</sup> day of Jan, 2009.

Dan O'Leary  
Dan O'Leary, Village President

Published in pamphlet form this 6<sup>th</sup> day of Jan, 2009, under the authority of the President and Board of Trustees.

ATTEST:  
Sue Norton  
SUE NORTON, Village Clerk

Recorded in the Village Records on Jan 6, 2009.

