

ORDINANCE NO. 5901

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: The following definition shall be added to Chapter 6, Article I, Section 6-1 of the Code:

Amended by Addition:

Movie Theater means any building to which the public is invited and pays consideration for the purpose of viewing motion pictures. Such premises may also broadcast via live video feed special performances. However, the main function of the theater shall be the presentation of motion pictures rated by the Motion Picture Association of America (MPAA) or similar commercial film industry organization, or would otherwise meet such ratings standards based on content.

Movie theater auditorium means that portion, or those portions, of a Movie Theater where patrons are seated for the actual viewing of motion pictures.

Section 3: Chapter 6, Article II, Division 2, Section 6-23 of the Code is hereby amended by adding a new Section (a)(6)(d), which shall read **(additions in bold)**:

(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.
- d. ***Class "F-4"*** which shall authorize the sale of alcohol for consumption on the premises where sold. The licensee must maintain the licensed premises as a Movie Theater, where the primary and principal business is the showing of motion pictures, and the sale of alcoholic beverages is secondary and incidental.

- 1. **Alcoholic beverages shall only be served in a designated bar area located in the lobby of the Movie Theater. No alcoholic beverages shall be served from the main concessions area.**
- 2. **Alcoholic beverages may be consumed on premises in the Movie Theater or a Movie Theater Auditorium.**
- 3. **Alcoholic beverages must be served in a clear container of a different color, size and design than those in which non-alcoholic beverages are served.**
- 4. **No more than one alcoholic beverage may be served to a customer at any one time.**
- 5. **The licensee shall not sell, or offer to sell, alcoholic beverages unless the Movie Theater is actually open for the showing of movies. Alcoholic**

beverages shall not be served more than one hour prior to the advertised showing time of the first movie to be shown on any day; and alcoholic beverages shall not be served beyond the time limitations set forth in section 6-14(a) of this Chapter or the conclusion of the last movie, whichever occurs first. Under no circumstance shall alcoholic beverages be served outside of the time limitations set forth in section 6-14(a) of this Chapter.

6. A licensee shall be responsible for any alcohol consumption by any person younger than twenty-one (21) years of age on the licensed premises, regardless of whether the alcohol was purchased from the licensee.
7. Food must be served in a manner that complies with all applicable village codes and regulations.

Section 4: Chapter 30-1 of the Code, Fees and Charges, is hereby amended by the addition of the following Class F-4 Liquor License fee:

Class F-4 Liquor License, movie theater	\$2,400.00
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Section 5: Chapter 6, Article II, Division 2, Section 6-50 of the Code is amended as follows:

Sec. 6-50. Total number of liquor licenses issued.

The total number of liquor licenses to be issued at any time is limited to:

LICENSE TYPE	PROPOSED MAXIMUM LICENSES ALLOWED
A	49 (Includes (9)— 3 a.m. licenses)
B	18
C	8
D	4
E	0
F	5
G	14
H	7

LICENSE TYPE	PROPOSED MAXIMUM LICENSES ALLOWED
I	3
J	2
K	2
TOTAL	112

Section 6: 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 7: This Ordinance shall be in full force and effect from and after its passage and approval according to law.

PASSED this 21st day of April, 2015

AYES: Britton Detlefs Hinkamp Jenny Karton White

NAYS: None

ABSENT: None

APPROVED by me this 21st day of April, 2015

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

ATTESTED and FILED in my office the 21st day of April, 2015

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