

VILLAGE OF DOWNERS GROVE
Report for the Village
9/11/2018

SUBJECT:	SUBMITTED BY:
Amend E Class License	Enza Petrarca Village Attorney

SYNOPSIS

An ordinance has been prepared amending the Liquor Code to eliminate the E license classification for on-site consumption of alcoholic liquor at an Entertainment/Restaurant facility.

STRATEGIC PLAN ALIGNMENT

The goals for 2017-2019 include *Exceptional Municipal Services*.

FISCAL IMPACT

N/A

UPDATE & RECOMMENDATION

This item was discussed at the September 4, 2018 Village Council meeting. Staff recommends approval on the September 11, 2018 active agenda.

BACKGROUND

On November 3, 2009, the Village Council adopted Ordinance No. 5089 which created a liquor license classification allowing the consumption of alcoholic liquor at an Entertainment/Restaurant Facility. Due to the amount of staff resources devoted to monitoring this license classification and the fact that the most current E license issued was revoked due to numerous violations, it is recommended that the license classification be eliminated from the Liquor Code.

ATTACHMENTS

Ordinance

VILLAGE OF DOWNERS GROVE COUNCIL ACTION SUMMARY

INITIATED: Village Attorney **DATE:** September 11, 2018
(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 CERTAIN LIQUOR PROVISIONS", as presented.



SUMMARY OF ITEM:

Adoption of the attached ordinance shall amend certain liquor provisions.

RECORD OF ACTION TAKEN:

Class E

ORDINANCE NO. _____

AN ORDINANCE AMENDING CERTAIN LIQUOR PROVISIONS

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 3.3 is hereby amended to read as follows:**3.3 Definitions.**

For the purposes of this Chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

* * *

~~*Entertainment/Restaurant facility.* A place kept, used, maintained, advertised or held out to the public as a restaurant and where dancing, live entertainment or recreational activities such as those which are included in the definition of a recreational facility, are available.~~

* * *

Section 2. That Section 3.13 is hereby amended to read as follows:**3.13 Classification of licenses.**

Such licenses shall be, and are hereby, divided into the following classes:

* * *

Class "E" Entertainment/Restaurant Facility Licenses

~~“E-1” Entertainment/Restaurant Facility licenses shall authorize the sale of alcoholic liquor for consumption on the licensed premises where the primary business is an entertainment/restaurant facility as defined herein, of not less than twelve thousand (12,000) square feet. Such facility shall have dining on the premises with a guest seating capacity, excluding outdoor areas, of not less than one hundred twenty-five (125). Such facility shall have an area where food is prepared on the premises. An area or area(s) may be devoted to dancing, live entertainment or recreational activities. Physical bar seating shall be limited to twenty percent (20%) of the total amount of dining seats provided.~~

~~Such facility shall be limited to patrons twenty-one (21) years of age and older.~~

~~A monthly report shall be submitted to the Village describing any planned events or scheduled entertainment by the licensee.~~

~~The licensee shall provide the Village with a detailed security plan for the facility, including, but not limited to, a policy, security procedures and security staffing provisions. Twenty-four (24) hour emergency contact information shall be provided to the Village's Police and Fire Departments.~~

~~This license shall be subject to any other additional conditions and/or restrictions imposed by the Local Liquor Commissioner either at the time of initial issuance or renewal of the license.~~

Class E

* * *

Class "O" On-Premise Consumption, Outdoor Licenses

"O" Outdoor licenses shall authorize the sale and consumption of alcoholic liquor in an enclosed outdoor seating area. This license may only be issued to establishments holding a valid Class B, C, ~~E~~, P-O, REC, RF, R or WB license and shall be limited to the conditions of the respective license classification issued to the establishment. The main and principal operation of the outdoor area shall be for dining purposes and food must be available in the outdoor dining area at all times and shall be subject to the provisions set forth in Section 3.30. Operation of the outdoor area for a Class C license is limited to private party rentals and shall be subject to the provisions set forth in Section 3.32.

* * *

Section 3. That Section 3.15. is hereby amended to read as follows:

3.15. Limitation on number of licenses.

The number of licenses in each classification as defined in Section 3-13 which it shall be lawful to issue shall be limited so that the licenses in force and effect at any time shall not exceed the following numbers:

License Classification	Amount of licenses not to Exceed
* * *	
"E" (Entertainment/Restaurant - full)	2

* * *

Section 4. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 5. That this ordinance shall be in full force and effect from and after its passage and publication in the manner provided by law.

Mayor

Passed:
Published:
Attest: _____
Village Clerk

1\mw\Ord.18\Class E-short