

**AN ORDINANCE AMENDING CHAPTER 1 OF TITLE 4 OF THE VILLAGE CODE OF CAMPTON HILLS, KANE COUNTY, ILLINOIS ESTABLISHING THE NUMBER OF AVAILABLE LIQUOR LICENSES AND AMENDING THE PENALTIES ON LICENSEES**

**WHEREAS**, the Village of Campton Hills, Kane County, Illinois (the "*Village*") is a duly organized and existing municipal corporation created under the provisions of the laws of the State of Illinois and under the provisions of the Illinois Municipal Code, as from time to time supplemented and amended; and

**WHEREAS**, Article IV of the Liquor Control Act of 1934, 235 ILCS 5/4-1, et seq. (the "*Act*"), authorizes the President and Board of Trustees of the Village of Campton Hills (the "*Corporate Authorities*") to determine the number, kind and classification of licenses for the retail sale of alcoholic liquor and to establish such further regulations and restrictions upon the issuance of and operations under local licenses not inconsistent with law as the public good and convenience may require; and

**WHEREAS**, the Act further authorizes the Local Liquor Control Commissioner to levy a fine on a licensee for a violation of any of the provisions of the Act or of any valid ordinance or resolution enacted by the Corporate Authorities or any applicable rule or regulations established by the Local Liquor Control Commissioner; and

**WHEREAS**, the Corporate Authorities find that it is in the best interest of the health, safety and welfare of the residents of the Village to provide for the regulations herein specified.

**NOW, THEREFORE, BE IT ORDAINED** by the President and Board of Trustees of the Village of Campton Hills, Kane County, Illinois, as follows

**Section 1.** That the above recitals and legislative findings are found to be true and correct and are hereby incorporated herein and made a part hereof, as if fully set forth in their entirety.

**Section 2.** Section 4-1-12 ("*Number of Licenses*") of Chapter 1 ("*Alcoholic Beverages*") of Title 4 ("*Business and License Regulations*") of the Village Code of Campton Hills, Illinois, is hereby amended by deleting the following stricken language and adding the underlined language to read, as follows:

4-1-12: Number of Licenses

(a) *Maximum number of licenses which may be issued for each Class hereinafter identified shall be as follows.* The maximum number of licenses which may be issued for each class shall be as follows:

<u>LICENSE</u>	
Class AR	Six (6)
Class AP	Zero (0)
Class AB	One (1)
Class ARPQ	Zero (0)
Class AW	Zero (0)
Class C	Zero (0)
Class C-1	Zero (0)
Class G	Zero (0)
Class J	Zero (0)
Class K	Zero (0)
Class L	Zero (0)
Class M	Zero (0)
Class O	Zero (0)
Class P	Four (4)
Class Q-1	Zero (0)
Class R	One (1)
Class S	Zero (0)
Class T	Two (2)

(b) *Reduction in the number of licenses.* Whenever a license previously issued under this chapter is revoked, surrendered, nonrenewed or terminated by dormancy, the maximum number of licenses in the class of the license which is revoked, surrendered, nonrenewed or terminated by dormancy shall be automatically and immediately reduced by one.

(c) *Appropriate number of licenses.* Upon revocation, surrender, nonrenewal or termination by dormancy, the village clerk shall codify the appropriate maximum number of licenses for each class whenever the number of license(s) is reduced by this section.

**Section 3.** Section 4-1-26(A) (“*Revocation, Suspension and Fines*”) of Chapter 1 (“*Alcoholic Beverages*”) of Title 4 (“*Business and License Regulations*”) of the Village Code of Campton Hills, Illinois, is hereby amended as follows:

4-1-26:Revocation, Suspension and Fines

A. Authority To Revoke, Suspend Or Fine: The local liquor control commissioner may revoke or suspend for not more than thirty (30) days any license issued by him, and in addition may fine any licensee, if he determines that the licensee has violated any of the provisions of the liquor control act, any valid ordinance or resolution enacted by the Corporate Authorities or any applicable rule or regulation established by the local liquor control commissioner. The fine imposed shall not exceed one thousand dollars (\$1,000.00) for a first violation within a twelve (12) month period, one thousand five hundred dollars (\$1,500.00) for a second violation within a twelve (12) month period, and two thousand five hundred dollars (\$2,500.00) for a third or subsequent violation within a twelve (12) month period. Each day on which a violation continues shall constitute a separate violation. Not more than fifteen thousand dollars (\$15,000.00) in fines under this subsection may be imposed against any licensee during the period of his license. Proceeds from such fines shall be paid into the general corporate fund.

**Section 4.** Chapter 1 (“Alcoholic Beverages”) of Title 4 (“Business and License Regulations”) of the Village Code of Campton Hills, Illinois, is hereby amended by adding Section 4-1-31 (“Cessation of Business”) to read as follows:

4-1-31: Cessation of Business

Any licensee who has ceased to do business or closes the licensed place of business for a period of more than thirty (30) successive days without written permission from the local liquor commissioner shall be subject to having its license declared forfeited and lapsed by order of the local liquor commissioner.

**Section 5.** If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any other provision of this Ordinance.

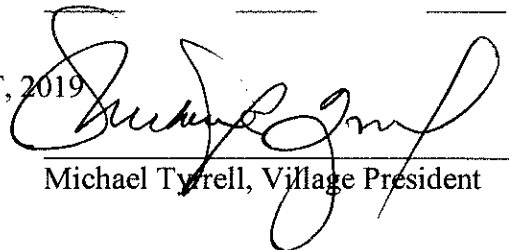
**Section 6.** All ordinances, resolutions, motions or orders in conflict with this Ordinance are hereby repealed to the extent of such conflict

**Section 7.** This Ordinance shall be in full force and effect upon its passage, approval, and publication in the manner provided by law.

Passed this 20<sup>TH</sup> day of AUGUST, 2019, pursuant to a roll call vote as follows:

	AYES	NAYES	ABSENT	ABSTAIN
Trustee Darlene Bakk	<u>X</u>	_____	_____	_____
Trustee Susan P George	<u>X</u>	_____	_____	_____
Trustee Jim McKelvie	<u>X</u>	_____	_____	_____
Trustee Mike Millette	_____	_____	<u>X</u>	_____
Trustee Wendy K. White Eagle	_____	_____	<u>X</u>	_____
President Mike Tyrrell	<u>X</u>	_____	_____	_____

APPROVED this 20<sup>TH</sup> day of AUGUST, 2019

  
 Michael Tyrrell, Village President

(SEAL)

ATTEST:   
 Lynn Baez, Village Clerk