

VILLAGE OF GILBERTS

ORDINANCE NO. 03-2019

**AN ORDINANCE AMENDING CHAPTER 2 OF TITLE 3 OF THE VILLAGE
CODE TO CREATE A NEW LIQUOR LICENSE**

WHEREAS, the Village is authorized by the Illinois Liquor Control Act, 235 ILCS 5/1 *et seq.* to license and regulate the sale of alcoholic beverages in the Village; and

WHEREAS, the Village has established local liquor license regulations in Chapter 2 of Title 3 of the Gilberts Village Code; and

WHEREAS, the Village has determined it to be in the best interests of the Village and its residents to consider amendments to the Gilberts Village Code to create a new liquor license classification for the sale of alcoholic beverages at Village sponsored events.

NOW, THEREFORE, BE IT ORDAINED by the Village Board of the Village of Gilberts, Kane County, Illinois pursuant to its non-home rule powers, as follows:

Section 1: The recitals set forth above are incorporated into this Section 1 as if set forth herein.

Section 2: Section 3-2-7 “Classification of Licenses” of Chapter 3-2 “Liquor Control” of the Gilberts Village Code shall be amended to add a new Subsection J, titled “Class H”, which new Subsection 3-2-7(J) shall read as follows:

“J. Class H: A class H license shall entitle the licensee to sell alcoholic liquor at retail for consumption on the premises of a village-sponsored event, subjected to the following conditions:

1. **For the purposes of this license classification, “village-sponsored event” means an event which the village supports or promotes and is designated as a village-sponsored event by the village board.**
2. **The sale and consumption of alcoholic beverages may only occur within the secured area of the village-sponsored event.**
3. **The licensee must comply with the Basset training requirements of section 3-2-17 of this code.**
4. **The sale of alcoholic beverages may only occur during the hours designated by the liquor commissioner for the specific village-sponsored event.**
5. **A class H license shall be required for each specific village-sponsored event, and shall only be valid for the length of the**

specific village-sponsored event as determined by the liquor commissioner.

6. A class H licensee must provide the liquor commissioner with evidence of sufficient dram shop liability insurance.
7. A class H licensee shall hold harmless the village, its elected and appointed officials, officers, employees, agents, and representatives from any and all claims or causes of action arising out of the sale alcoholic liquor by the licensee at the village-sponsored event.
8. The liquor commissioner will have the authority to apply limitations, conditions, or additional requirements upon the issuance of a class H license as appropriate for the specific village-sponsored event.”

Section 3: Subsection A of Section 3-2-9 “Number of Licenses” of Chapter 3-2 “Liquor Control” of the Gilberts Village Code shall be amended by adding the following underlined text:

- “A. The liquor commissioner shall be authorized to issue the following number of licenses to be outstanding at any one time:

Class Of License	Number Of Licenses
A	6
B	0
C	1
D	0
D1	0
E	1
F	0
OS	1
G	2
<u>H</u>	<u>3</u>

Section 4: Paragraph A.1 of Section 2-4-19 “Liquor Licenses” of Chapter 2-4 “Fee Schedule” of the Gilberts Village Code shall be amended by adding the following underlined text:

"2-4-19: LIQUOR LICENSES:

A. Fees Established; Waivers:

1. The fees for liquor licenses shall be as follows:

Class Of License	Fee
Class A	\$1,800.00
Class B	\$1,200.00
Class C:	
Festivals	\$500.00
Reunions, weddings, anniversaries and baby and wedding showers	\$100.00
Sporting events	\$200.00
Other events	To be determined by the village board
Class D	\$1,200.00
Class D1, in addition to the class D liquor license fee	\$100.00
Class E	\$1,500.00
Class F	\$1,200.00
Class OS, in addition to the fee for the prerequisite Class A, B or F liquor license	\$200.00
Class G	\$1,500.00
<u>Class H</u>	<u>\$200 (fee is waived for licenses issued to the village)</u>

Section 5. This Ordinance shall be in full force and effect from and after its approval in the manner provided by law.

PASSED BY THE BOARD OF TRUSTEES this 23 day of April, 2019 by roll call vote as follows:

	<u>Ayes</u>	<u>Nays</u>	<u>Absent</u>	<u>Abstain</u>
Trustee Dan Corbett	✓	_____	_____	_____
Trustee Elissa Kojzarek	✓	_____	_____	_____
Trustee Nancy Farrell	✓	_____	_____	_____
Trustee Jeanne Allen	✓	_____	_____	_____
Trustee Lou Hacker	_____	_____	✓	_____

Trustee Guy Zambetti
President Rick Zirk

_____ ✓ _____


APPROVED THIS 23 DAY OF April, 2019



Rick Zirk, Village President



ATTEST:



Courtney Nicholas, Village Clerk