

**ORDINANCE 2018-24**

**AN ORDINANCE AMENDING TITLE 3, CHAPTER 2, SECTION 8,  
LIQUOR LICENSE CLASSIFICATIONS OF THE MUNICIPAL CODE OF THE  
VILLAGE OF WEST DUNDEE, ILLINOIS**

WHEREAS, the Village of West Dundee, Kane County, Illinois, is a home rule municipality as contemplated under article VII, Section 6, of the Constitution of the State of Illinois, and the passage of this Ordinance constitutes an exercise of the Village's home rule powers and functions as granted in the Constitution of the State of Illinois;

WHEREAS, the Illinois Compiled Statutes Chapter 235 ILCS Article IV under the Illinois Liquor Control Act which has expressly conferred certain powers on municipalities with regard to the issuance of retail liquor licenses; and

WHEREAS, John's Mobil, located at 527 S Eighth Street, has applied for a Class CCC Liquor License; and

WHEREAS, the Village of West Dundee has reviewed the request, and has identified the need to amend the Class CCC license classifications to facilitate this license issuance.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES, VILLAGE OF WEST DUNDEE, KANE COUNTY, ILLINOIS:

Section 1: The foregoing recitals are hereby incorporated in this Section One as if said recitals were fully set forth herein.

Section 2: The Municipal Code of the Village of West Dundee, Title 3, Businesses and Licenses, Chapter 2: Liquor Control, Section 8: License Classifications is hereby amended by repealing the following subsection in its entirety and enacting the following in lieu thereof:

Section 3-2-8-G: Class CCC License

1. Regulations: For establishments dispensing beer and wine only for consumption off the premises and in package form only.
2. Conditions: This license may be issued to retail food stores, department stores, and retail food stores also selling gasoline upon the following conditions, and provided that all the following said conditions are met at all times during the term of said license:
  - a. Only beer and wine, as defined in the Illinois liquor control act, may be sold.
  - b. The minimum inventory level for all store products shall be thirty five thousand dollars (\$35,000.00) in retail value.
  - c. Beer and wine sales shall not exceed twenty five percent (25%) of all retail sales in such establishment, during any consecutive twelve (12) month period.
  - d. No displays of beer and wine shall be located within five feet (5') of the store's entrance.

- e. All beer shall only be sold from, or displayed in, electrical refrigeration coolers, or other cabinets or displays which can be secured.
- f. Employees selling, delivering, checking out or receiving payment for packaged alcoholic liquors must be twenty one (21) years of age or older.
- g. No video or other electronic games shall be allowed on the premises of such establishment.
- h. In addition, retail food stores selling gasoline shall meet the following conditions:
  - (1) No temporary point of sale, beer or wine advertising shall 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 (5') of any window. If a freestanding sign is permitted on the licensed premises pursuant to a Village ordinance, only generic advertising using the words "beer" or "wine", and descriptive terms relating thereto (exclusive of brand and price advertising) shall be permitted.
  - (3) All beer and wine shall be sold in the original manufacturer's packaging.

- 3. Closing Hours: Class CCC licensed premises shall not sell alcoholic beverages Mondays through Saturdays between the hours of twelve o'clock (12:00) midnight and six o'clock (6:00) A.M. and on Sundays between the hours of twelve o'clock (12:00) midnight and nine o'clock (9:00) A.M.

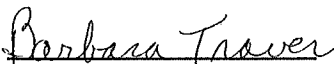
Section 5: That all ordinances, resolutions and orders, or parts thereof, in conflict with the provisions of this Ordinance are to the extent of such conflict repealed.

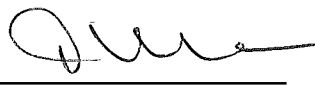
Section 6: That this Ordinance shall be in full force and effect from and after its passage and approval as provided by law and after publication in pamphlet form pursuant to the authority of the Board of Trustees.

APPROVED and PASSED by the Board of Trustees of the Village of West Dundee, Kane County, Illinois, and approved by the President of said Village this 12<sup>th</sup> day of November, 2018.

AYES: Trustees Hanley, Yuscka, Anderley, Wilbrandt, Kembitzky and Price  
NAYS: None  
ABSENT: None

ATTEST:

  
Barbara Traver  
Village Clerk

  
Christopher Nelson  
Village President