

**VILLAGE OF LONG GROVE
ORDINANCE NO. 2022-O-___**

**AN ORDINANCE AMENDING THE LONG GROVE
VILLAGE CODE REGARDING LIQUOR LICENSES
(Joanie's Pizza – 235 Robert Parker Coffin Rd.)**

Adopted by the
President and Board of Trustees
of
the Village of Long Grove
this ___th day of January, 2022

Published in pamphlet form by direction
and authority of the Village of Long Grove,
Lake County, Illinois
this ___th day of January, 2022

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(Joanie’s Pizza – 235 Robert Parker Coffin Rd.)**

WHEREAS, pursuant to the Illinois Liquor Control Act, 235 ILCS 5/1-1 *et seq.*, the Village of Long Grove (the “**Village**”) has the authority to license and regulate the retail sale of alcoholic beverages in the Village; and

WHEREAS, pursuant to Chapter 2 of Title 3 of the Long Grove Village Code (the “**Village Code**”), the Village has established liquor licensing regulations for the sale of alcoholic beverages in the Village, including establishing retail liquor license classifications and setting forth the number of licenses within each such classification; and

WHEREAS, Joanie’s Pizza, formerly a Class C “Restaurant” liquor licensee for its facility located at 235 Robert Parker Coffin Road, Long Grove, Illinois (the “**Licensed Premises**”), has been sold to a new owner (the “**Applicant**”); and

WHEREAS, Applicant has requested the issuance of a Class A “Tavern” liquor license for the Licensed Premises for the license year 2022; and

WHEREAS, the President and Board of Trustees have determined that it is in the best interests of the Village and its residents to amend the Long Grove Village Code, as set forth herein, to modify the number of authorized Class A liquor licenses; and

WHEREAS, Section 3-2-9 of the Village Code provides that “the number of authorized licenses shall be automatically reduced to eliminate” any expired and non-renewed license”; and

WHEREAS, the Village Board has determined that it will be beneficial and convenient to update Section 3-2-5 of the Village Code to reflect the number of authorized liquor licenses in the Village in light of Section 3-2-9 and to reorganize such Section 3-2-5 to set forth more conveniently the number of each class of liquor license;

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Long Grove, County of Lake, State of Illinois, as follows:

SECTION ONE. **Recitals.** The foregoing recitals are incorporated into this Ordinance as findings of the President and Board of Trustees.

SECTION TWO. **Amendment to Section 3-2-5.** Section 3-2-5, entitled "License Classification; Number; Fees," of Chapter 2, entitled "Liquor Control Regulations," of Title 3, entitled "Business Regulations," of the Long Grove Village Code shall be, and is hereby, amended in its entirety, so that Section 3-2-5 shall hereafter be and read as follows:

3-2-5 LICENSE CLASSIFICATIONS; NUMBER; FEES: The classification of licenses shall be as follows with the fees in subsection 12-1-2(G) of this Code:

(A) *Class A Tavern.*

~~1. Classification.~~ Class A licenses shall authorize the retail sale on the premises of alcoholic liquors for consumption only on the premises where sold except between the hours of 2:00 a.m. and 9:00 a.m.

~~2. Number. Five.~~

(B) *Class B Club.*

~~1. Classification.~~ Class B licenses shall authorize the retail sale of alcoholic liquors on the premises of any "club" as defined in this chapter for consumption only on the premises where sold except between the hours of 12:00 a.m., midnight, and 9:00 a.m.

~~2. Number. Two.~~

(C) *Class C Restaurant.*

~~1. Classification.~~ Class C licenses shall authorize the retail sale within a "restaurant", as defined in this chapter, of alcoholic liquors on the premises, for consumption only on the premises except between the hours of 12:00 a.m., midnight, and 9:00 a.m.

~~2. Number. Three.~~

(D) *Class D Package Wine and Beer.*

~~1. Classification.~~ Class D licenses shall authorize the retail sale, on the premises specified between the hours of 9:00 a.m. and 9:00 p.m., of wine and nonrefrigerated beer for off site consumption, and for the purpose of on site "winetasting" or "beer tasting". Both "winetasting" and "beer tasting" shall

comply with the standards set forth for "winetasting" in [section 3-2-1](#) of this chapter.

~~2. Number. One.~~

(E) *Class E Temporary Licenses.*

1. *Classification.* Class E licenses shall authorize the retail sale on the premises specified except between the hours of 2:00 a.m. and 9:00 a.m., for the day issued.

2. *Waiver of Fee.* The Liquor Control Commissioner may waive the fee in the following circumstances:

- (a) If the applicant is a not for profit organization;
- (b) If the event is a not for profit occurrence; or
- (c) If the applicant has a current and valid Village of Long Grove annual liquor license.

(F) *Class F Wine and Beer.*

~~1. Classification.~~ Class F licenses shall authorize the sale of wine and beer for consumption on the premises to be served only at a sit down meal and specifically not a bar or other facility and on the premises specified except between the hours of 12:00 a.m., midnight, and 9:00 a.m.

~~2. Number. Two.~~

(G) *Class G Limited License.*

~~1. Classification.~~ Class G licenses shall authorize the sale or distribution of alcoholic beverages on the premises except between the hours of 12:00 a.m., midnight, and 9:00 a.m. for no more than 20 events on no more than 20 days per year. The sale or distribution of the alcoholic beverage must be incidental to the principal business activities of the licensee, and must be done immediately prior to, during, or immediately after a sit down meal is served. A cash or open bar is prohibited. Walk in participants shall not be permitted, and attendance at each such event must be by invitation or reservation only.

~~2. Number. Zero.~~

(H) *Class H Winetasting, Craft Beer, Package Sales, and On Site Consumption.*

~~1. Classification.~~ Class H licenses shall authorize, on the premises specified and only between the hours of 9:00 a.m. and 12:00 a.m., midnight, the retail sale of wine and craft beer for: a) off site consumption; b) consumption on the premises where sold; and c) wine and craft beer "tasting"

on the premises where sold. "Tasting" shall comply with the standards set forth for "winetasting" in [section 3-2-1](#) of this chapter.

~~2. Number. Two.~~

(I) *Class I Winery License; Winetasting and Package Sales.*

~~1. Classification.~~ Class I licenses shall authorize, on the premises specified and only between the hours of 10:00 a.m. and 9:00 p.m., the retail sale of wine produced at such winery for: a) off site consumption and b) winetasting on the premises where sold. "Winetasting" shall comply with the standards set forth for "winetasting" in [section 3-2-1](#) of this chapter. No other on site consumption of wine or any other alcoholic beverages shall be permitted under this license classification.

~~2. Number. One.~~

(J) *Class J Restaurant License; Beer, Wine, and Limited Spirits.*

~~1. Classification.~~ Class J licenses shall authorize the retail sale of beer, wine, and premixed margarita drinks within a "restaurant", as defined in this chapter, for consumption on the premises specified, at a sit down meal and specifically not at a bar or other facility, and only between the hours of 9:00 a.m. and 12:00 a.m., midnight.

~~2. Number. One.~~

(K) *Original Package Retail Sales.* No license issued under this chapter, except for Class D, H, I, and L licenses, shall authorize the retail sale of alcoholic liquors in the "original package" as herein defined.

(L) *Class L Grocery Store.*

1. *Classification.* Class L licenses shall authorize the retail sale of alcoholic liquor at retail in original packages or containers for off-site consumption and the retail sale of beer and wine by the glass for onsite consumption at a grocery store, subject to the following terms, conditions, and restrictions:

- (a) A Class L license may only be issued to and held by a grocery store located within the HR-1 Zoning District.
- (b) Not more than 20 percent of the total floor area of the licensed premises may be devoted to the storage and display of alcoholic liquors.
- (c) Alcoholic liquors may be sold daily only between the hours of 7:00 a.m. and 10:00 p.m. in the original package for off-site consumption; provided that no alcoholic liquors may be sold except when groceries are available for purchase in the licensed premises.

- (d) Tastings of samples of wine or beer, offered without charge, may occur within the licensed premises for the purpose of inducing a sale at retail of such wine or beer in the original package, subject to the following conditions:
 - (1) Each tasting must be attended and supervised by a person 21 years old or older, who must be a full time or part time employee of the licensee or an alcoholic liquor distributor representative.
 - (2) The actual amount being tasted may not exceed one ounce per sample of wine, or two ounces per sample of beer.
 - (3) A tasting may be conducted only between the hours of 11:00 a.m. and 9:00 p.m.

- (e) Service of samples of beer or wine, offered without charge, for on site consumption is authorized in connection with a program within the licensed premises for the purpose of providing instruction regarding food preparation and wine pairing, subject to the following conditions:
 - (1) Admission to the instructional program must be by reservation only.
 - (2) Attendance at the instructional program must be limited to no more than 25 patrons.
 - (3) The actual amount of beer or wine being sampled at any instructional program shall conform to the standards set forth in subsection (L)1.(d)(2) of this section.

- (f) Sale of individual servings of beer and wine by the glass for on-site consumption is authorized between the hours of 11:00 a.m. and 9:00 p.m.; provided that beer and wine by the glass may be sold only when groceries are available for purchase in the licensed premises.

2. ~~Number One.~~ **Reserved.**

(M) *Sale at Religious Facilities.*

1. *Classification.* Class M licenses shall authorize the sale of certain alcoholic liquors in connection with a limited number of special events conducted at religious facilities but not part of an actual religious service, subject to the following terms, conditions, and restrictions:

- (a) The Class M licenses authorize the sale of alcoholic liquor at no more than 52 special events during the license term.

- (b) The Class M licenses authorize the sale of alcoholic liquors for special events conducted on the licensed premises for no more than two consecutive days.

- (c) Alcoholic liquor is prohibited between the hours of 2:00 a.m. and 9:00 a.m. on any day.
- (d) The licensee shall be required to obtain a State license and otherwise comply with all requirements for any other liquor license, except that an event caterer or other purveyor of alcoholic liquor can hold such other State licenses and meet the other licensing requirements.
- (e) At least three business days in advance of any special event at which alcoholic liquor will be sold at a licensed premises pursuant to a Class M license, the licensee shall notify the Village in writing of: (1) the date(s) and time(s) during which a special event will be held at the licensed premises at which alcoholic liquor will be sold; (2) the name of the State licensee who will be principally responsible for the sale of such alcoholic liquors and all relevant information regarding such licensee's State license; and (3) the estimated number of persons attending the special event.
- (f) After a Class M license is issued in any license year, a Class M licensee shall not thereafter be eligible to apply for or receive a Class E temporary license for the premises for which the Class M license was issued.

2. ~~Number. No limit.~~ **Reserved.**

(N) *Class V Limited License.*

~~1. Classification.~~ Class V licenses shall authorize the sale or distribution of alcoholic beverages on the premises in conjunction with video gaming devices, which license shall only be available to persons currently holding another liquor license issued by the Village on the licensed premises, which other license permits on-premises consumption of alcohol. Any person applying for a Class V license shall be required to present plans for the licensed premises that depict where the video gaming devices will be located. There shall be no flashing lights and no sound within five feet of the machine, and devices must be located so as not to distract diners. Such location shall: a) be segregated from other areas of the licensed premises where access to persons under 21 years of age is permitted, and b) be situated within the licensed adequate supervision of the area in which the video gaming devices are located. No person shall be entitled to a Class V license unless the Local Liquor Control Commissioner grants such license, which license may be subject to conditions relating to the operations within the licensed premises.

~~2. Number. Seven.~~

(O) *Class O Taproom.*

1. *Classification.* Class O licenses shall authorize the operation of a taproom on the same premises, and under the same ownership, as a brewery or craft brewery (including storage facilities therefor) operated in compliance with State and Federal licenses authorizing the manufacturing, storage,

distribution, and sale of alcoholic beverages. A Class O license shall authorize the following at a taproom:

- (a) Retail sale of beer produced on the premises at a bar or table for on-premises consumption;
- (b) Retail sale of beer produced on the premises in its original, sealed package for off-premises consumption, provided that such beer shall be sold only in packs of not less than four cans or bottles, which packs may contain different varieties of beer;
- (c) Retail sale of beer produced on the premises in growlers, howlers, and kegs for off-premises consumption, provided that such growlers and howlers contain not less than 32 fluid ounces, nor more than 68 fluid ounces, and kegs contain not more than 15½ gallons, and are properly sealed for transport in compliance with State and Federal law; and
- (d) Beer tastings of beer produced on the premises, provided that: the beer tastings comply with all applicable State and Federal laws and, in any event, do not exceed five samples of four fluid ounces each per prospective purchaser per day.

2. *Hours.* The retail portion of the Class O licensed establishment, including beer tastings, shall be closed from 2:00 a.m. through 9:00 a.m., during which times no alcoholic liquor shall be sold, or offered for sale or tasting, on the premises.

~~3. Number. One.~~

(P) *Class P Limited Tavern.*

~~1. Classification.~~ Class P licenses shall authorize the retail sale of alcoholic liquors on the licensed premises for consumption only on the premises where sold and only on Fridays, Saturdays, and Sundays between the hours of 12:00 P.M. (noon) and 12:00 A.M. (midnight).

~~2. Number. One.~~

(Q) *Class Q Wine Bar and Package Wine Sales.*

~~1. Classification.~~ Class Q licenses shall authorize the retail sale of: a) alcoholic liquors on the licensed premises for consumption only on the premises where sold; and b) packaged wine in the original, sealed container for consumption off the licensed premises, but only between the hours of 12:00 P.M. (noon) and 9:00 P.M. on Sundays; 12:00 P.M. (noon) and 10:00 P.M. on Mondays through Thursdays; and 12:00 P.M. (noon) and 12:00 A.M. on Fridays and Saturdays.

~~2. Number. Two.~~

(R) Number of Authorized Licenses. Subject to the adjustment provisions in Section 3-2-9 of the Village Code, the number of liquor licenses authorized for each Class of license set forth in this Section 3-2-5 shall be as follows:

<u>Liquor License Class</u>	<u>Number of Licenses Authorized</u>
<u>A</u>	<u>4</u>
<u>B</u>	<u>2</u>
<u>C</u>	<u>3</u>
<u>D</u>	<u>1</u>
<u>E</u>	<u>Unlimited</u>
<u>F</u>	<u>1</u>
<u>G</u>	<u>0</u>
<u>H</u>	<u>0</u>
<u>I</u>	<u>1</u>
<u>J</u>	<u>0</u>
<u>L</u>	<u>1</u>
<u>M</u>	<u>Unlimited</u>
<u>V</u>	<u>5</u>
<u>O</u>	<u>1</u>
<u>P</u>	<u>1</u>
<u>Q</u>	<u>2</u>

SECTION THREE. Effective Date. This Ordinance shall be in full force and effect after its passage, approval, and publication in pamphlet form in the manner provided by law.

PASSED THIS ___th DAY OF JANUARY, 2022.

AYES:

NAYS:

ABSENT:

ABSTAIN:

APPROVED THIS ___th DAY OF JANUARY, 2022.

Bill Jacob, Village President

ATTEST:

Michele Schmitke, Village Clerk