

ORDINANCE NO. 5900

**AN ORDINANCE AMENDING CHAPTER 6 “ALCOHOLIC BEVERAGES” OF THE
MUNICIPAL CODE OF THE VILLAGE OF GLENVIEW**

WHEREAS, the Village of Glenview (the “Village”) is a home rule municipality in accordance with the Constitution of the State of Illinois of 1970;

WHEREAS, the Village has the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs that protect the health, safety and welfare of its citizens;

WHEREAS, Chapter 6 (Alcoholic Beverages) of the Glenview Municipal Code (the “Code”) contains the Village’s Liquor Code, and regulates the sale and purchase of alcoholic beverages in the Village, and the licensing of business establishments for that purpose; and

WHEREAS, the corporate authorities have determined that it is in the public’s best interest to amend the Code with respect to Classes of Liquor Licenses to be issued at any time.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Glenview, Cook County, Illinois, that:

Section 1: The facts and statements contained in the preamble to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance.

Section 2: Chapter 6, Article II, Division 2, Section 6-49 of the Code which currently reads:

Sec. 6-49. Classes.

(a) Alcoholic beverage licenses of the Village shall be classified as follows:

- (1) *Class "A"* which shall authorize the sale of alcohol for consumption on the premises where sold. The business operator must maintain the licensed premises as a bona fide eating establishment. The restaurant must maintain suitable food preparation facilities and the restaurant must also make actual and substantial sales of meals for consumption on the premises.
- (2) *Class "B"* shall authorize the sale of beer and wine for consumption on the premises where sold. The business operator must maintain the licensed premises as a bona fide eating establishment. The restaurant must maintain suitable food preparation facilities and the restaurant must also make actual and substantial sales of meals for consumption on the premises.
- (3) *Class "C"* which shall authorize the retail sale of packaged alcoholic liquor, but not consumption on the premises where sold, in a store, establishment or facility in which the retail sale of alcoholic liquor is the primary and principal business thereof. The annual fee for such license shall be as provided in section 30-1.

- (4) *Class "D"* which shall authorize the retail sale of alcoholic liquors by the proprietors of clubs or daily fee golf courses, for consumption only by patrons. Controlled service only: Alcohol may not be stored in coolers or dispensers to which the public has access. The annual fee for such license shall be as provided in section 30-1, provided however, there shall be no annual fee for clubs or golf courses owned or operated by the Glenview Park District.
- (5) *Class "E"* which shall authorize the retail sale of packaged beer or wine through telephone or mail order and parcel post delivery only, and not for offer on the premises. The annual fee for such license shall be as provided in section 30-1.
- (6) *Class "F"* which shall have sub-classifications as follows:
- a. *Class "F-1"* which shall authorize and allow the service of alcoholic liquor in conjunction with, and as an incidental part of, the catering of food for parties and special events at premises not otherwise licensed for the sale or consumption of liquor.
 - b. *Class "F-2"* which shall authorize the sale of alcohol for consumption on the premises, but such sales shall be limited to members of a group assembled on the premises for the purpose of attending cooking class or wine class offered by a cooking school, or in connection with an event catered by a cooking school. The sale of alcohol in bottles or other packages for consumption off the premises shall also be allowed. For purposes of this subsection, the term "cooking school" shall be defined as business which provides culinary instruction, both demonstration style and hands on, to persons of all levels of cooking experience.
 - c. *Class "F-3"* which shall authorize the sale of alcohol for consumption on the premises, but such sales shall be limited to members of a group assembled on the premises for the purpose of attending art or crafts classes offered by an art studio, arts and crafts school, or similar leisure/entertainment business.
 1. At least 65 percent of the facility's total annual revenue shall be derived from sources other than the sale of alcoholic beverages and the sale of alcohol shall not be permitted except when the licensee is conducting classes. A certified record of the annual revenue shall be included with the annual liquor license renewal application and shall be considered by the Liquor Commissioner as a basis for non-renewal.

The service of alcoholic beverages shall only be allowed during the time at which the facility is open for classes.
 3. Food must be served when alcoholic beverages are available for consumption. Such food may be prepared off-site by a licensed caterer or restaurant, and shall be served in a manner which complies with all applicable village codes and regulations.
 4. The sale of alcohol in bottles or other packages for consumption off the premises shall not be allowed.
- (7) *Class "G"* which shall authorize the retail sale of packaged alcoholic liquor, in a store, establishment or facility in which the primary and principal business is the sale at retail of other services, goods, wares and merchandise and in which the retail sale of alcoholic

liquor is secondary and incidental. Consumption shall not be allowed on the premises where sold, except:

- a. Where the licensee has also been issued a class I license, or
- b. Where a business establishment provides short-term or long-term lodging to the public for compensation, provided however, that consumption shall be limited to the rooms of such establishment.

The annual fee for such license shall be as provided in section 30-1.

- (8) *Class "H"* which shall authorize a class A or B license holder to sell packaged alcoholic liquor from the bar on the license holder's premises during the permissible hours of operation as specified herein. Only a class A or B licensee shall be eligible to make application for a class H license. The annual fee for such license holders shall be as provided in section 30-1.
- (9) *Class "I"* which shall authorize a class G license holder to sell beer or wine for consumption on license holder's premises during the permissible hours of operation as specified herein. Only a class G shall be eligible to make application for a class I license. The annual fee for such license holders shall be as provided in section 30-1.
 - a. Each class I license shall be issued subject to the applicant's compliance with all of the following conditions:
 - b. The class G licensee must be a grocery store that provides food preparation as well as the retail sale of cheeses, deli and gourmet food products and has a service counter for beer and/or wine;
 - c. A class I license may be issued only to a grocery store in which facilities for food preparation and a service counter to enable beer and/or wine to be served for consumption on the premises are also present. Table seating for service of food and/or beer and/or wine to customers may be maintained by a class I licensee but shall not be required.
 - d. The service counter area located within such grocery store shall be identified on a scale drawing of the licensed premises submitted with the application for the class I license, and shall be subject to the prior review and written approval of the Local Liquor Control Commissioner.
 - e. Any beer or wine poured, served, and/or sold for consumption on the premises of the licensee shall be poured, served, and/or sold only by an employee who has completed a state-certified beverage alcohol sellers' and servers' education and training ("BASSET") program as specified in section 6-63; self-service of such alcoholic liquor for consumption on the licensed premises shall not be permitted.
 - f. A separate point of sale (i.e., a cash register) at the service counter shall be maintained and used by the licensee for all sales of beer and/or wine intended for consumption on the licensed premises.
 - g. It shall be unlawful for any patron to leave such licensed premises with an open or a partially consumed container of beer or wine, except as otherwise permitted by Section 6-33 of the Illinois Liquor Control Act of 1934.

- h. Notwithstanding the provisions of this section, the tasting of wine and/or beer on such licensed premises shall be permitted, subject to the limitations set forth in subsection 6-4(b)(10).
- (10) *Class "J"* which shall authorize the sale of beer and wine for consumption on the premises in an establishment in which the primary and principal business is the sale of coffee or tea and in which the sale of beer and wine is secondary and incidental.
- a. Any beer or wine poured, served, and/or sold for consumption on the premises must be served in individual servings with no individual serving of beer exceeding 12 ounces and no individual serving of wine exceeding 6 ounces. Such service will be provided in a clear container. Not more than one individual serving may be delivered to a customer at any one time. The sale or service of beer or wine is prohibited by drive-through facilities.
 - b. The sale of beer and wine may only occur between the hours of 4:00 p.m. and 9:00 p.m.
 - c. Food must be served in a manner which complies with all applicable village codes and regulations.

The annual fee for such license shall be as provided in section 30-1.

- (b) No liquor license shall be issued to any fast food or convenience-type store, establishment or facility.
- (c) A validly issued license for an establishment located on property which is annexed to the Village shall be issued a temporary license which shall recognize such existing alcoholic beverage licensing and privileges there under until the next liquor license renewal period, subject to the payment of the license fee in this section.

is hereby amended to read as follows:

Sec. 6-49. Classes.

- (a) Alcoholic beverage licenses of the Village shall be classified as follows:
 - (1) *Class "A"* which shall authorize the sale of alcohol for consumption on the premises where sold. The business operator must maintain the licensed premises as a bona fide eating establishment. The restaurant must maintain suitable food preparation facilities and the restaurant must also make actual and substantial sales of meals for consumption on the premises.
 - (2) *Class "B"* shall authorize the sale of beer and wine for consumption on the premises where sold. The business operator must maintain the licensed premises as a bona fide eating establishment. The restaurant must maintain suitable food preparation facilities and the restaurant must also make actual and substantial sales of meals for consumption on the premises.
 - (3) *Class "C"* which shall authorize the retail sale of packaged alcoholic liquor, but not consumption on the premises where sold, in a store, establishment or facility in which

the retail sale of alcoholic liquor is the primary and principal business thereof. The annual fee for such license shall be as provided in section 30-1.

- (4) *Class "D"* which shall authorize the retail sale of alcoholic liquors by the proprietors of clubs or daily fee golf courses, for consumption only by patrons. Controlled service only: Alcohol may not be stored in coolers or dispensers to which the public has access. The annual fee for such license shall be as provided in section 30-1, provided however, there shall be no annual fee for clubs or golf courses owned or operated by the Glenview Park District.
- (5) *Class "E"* which shall authorize the retail sale of packaged beer or wine through telephone or mail order and parcel post delivery only, and not for offer on the premises. The annual fee for such license shall be as provided in section 30-1.
- (6) *Class "F"* which shall have sub-classifications as follows:
 - a. *Class "F-1"* which shall authorize and allow the service of alcoholic liquor in conjunction with, and as an incidental part of, the catering of food for parties and special events at premises not otherwise licensed for the sale or consumption of liquor.
 - b. *Class "F-2"* which shall authorize the sale of alcohol for consumption on the premises, but such sales shall be limited to members of a group assembled on the premises for the purpose of attending cooking class or wine class offered by a cooking school, or in connection with an event catered by a cooking school. The sale of alcohol in bottles or other packages for consumption off the premises shall also be allowed. For purposes of this subsection, the term "cooking school" shall be defined as business which provides culinary instruction, both demonstration style and hands on, to persons of all levels of cooking experience.
 - c. *Class "F-3"* which shall authorize the sale of alcohol for consumption on the premises, but such sales shall be limited to members of a group assembled on the premises for the purpose of attending art or crafts classes offered by an art studio, arts and crafts school, or similar leisure/entertainment business.
 1. At least 65 percent of the facility's total annual revenue shall be derived from sources other than the sale of alcoholic beverages and the sale of alcohol shall not be permitted except when the licensee is conducting classes. A certified record of the annual revenue shall be included with the annual liquor license renewal application and shall be considered by the Liquor Commissioner as a basis for non-renewal.

The service of alcoholic beverages shall only be allowed during the time at which the facility is open for classes.
 3. Food must be served when alcoholic beverages are available for consumption. Such food may be prepared off-site by a licensed caterer or restaurant, and shall be served in a manner which complies with all applicable village codes and regulations.
 4. The sale of alcohol in bottles or other packages for consumption off the premises shall not be allowed.

- (7) *Class "G"* which shall authorize the retail sale of packaged alcoholic liquor, in a store, establishment or facility in which the primary and principal business is the sale at retail of other services, goods, wares and merchandise and in which the retail sale of alcoholic liquor is secondary and incidental. Consumption shall not be allowed on the premises where sold, except:
- a. Where the licensee has also been issued a class I license, or
 - b. Where a business establishment provides short-term or long-term lodging to the public for compensation, provided however, that consumption shall be limited to the rooms of such establishment.

The annual fee for such license shall be as provided in section 30-1.

- (8) *Class "H"* which shall authorize a class A or B license holder to sell packaged alcoholic liquor from the bar on the license holder's premises during the permissible hours of operation as specified herein. Only a class A or B licensee shall be eligible to make application for a class H license. The annual fee for such license holders shall be as provided in section 30-1.
- (9) *Class "I"* which shall authorize a class G license holder to sell beer or wine for consumption on license holder's premises during the permissible hours of operation as specified herein. Only a class G shall be eligible to make application for a class I license. The annual fee for such license holders shall be as provided in section 30-1.
- a. Each class I license shall be issued subject to the applicant's compliance with all of the following conditions:
 - b. The class G licensee must be a grocery store that provides food preparation as well as the retail sale of cheeses, deli and gourmet food products and has a service counter for beer and/or wine;
 - c. A class I license may be issued only to a grocery store in which facilities for food preparation and a service counter to enable beer and/or wine to be served for consumption on the premises are also present. Table seating for service of food and/or beer and/or wine to customers may be maintained by a class I licensee but shall not be required.
 - d. The service counter area located within such grocery store shall be identified on a scale drawing of the licensed premises submitted with the application for the class I license, and shall be subject to the prior review and written approval of the Local Liquor Control Commissioner.
 - e. Any beer or wine poured, served, and/or sold for consumption on the premises of the licensee shall be poured, served, and/or sold only by an employee who has completed a state-certified beverage alcohol sellers' and servers' education and training ("BASSET") program as specified in section 6-63; self-service of such alcoholic liquor for consumption on the licensed premises shall not be permitted.
 - f. A separate point of sale (i.e., a cash register) at the service counter shall be maintained and used by the licensee for all sales of beer and/or wine intended for consumption on the licensed premises.

- g. It shall be unlawful for any patron to leave such licensed premises with an open or a partially consumed container of beer or wine, except as otherwise permitted by Section 6-33 of the Illinois Liquor Control Act of 1934.
 - h. Notwithstanding the provisions of this section, the tasting of wine and/or beer on such licensed premises shall be permitted, subject to the limitations set forth in subsection 6-4(b)(10).
- (10) *Class "J"* which shall authorize the sale of beer and wine for consumption on the premises in an establishment in which the primary and principal business is the sale of coffee or tea and in which the sale of beer and wine is secondary and incidental.
- d. Any beer or wine poured, served, and/or sold for consumption on the premises must be served in individual servings with no individual serving of beer exceeding 12 ounces and no individual serving of wine exceeding 6 ounces. Such service will be provided in a clear container. Not more than one individual serving may be delivered to a customer at any one time. The sale or service of beer or wine is prohibited by drive-through facilities.
 - e. The sale of beer and wine may only occur between the hours of 12:00 p.m. and 10:00 p.m.
 - f. Food must be served in a manner which complies with all applicable village codes and regulations.

The annual fee for such license shall be as provided in section 30-1.

- (b) No liquor license shall be issued to any fast food or convenience-type store, establishment or facility.
- (c) A validly issued license for an establishment located on property which is annexed to the Village shall be issued a temporary license which shall recognize such existing alcoholic beverage licensing and privileges there under until the next liquor license renewal period, subject to the payment of the license fee in this section

Section 3: Every section and provision of this Ordinance shall be separable, and the invalidity of any portion of this Ordinance shall not affect the validity of any other portion of this Ordinance. All ordinances or parts of ordinances in conflict or inconsistent with any of the provisions of this Ordinance are hereby repealed.

Section 4: This Ordinance shall be in full force and effect from and after its passage and approval according to law.

PASSED this 7th day of April, 2015

AYES: Britton Detlefs Hinkamp Karton

NAYES: White

ABSENT: Jenny

APPROVED by me this 7th day of April, 2015

James R. Patterson, Jr., President of the
Village of Glenview, Cook County, Illinois

ATTESTED and FILED in my office the
7th day of April, 2015

Todd Hileman, Clerk of the Village of
Glenview, Cook County, Illinois