

ORDINANCE 2013-07

**AN ORDINANCE AMENDING TITLE 3, CHAPTER 2,
ALCOHOLIC LIQUOR REGULATIONS OF THE MUNICIPAL CODE OF
THE VILLAGE OF WEST DUNDEE, ILLINOIS OF 2004, AS AMENDED**

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; and

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, upon the annual review of license applications, an adjustment has been made to the number of allowed Class A licenses, eliminating West End Bar and Grill Class A license; and

WHEREAS, Courtyard by Marriott currently holds a Class CC license, and is desirous to upgrade their operations to allow for dispensing of spirits on premises, in addition to dispensing of beer and wine for consumption on premises and dispensing of alcoholic beverages in package form only for consumption off premises; and

WHEREAS, the Municipal Code of the Village of West Dundee does not provide for a liquor license classification that will accommodate the upgraded concept for Courtyard by Marriott, creating the need for an amendment to the Class CC license classification.

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

Section 1: The Municipal Code of the Village of West Dundee, Title 3 Chapter 2, Alcoholic Liquor Regulations, Section 3-2-9 Number of Licenses, as amended, shall be, and the same hereby is amended by repealing in its entirety the said Section 3-2-9 and enacting the following Section 3-2-9 in lieu thereof:

3-2-9: NUMBER OF LICENSES: There shall be allowed one (1) Class AAA License, zero (0) Class AA License, eight (8) Class A Licenses, three (3) Class B Licenses, four (4) Class C Licenses, one (1) Class CC License, two (2) Class CCC Licenses, one (1) Class D License, four (4) Class E Licenses, one (1) Class F License, one (1) Class G License and zero (0) Class H Licenses.

Section 2: The Municipal Code of the Village of West Dundee, Title 3 Chapter 2, Alcoholic Liquor Regulations, Section 3-2-8-F-1 and 2 Class CC License, shall be, and the same hereby is amended by repealing in its entirety the said Section 3-2-8-F-1 and 2 and enacting the following in lieu thereof:

3-2-8-F: CLASS CC LICENSE:

- 1. Regulations: Licenses for establishments dispensing alcoholic liquors for consumption off the premises and in package form only, and dispensing alcoholic liquors for consumption on the premises, whether served with meals in restaurants, hotel/motels, eating establishments, or retail establishments, having one service bar only.*

2. *Closing Hours: Class CC licensed premises shall not be open to the public Monday through Saturday between the hours of twelve o'clock (12:00) midnight and six o'clock (6:00) A.M. and on Sunday between the hours of twelve o'clock (12:00) midnight and eleven o'clock (11:00) A.M.*

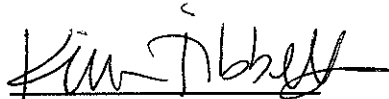
Section 3: That all ordinances, resolutions and orders, or parts thereof, in conflict with the provisions of this Ordinance are to the extent of such conflict repealed.

Section 4: 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.

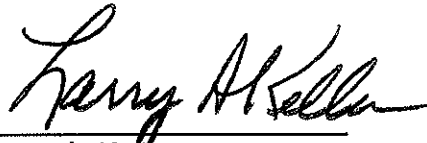
PASSED by the Board of Trustees of the Village of West Dundee, Kane County, Illinois, and approved by the President of said Village this 15th day of April, 2013.

AYES: Trustees Osth, Hanley, Yuscka, Kembitzky, Voss and Price
NAYS: None
ABSENT: None

ATTEST:



Kim Tibbetts
Deputy Village Clerk



Larry A. Keller
Village President