

**VILLAGE OF DOWNERS GROVE  
REPORT FOR THE VILLAGE COUNCIL MEETING  
FEBRUARY 17, 2009 AGENDA**

<b>SUBJECT:</b>	<b>TYPE:</b>	<b>SUBMITTED BY:</b>
Ordinance Amendments: Sale Hours for Off-Premise Liquor License Holders	Resolution ✓ Ordinance Motion Discussion Only	Enza I. Petrarca Village Attorney

**SYNOPSIS**

An ordinance has been prepared amending Sunday sales hours for the off-premise retail sale of liquor.

**STRATEGIC PLAN ALIGNMENT**

The Downers Grove Vision for 2021 provides for *Businesses to Thrive* and a principle for that vision is *Unique, Quality Restaurants Serving Residents and Corporations*.

**FISCAL IMPACT**

N/A

**UPDATE & RECOMMENDATION**

This item was discussed at the February 10, 2009 workshop. Staff recommends approval on the February 17, 2009 active agenda.

**BACKGROUND**

Based upon a request from Jewel-Osco, staff proposes amending the Municipal Code to allow the sale of alcoholic liquor for off-premise consumption to begin at 9:00 a.m. on Sundays. Currently, alcoholic liquor cannot be sold prior to 12 noon on Sundays. Jewel-Osco successfully petitioned a number of Illinois communities for a change to Sunday liquor sales hours, including Westmont (9:00 a.m.), Lisle (10:00 a.m.), Woodridge (6:00 a.m.) and Darien (9:00 a.m.). During the week and on Saturdays, sales are allowed beginning at 8:00 AM.

In an effort to remain competitive with surrounding communities, staff proposes that the Municipal Code be amended to allow off-premise packaged liquor sales on Sundays from 9:00 a.m. – 1:00 a.m. All other liquor sale hours will remain unchanged. (Monday through Friday 8:00 a.m. – 1:00 a.m. and Saturday 8:00 a.m. through 2:00 a.m.)

The Liquor Commission discussed this matter at their meeting of January 8, 2009 and recommended that an ordinance be forwarded to the Council for their consideration and approval.

**ATTACHMENT**

Ordinance

**VILLAGE OF DOWNERS GROVE**  
**COUNCIL ACTION SUMMARY**

**INITIATED:** Village Attorney **DATE:** February 17, 2009  
(Name)

**RECOMMENDATION FROM:** Liquor Commission **FILE REF:** \_\_\_\_\_  
(Board or Department)

**NATURE OF ACTION:**

**STEPS NEEDED TO IMPLEMENT ACTION:**

- Ordinance
- Resolution
- Motion
- Other

Motion to Adopt "AN ORDINANCE AMENDING SUNDAY SALES HOURS FOR OFF-PREMISE CONSUMPTION LICENSE HOLDERS", as presented.

**SUMMARY OF ITEM:**

Adoption of the attached ordinance will amend Sunday liquor sales hours for off-premise license holders.

**RECORD OF ACTION TAKEN:**

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Sun Liq Hours

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING SUNDAY SALES HOURS FOR  
OFF-PREMISE CONSUMPTION LICENSE HOLDERS**

BE IT ORDAINED by the Village Council of the Village of Downers Grove in DuPage County, Illinois, as follows: (Additions are indicated by ~~shading~~/underline; deletions by ~~strikeout~~):

**Section 1. That Section 3.31. is hereby amended to read as follows:**

**3.31. Hours of business.**

(a) It shall be unlawful for any on-premise liquor license holder to deliver, to sell or offer for sale, at retail any alcoholic liquor in the Village between the hours of 1:00 A.M. and 8:00 A.M. or between the hours of 2:00 A.M. and 12:00 Noon on any Sunday.

(b) It shall be unlawful for any off-premise liquor license holder to sell or offer for sale, at retail, any alcoholic liquor in the Village between the hours of 1:00 A.M. and 8:00 A.M. or between the hours of 2:00 A.M. and 9:00 A.M. on any Sunday.

(c) Provided, the Hours during which sale is lawful may be extended by written order of the Local Liquor Commissioner for periods not to exceed three hours upon written application by the licensee stating the reasons for the requested extension and the date or dates for which the extension is sought. The request shall be forwarded to the Village in writing no later than two (2) weeks prior to the date the extension is requested or the request shall automatically be denied. No licensee shall be granted such extension for more than eight dates in any one calendar year, provided a fee in the amount of \$50.00 shall be submitted for each day of requested extension.

(bd) It shall be unlawful to keep open for business or to admit prospective customers to any premises having a Class "P" packaged liquor license during the hours within which the sale of alcoholic liquor is prohibited; provided, that in the case of:

(1) A Class "P" packaged liquor license for premises from which less than half of the gross revenues are derived from the sale of alcoholic liquor not for consumption on the premises, such premises may be kept open during such hours, but no alcoholic liquor may be sold to any person in such premises during such hours.

(ee) It shall be unlawful for any licensee to suffer or permit any person to consume alcoholic liquor on premises licensed under this Chapter later than one hour after the applicable closing time determined under paragraph (a) of this Section 3-31.

(df) It shall be unlawful for any licensee holding a license for on premise consumption, to sell or offer for sale any alcoholic liquor at any time when the regular food service in such licensed premises is not in actual operation, except that such sales may be made during a one-hour period immediately following the close of regular food service operations in such premises, subject to the provisions of paragraph (a) of this Section 3-31. (Ord. No. 2450, § 2; Ord. No. 2735, § 1; Ord. No. 3050, § 6; Ord. No. 3075, § 1.)

**Section 2.** That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

**Section 3.** That this ordinance shall be in full force and effect from and after its passage and publication in the manner provided by law.

Sun Liq Hours

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Mayor

Passed:

Published:

Attest:

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Village Clerk