

**VILLAGE OF GILBERTS**

**ORDINANCE 10-2024**

**AN ORDINANCE AMENDING CHAPTER 2 OF TITLE 3 OF THE VILLAGE CODE REGARDING THE NUMBER OF CLASS OS LIQUOR LICENSES**

**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 Board of Trustees desires to amend the Village Code to increase the number of available Class OS liquor licenses by one; and

**WHEREAS**, the Village Board of Trustees finds it to be in the best interests of the Village and its residents to amend the Village Code regarding the number of Class OS as set forth in this Ordinance.

**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. RECITALS** The recitals set forth above are incorporated into Section 1 as set forth herein.

**SECTION 2. AMENDMENT TO SECTION 3-2-9 OF THE VILLAGE CODE.** Section 3-2-9 "Number of Licenses" of Chapter 2 "Liquor Control" of Title 3 of the Gilberts Village Code shall hereby be amended to read as follows (deletions in ~~strikethrough~~, additions in **bold** and underline):

**"3-2-9. Number of licenses.**

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

<b>Class of License</b>	<b>Number of Licenses</b>
A	5
B	0
C	1
D	0
D1	0
E	1
F	0
OS	<del>1</del> <b><u>2</u></b>
G	2

H	3
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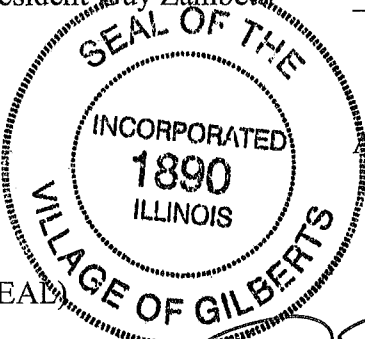
**SECTION 3. SEVERABILITY.** In the event that any section, clause, provision, or part of this Ordinance shall be found and determined to be invalid by a court of competent jurisdiction, all valid parts that are severable from the invalid parts shall remain in full force and effect. If any part of this Ordinance is found to be invalid in any one or more of its several applications, all valid applications shall remain in effect.

**SECTION 4. REPEAL AND SAVINGS CLAUSE.** All ordinances or parts of ordinances in conflict herewith are hereby repealed; provided, however that nothing in this Ordinance shall affect any rights, actions, or causes of action which shall have accrued to the Village of Gilberts prior to the effective date of this Ordinance.

**SECTION 5. EFFECTIVE DATE.** This Ordinance shall only be effective upon the passage, approval, and publication in the manner required by law.

ADOPTED THIS 7<sup>th</sup> DAY OF May, 2024, pursuant to roll call vote as follows:

	<u>Ayes</u>	<u>Nays</u>	<u>Absent</u>	<u>Abstain</u>
Trustee Robert Vanni	X	_____	_____	_____
Trustee Frank Marino	X	_____	_____	_____
Trustee Brandon Coats	_____	_____	X	_____
Trustee Jeanne Allen	X	_____	_____	_____
Trustee Robert Chapman	_____	_____	X	_____
Trustee Justin Redfield	X	_____	_____	_____
President Guy Zambetti	X	_____	_____	_____



APPROVED THIS 7<sup>th</sup> DAY OF MAY, 2024

*[Signature]*  
 Village President, Guy Zambetti

(SEAL)  
 ATTEST: *[Signature]*  
 Village Clerk, Lynda Lange

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