
**VILLAGE OF HARWOOD HEIGHTS
COOK COUNTY, ILLINOIS**

ORDINANCE NO. 22 - 02

**AN ORDINANCE AMENDING CHAPTER 4.12 OF THE VILLAGE OF HARWOOD
HEIGHTS CODE OF ORDINANCES TO CREATE A NEW ON-PREMISES
CONSUMPTION LIQUOR LICENSE CLASSIFICATION FOR GAS STATIONS AND
CONVENIENCE STORES AND TO AUTHORIZE ISSUANCE OF CLASS V - VIDEO
GAMING SUPPLEMENTARY LICENSES TO HOLDERS OF NEWLY CREATED
LIQUOR LICENSE CLASSIFICATION**

Passed by the Board of Trustees, March 24, 2022

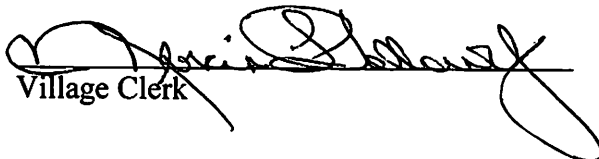
Printed and Published March 24, 2022 in Pamphlet Form
By Authority of the Village Board of Trustees

**VILLAGE OF HARWOOD HEIGHTS
COOK COUNTY, ILLINOIS**

**ARLENE C. JEZIERNY, MAYOR
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Village Clerk

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COOK COUNTY, ILLINOIS**

ORDINANCE NO. 22-02

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HEIGHTS CODE OF ORDINANCES TO CREATE A NEW ON-PREMISES
CONSUMPTION LIQUOR LICENSE CLASSIFICATION FOR GAS STATIONS AND
CONVENIENCE STORES AND TO AUTHORIZE ISSUANCE OF CLASS V - VIDEO
GAMING SUPPLEMENTARY LICENSES TO HOLDERS OF NEWLY CREATED
LIQUOR LICENSE CLASSIFICATION**

WHEREAS, the Village of Harwood Heights (the “Village”) is an Illinois municipal corporation organized and operating pursuant to authority granted by the Constitution and Laws of the State of Illinois;

WHEREAS, the Village is a home rule unit of government pursuant to Section 6(a), Article VII of the 1970 Illinois Constitution;

WHEREAS, pursuant to its home rule power, the Village may exercise any power and perform any function relating to its government and affairs;

WHEREAS, in 2009, the Illinois General Assembly passed the Video Gaming Act (230 ILCS 40/1 *et seq.*) (the “Act”) permitting video gaming in certain licensed establishments, subject to certain conditions and criteria; and

WHEREAS, the Village Board finds that a growing number of its business owners desire the legalization of licensed video gaming in the Village in accordance with limitations set forth herein, that the benefits of carefully implemented video gaming to those residents and business owners outweighs negative externalities, and that the potential revenue derived from video gaming and associated terminal fees will help improve the Village’s finances; and

WHEREAS, Article IV of the Illinois Liquor Control Act of 1934, 235 ILCS 5/4-1, *et seq.*, and 65 ILCS 5/11-42-10.1 authorize the corporate authorities of the Village to license and

regulate the sale of alcoholic liquor within the Village, to determine the number, kind and classification of local liquor licenses, establish fees for such licenses, and to regulate establishments that sell and dispense alcoholic beverages; and

WHEREAS, the Village wishes to revise its liquor regulations to create a new liquor license classification for gas stations and convenience food stores that wish to allow beer and wine consumption on the premises, as set forth in this Ordinance, and to establish other regulations regarding the sale and consumption of alcoholic liquor for the new liquor license classification; and

WHEREAS, the Village desires to further amend the Village Code to make liquor licensees possessing the newly created gas station and convenience food store on-premises liquor license eligible to apply for and receive a Class V – Video Gaming supplementary liquor license and

WHEREAS, the Village President and Board of Trustees find that so amending the Village Code in accordance with this Ordinance will be in the best interest of the Village and consistent with the health, welfare and safety of Village residents and visitors.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Harwood Heights, County of Cook, Illinois, in the exercise of the Village's home rule powers, that the Village Code be amended as follows, with all existing provisions of the Village Code not set forth below continuing in full effect as currently written:

SECTION 1. RECITALS. The foregoing recitals shall be and are hereby incorporated into and made a part of this Ordinance as if fully set forth in this Section 1. The findings and

recitals herein are declared to be prima facie evidence of the law of the Village and shall be received in evidence as provided by the Illinois Compiled Statutes and the courts of the State of Illinois.

SECTION 2. NEW LIQUOR LICENSE CLASSIFICATION.

Title 4 (“Business Licenses and Regulations”), Chapter 4.12 (“Alcoholic Beverages”), Section 4.12.050 (“License Classifications”) of the Harwood Heights Village Code of Ordinances, shall be, and hereby is amended as follows (additions in **bold and underline**, deletions in **~~bold and strikethrough~~**):

4.12.050 License classifications.

A. Licenses required herein shall be and are divided into ten (10) classes:

1. Class A—Full Service Restaurant/Tavern. Class A licenses shall authorize the retail sale of alcoholic liquor, as defined in Section 4.12.010 of this code, to the public generally, as distinguished from members of any particular organization, on the premises specified, which shall include outdoor seating areas. The one-time application and annual fees shall be as set forth in Table 4.12.055. Video gaming, as defined by the Illinois Video Gaming Act, 230 ILCS 40/1 et seq., shall not be allowed in a Class A licensed premises without the licensee additionally obtaining a Class V license. Class A licensees are eligible to apply for a supplemental Class V liquor license, subject to the criteria, qualifications and regulations for Class V licenses set forth in Section 4.12.050(A)(8).
2. Class A-1—Beer and Wine Only—Food Service. Class A-1 licenses shall authorize the retail sale of alcoholic beverages limited to beer and wine, as those terms are defined in Section 4.12.010 of this code, to the general public, as distinguished from members of any particular organization, for consumption only on the premises specified, which shall include outdoor seating areas, provided that such sales shall be in conjunction with the sale of food for consumption on the premises. The licensed establishment shall have a food service component of the business including, at a minimum, a variety of appetizers, hors d'oeuvres or small plates, which is operational during all hours of sale and service of beer and wine. The licensed establishment shall have a printed menu on display and in effect. All beer and wine service shall be at tables or booths. No bar or lounge shall be available for customer use. The sale of wine or beer for off premise consumption or through a drive-through window is expressly prohibited. The one-time application and annual fees shall be as set forth in Table 4.12.055. Video gaming, as defined by the Illinois Video Gaming Act, 230 ILCS 40/1 et seq., shall not be allowed in a Class A-1 licensed premises without the licensee additionally obtaining a supplemental Class V

license. Class A-1 licensees are eligible to apply for a Class V liquor license, subject to the criteria, qualifications and regulations for Class V licenses set forth in Section 4.12.050(A)(8).

3. **Class A-2—Gas Station/Convenience Store On-Premises Consumption License.**

Class A-2 licenses shall authorize the retail sale of alcoholic beverages limited to beer and wine only, as those terms are defined in Section 4.12.010 of this code, at retail, for consumption on the premises specified. A-2 licensees may also simultaneously hold a Class B liquor license. The one-time application and annual fees shall be as set forth in Table 4.12.055. Video gaming, as defined by the Illinois Video Gaming Act, 230 ILCS 40/1 et seq., shall not be allowed in a Class A-2 liquor licensed premises without the licensee additionally obtaining a supplemental Class V Video Gaming license. Class A-2 liquor licensees are eligible to apply for a Class V Video Gaming liquor license, subject to the criteria, qualifications and regulations for Class V Video Gaming licenses set forth in Section 4.12.050(A)(8). Class A-2 liquor licensees shall comply with this Chapter, including, without limitation, the following provisions applicable only to the Class A-2 liquor license classification:

- i. The property for which a license is issued must provide at least one (1) off-street parking space for each video gaming terminal located on the property, in addition to all other parking spaces required by this Code.**
- ii. The property for which a license is issued shall provide an indoor area on the premises dedicated exclusively to alcohol consumption and Video gaming.**
- iii. Alcohol consumption on the premises shall be strictly limited to the designated area detailed in Subsection 4.12.050.A.7.5.ii. and may only occur during the hours of 9:00 a.m. to 8:00 p.m. daily. Any video gaming that may occur on the licensed premises pursuant to a Class V Video Gaming license shall be strictly limited to the hours in which on-premises consumption of beer and wine is authorized as provided herein.**
- iv. To be eligible for a Class A-2 Gas Station/Convenience Store On-Premises Consumption License, a prospective licensee must either be (i) an “automobile service station,” as such term is defined in Section 17.04.050(B) of the Village Code, or (ii) a “convenience food store,” defined for purposes of this Chapter only as “any retail store of three thousand five hundred square feet or less in gross floor area maintained, operated, advertised and held out to the public as a place where hot food, packaged foods, groceries and other foodstuffs and merchandise oriented to convenience and/or travelers’ shopping needs are regularly and routinely sold, and where the sale of such items constitutes fifty percent (50%) or more of the gross receipts obtained**

at the location excluding from the gross receipts the sale of motor fuels.”

- v. Beer and wine must be poured from original containers into a clear plastic container by a Bassett-trained server. Open containers of beer and wine may not be removed from the designated area detailed in Subsection 4.12.050.A.7.5.ii.
- vi. Class A-2 licensees may not serve more than one serving of an alcoholic beverage per customer, per hour for on-premises consumption. For purposes of this subsection, one serving shall be defined as 12 ounces of beer or 5 ounces of wine. In no event shall an A-2 licensee serve more than two servings in the amounts set forth above to an individual for on-premises consumption in a single calendar day.
- vii. Class A-2 licenses only authorize the licensee to sell and serve beer and wine for on-premises consumption to a person who is actively playing at a video game terminal. For purposes of this subsection, “actively playing” shall mean that a person is presently engaged in real-time inputs and interaction with a video gaming terminal and shall be distinguished from passively watching a video gaming terminal or another person actively playing.
- viii. Following the conduct of a hearing in accordance with the Liquor Control Act and Village Code, the local liquor control commissioner may penalize a Class A-2 liquor licensee’s first violation of subsection 4.12.050.A.1.75 with the imposition of a thirty (30) suspension of the Class A-2 liquor license. If a Class A-2 liquor licensee is found liable for three or more violations of subsection 4.12.050.A.1.75 within a rolling twelve-month period, the local liquor commissioner may exercise discretion to revoke the Class A-2 liquor license.

4. Class B—Package Sales. Class B licenses shall authorize the retail sales of alcoholic liquors, as defined in Section 4.12.010 of this code, but not for consumption on the premises where sold. The one-time application and annual fees shall be as set forth in Table 4.12.055. A holder of a Class B license may apply for a supplemental Class G license, which shall authorize bona fide tasting as defined in Section 4.12.010 in connection with the sale of alcoholic liquor in its original package to holders of a Class B license. Video gaming, as defined by the Illinois Video Gaming Act, 230 ILCS 40/1 et seq., shall not be allowed in a Class B licensed premises unless the Class B licensee has additionally procured a Class A-2 liquor license. Class B licensees not in possession of a valid Class A-2 liquor license are ineligible for a supplemental Class V license.

5. **Class C—Club.** Class C licenses shall authorize the retail sale of alcoholic liquors, as defined in Section 4.12.010 of this code, for consumption on the premises of a "club," as defined in Section 4.12.010 of this chapter. The one-time application and annual fees shall be as set forth in Table 4.12.055. Video gaming, as defined by the Illinois Video Gaming Act, 230 ILCS 40/1 et seq., shall not be allowed in a Class C licensed premises. Class C licensees are ineligible for a supplemental Class V license.
6. **Class D—Special Event.** Class D licenses shall be issued to not-for-profit organizations, in conjunction with carnivals, bazaars, dances or other similar social gatherings and entertainments, and shall authorize the retail sales of alcoholic liquors, as defined in Section 4.12.010 of this code, be valid for a period of twenty-four (24) hours. The one-time application and daily fees shall be as set forth in Table 4.12.055. Video gaming, as defined by the Illinois Video Gaming Act, 230 ILCS 40/1 et seq., shall not be allowed in a Class D licensed premises. Class D licensees are ineligible for a supplemental Class V license.
7. **Class F—Restaurant (Separate Service Area).** Class F licenses shall entitle the licensee to make retail sales of alcoholic liquor, as defined in Section 4.12.010 of this code, for use or consumption upon restaurant premises only, which shall include outdoor seating areas, and only when such alcoholic liquor is prepared for service in a room other than that in which it is to be served or consumed and entirely out of sight of restaurant patrons; provided, however, that unmixed whiskey, unmixed gin, or unmixed rum may be sold or offered for sale at retail for consumption upon restaurant premises at tables in individual serving containers having a minimum capacity of at least one (1) fluid ounce and which contain at the time of sale at least one (1) fluid ounce of the beverage being sold. Class F license shall be issued only to the owner or owners of a licensed restaurant for the retail sale of alcoholic liquor upon such restaurant premises. The one-time application and annual fees shall be as set forth in Table 4.12.055. Video gaming, as defined by the Illinois Video Gaming Act, 230 ILCS 40/1 et seq., shall not be allowed in a Class F licensed premises without the licensee additionally obtaining a Class V license. Class F licensees are eligible to apply for a supplemental Class V liquor license, subject to the criteria, qualifications and regulations for Class V licenses set forth in Section 4.12.050(A)(8).
8. **Class F-1—Brunch.** Class F-1 licenses shall be issued only to the owner or owners of a licensed restaurant for the retail sale of alcoholic liquor, as defined in Section 4.12.010 of this code, for consumption upon such restaurant premises, which shall include outdoor seating areas. Class F-1 liquor licenses are subject to the same eligibility and regulatory restrictions as Class F liquor licenses, and shall entitle the licensee to the same rights with respect to the sale of alcoholic liquor as the holder of a Class F license, except that it shall additionally grant the licensee the right to sell alcoholic liquor for on-premises consumption between the hours of 9:00 a.m. and 12:00 noon on Sundays (the "expanded hours") in connection with the offering of a breakfast or brunch buffet or a full breakfast or brunch menu during the expanded hours. All alcoholic liquor must be prepared for service in a room other than that in which it is to be served or consumed and entirely out

of sight of restaurant patrons; provided, however, that unmixed whiskey, unmixed gin, or unmixed rum may be sold or offered for sale at retail for consumption upon restaurant premises at tables in individual serving containers having a minimum capacity of at least one (1) fluid ounce and which contain at the time of sale at least one (1) fluid ounce of the beverage being sold. The one-time application and annual fees shall be as set forth in Table 4.12.055. Video gaming, as defined by the Illinois Video Gaming Act, 230 ILCS 40/1 et seq., shall not be allowed in a Class F-1 licensed premises without the licensee additionally obtaining a Class V license. Class F-1 licensees are eligible to apply for a supplemental Class V liquor license, subject to the criteria, qualifications and regulations for Class V licenses set forth in Section 4.12.050(A)(8).

9. Class G license—Tasting. Class G licenses shall authorize the bona fide tasting of alcoholic liquor as that term is defined in Section 4.12.010 of this code in connection with the sale of alcoholic liquor in its original package to holders of a Class B license as follows:
 - a. The tasting of samples of alcoholic liquor permitted to be sold shall be permitted on the licensed premises during authorized hours of business, but in no event shall such tastings take place outside of the normal business hours of the licensed premises.
 - b. Samples of alcoholic liquor may not exceed the following amounts:
 - (i) Distilled spirits: one-quarter ($\frac{1}{4}$) ounce.
 - (ii) Wine: one (1) ounce.
 - (iii) Beer: two (2) ounces.
 - b. No more than three (3) samples in the amounts set forth above, may be served to a single consumer in one (1) day.
 - c. Tasting may only be performed under the supervision of a Class G liquor licensee or by a tasting representative registered by the Illinois Liquor Commission pursuant to Section 100.40 of Title 11 of the Illinois Administrative Code, 11 Ill. ADC 100.40.
 - d. Tasting shall be conducted in a manner which will confine the consumption on the premises solely for the purpose of providing samples in connection with anticipated sales.
 - e. All servers at tastings must be BASSET-certified.
 - f. All tastings shall be conducted in accordance with 235 ILCS 5/6-31, the Village Code, and regulations now in force or hereinafter established by the Illinois Liquor Commission governing "product sampling" or "tasting." To the extent that such laws, ordinances or regulations differ, the most restrictive provision shall govern.
 - g. A holder of a Class B license may apply for a Class G license, for use in conjunction with, and on the same premises as the Class B license. To qualify for a supplemental Class G license, the holder of a Class B license must present evidence that:

- i. The location and physical arrangements for tasting are adequate, including, without limitation, considerations such as the overall size of the premises and the percentage of the premises devoted to tasting; a determination as to the suitability of the location and physical arrangements for tasting shall be within the sole discretion of the liquor commissioner; and
 - ii. Supervision of tasting will be continuous during the times when tasting is allowed by someone who is not involved in other transactions within the establishment, which supervising person must be the Class G liquor licensee or a tasting representative registered by the Illinois Liquor Commission pursuant to Section 100.40 of Title 11 of the Illinois Administrative Code, 11 Ill. ADC 100.40.
 - h. The one-time application and annual fees shall be as set forth in Table 4.12.055.
 - i. Video gaming, as defined by the Illinois Video Gaming Act, 230 ILCS 40/1 et seq., shall not be allowed in a Class G licensed premises. Class G licensees are ineligible for a supplemental Class V license.
10. Class H License—BYO. Class H license shall permit the consumption of beer and wine only, as defined in Section 4.12.010 of this code, that is brought onto the licensed premises of a restaurant or eating place engaged primarily in selling and serving food by a patron for personal consumption on the premises as a complement to the purchase and consumption of a meal on the premises. The following conditions apply to Class H Licenses:
- a. The licensee shall not allow or permit any persons under the age of twenty-one (21) to consume any alcoholic liquor on the premises, and licensees shall be liable for violations of this chapter in the same manner as the holder of any other liquor license classification, including, without limitation, violations for serving minors and serving intoxicated patrons;
 - b. The licensee shall maintain and operate a commercial kitchen on the premises where meals are actually and regularly prepared and offered principally for purchase and consumption on the premises;
 - c. The licensee shall only permit consumption of beer and wine on the premises in conjunction with the purchase and consumption of a meal on the premises;
 - d. The licensee shall only allow consumption of beer and wine when the kitchen is open and serving meals to the general public for consumption on the premises;
 - e. Patrons may only bring unopened bottles of beer and wine onto the premises;
 - f. No more than thirty-six (36) ounces of beer per patron over the age of twenty-one (21) or no more than seven hundred fifty (750) ml of wine per patron over the age of twenty-one (21) shall be permitted to be brought onto the premises;

- g. The licensee may charge a reasonable corkage fee for each bottle of beer or wine brought onto the premises;
 - h. All employees performing corkage duties shall be BASSETT trained;
 - i. The licensee shall not permit any patron to leave the licensed premises with an open container of wine or beer except when resealed in accordance with state law;
 - j. The licensee shall hold harmless the village, its elected and appointed officials, officers, employees, agents, and representatives from any and all claims or causes of action arising out of the consumption of alcoholic liquor on the premises;
 - k. The licensee must obtain and maintain dram shop insurance or an equivalent in a form and amount approved by the village;
 - l. Establishments that possess a valid liquor license issued by the village pursuant to this code are ineligible to apply for or receive a Class H license;
 - m. The one-time application and annual fees shall be as set forth in Table 4.12.055; and
 - n. Video gaming, as defined by the Illinois Video Gaming Act, 230 ILCS 40/1 et seq., shall not be allowed in a Class H licensed premises. Class H licensees are ineligible for a supplemental Class V license.
11. Class V—Video Gaming. Class V licenses shall be supplemental in nature and shall only be issued to the holder of a Class A, Class A-1, A-2, Class F, or Class F-1, ~~or Class I~~ license. A Class V Video Gaming license shall authorize the retail sale of alcoholic liquor, as defined in Section 4.12.010 of this code, for consumption on the premises where the operation of video gaming is conducted. In addition to the rights with respect to the sale and service of alcoholic liquor for on-premises consumption afforded by the underlying Class A, A-1, A-2, F, or F-1 ~~or Class I~~ license, a Class V Video Gaming license shall additionally authorize Class V Video Gaming licensees to operate video gaming terminals upon the licensed premises, subject to the following:
- a. In addition to any other eligibility criteria for a Class V ~~liquor~~ Video Gaming license set forth hereinabove or incorporated by reference, any applicant for a Class V license must at the time of initial application or renewal:
 - i. Be the holder of a current, valid video gaming license that has been issued by the Illinois Gaming Board;
 - ii. Have held a Village of Harwood Heights Class A, A-1, A-2, F, or F-1 liquor license or have previously held a Class B liquor license immediately prior to obtaining a Class A-2 liquor license for a cumulative period of at least thirty-

six (36) months and have been in good standing and continuous operation within the village for no less than thirty-six (36) consecutive months;

- iii. Not have had its Class A, A-1, A-2, F, or F-1 ~~or Class I liquor license~~ license suspended or revoked by the village or its liquor license suspended or revoked by the State of Illinois for a period of at least thirty-six (36) months;
 - iv. Not owe the village any outstanding sums of money;
 - v. Except for or Class A-2 liquor licensees, ~~D~~demonstrate that at least seventy-five (75) percent of proposed or actual revenue for the licensed premises is derived from ~~food and beverage~~ non-gaming sales as a percentage of total gross revenues for the licensed premises on an annual basis in the year prior to the initial application or renewal based on audited financial statements, corporate financial reports, tax return information, state liquor license reports, or any other form of information deemed acceptable by the liquor commissioner;
 - vi. Except for or Class A-2 liquor licensees, ~~D~~demonstrate that the licensed premises consists of a minimum of one thousand seven hundred (1,700) square feet of contiguous interior space open to the general public on a single level, accessible via a common entrance, inclusive of bathrooms and corridors, but excluding adjacent exterior areas such as sidewalks, streets, parking areas and patios, and restricted-access areas such as (by way of illustration and not of limitation) mechanical rooms, boiler rooms, supply storage rooms, employee offices or lounges, janitorial closets; and
 - vii. The premises subject to the application for a Class V Video Gaming license shall not be located within one hundred (100) feet of another premises subject to a Class V Video Gaming license. This distance separation requirement shall be measured to the nearest corners of the building or leased spaces housing the Class V licensees. No license shall be issued if the village determines that this distance separation requirement is not met.
- b. All video gaming operations must be conducted pursuant to and in strict accordance with the Illinois Video Gaming Act, 230 ILCS 40/1 et seq., all rules, regulations and restrictions imposed by the Illinois Gaming Board, all requirements of Article 30 ("Video Gaming") of Chapter 4.28 of Title 4 of the Village Code, and the regulations of this Section 4.12.050(A)(1.25) of the Village Code and its subparts;
 - c. Video gaming terminals may only be operated during such times as the holder of the liquor license hereunder is authorized to serve alcohol for on-premises consumption; and
 - d. Any denial, revocation or suspension of an Illinois video gaming license by the Illinois Gaming Board or of a video gaming terminal license by the village shall constitute a revocation or suspension of a Class V license for the same period,

provided however, that a Class V licensee subject to an automatic revocation or suspension of its Class V license due to such denial, revocation or suspension of video gaming privileges shall continue to enjoy the rights and privileges of its underlying Class A, A-1, F, ~~or F-1, or Class I liquor licensees,~~ with exception of an A-2 liquor license for the duration of such suspension or revocation.

- e. The one-time application and annual fees for a Class V license shall be as set forth in Table 4.12.055.
- B. There shall be no apportions of such fee for fractions of a year, nor shall there be any refund in case of a revocation of the license.
- C. All applications shall be accompanied by a nonrefundable fee for each fingerprint check and background investigation of the applicant and each additional individual, authorized agent or manager for which an investigation must be conducted. Background investigation fees are in addition to the yearly license fee and will be determined as needed by the liquor commissioner and approved by the village board.
- D. Video gaming, as defined by the Illinois Video Gaming Act, 230 ILCS 40/1 et seq., shall not be allowed in a Class G licensed premises. Class G licensees are ineligible for a Class V Video Gaming license.

SECTION 3. FEES.

Table 4.12.055 shall be, and hereby is amended as follows (additions in **bold and underline**, deletions in ~~bold and strikethrough~~):

Table 4.12.055 – Table of License Fees & Number of Licenses.

<u>Classification</u>	<u>Non-Refundable One-Time Application Fee</u>	<u>Annual Fee</u>	<u># Issued</u>
A	\$1,500	\$2,000	12
A-1	\$1,500	\$1,500	<u>3</u>
<u>A-2</u>	<u>\$1,000</u>	<u>\$1,500</u>	<u>4</u>
B	\$1,000	\$1,500	12
C	\$500	\$1,500	1
D	\$50	\$25/day for beer, \$5 additional for wine/spirits	1

F	\$1,500	\$2,000	4
F-1	\$1,500 (waived for holders of current F license)	\$2,000 (waived for holders of current F license)	1
G	\$250	\$250	2
H	\$75	\$150	3
V	\$1,000	\$1,000	10

SECTION 4. NUMBER OF LICENSES.

Title 4 (“Business Licenses and Regulations”), Chapter 4.12 (“Alcoholic Beverages”), Section 4.12.070 (“Number of Licenses to Be Issued”) of the Harwood Heights Village Code of Ordinances, shall be, and hereby is amended as follows (additions in **bold and underline**, deletions in ~~**bold and strikethrough**~~):

4.12.070 - Number of licenses to be issued.

- A. There shall be no more than twelve (12) Class A licenses issued and outstanding at one time.
- B. Class A-1: There shall be no more than two (3) Class A-1 licenses issued and outstanding at any one time.
- C. **Class A-2: There shall be no more than four (4) Class A-2 licenses issued and outstanding at any one time.**
- D. There shall be no more than twelve (12) Class B licenses issued and outstanding at any one time.
- E. There shall be no more than one (1) Class C licenses issued and outstanding at one time.
- F. There shall be no more than one (1) Class D licenses issued and outstanding at one time.
- G. There shall be no more than four (4) Class F licenses issued and outstanding at one time. See Section 4.12.050(A)(5.25)(g) of the Code for automatic reduction in event of issuance of Class A-V license.
- H. Class F-1: There shall be no more than one (1) Class F-1 licenses issued and outstanding at any one time.
- I. **Class G:** There shall be no more than two (2) Class G licenses issued and outstanding at one time.
- J. Class H: There shall be no more than three (3) Class H licenses issued and outstanding at any one time.
- K. Class V: There shall be no more than ten (10) Class V licenses issued and outstanding at any one time.

SECTION 5. RESOLUTION OF CONFLICTS. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 6. SAVING CLAUSE. If any section, paragraph, clause, or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this Ordinance, which are hereby declared to be separable.

SECTION 7. EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form in the manner provided by law.

VOTES

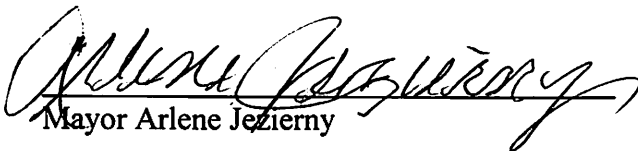
AYES: Trustee Brutto, Steiner, Brzezniak-Volpe, Brzozowski-Wegrecki, Zerillo, Lewandowski

NAYS:

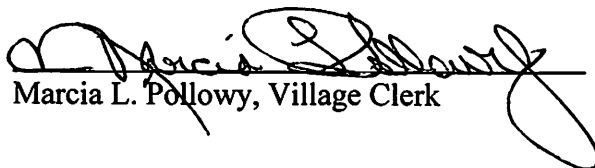
ABSENT:

ABSTAIN:

Passed and Approved this 24th day of March, 2022.


Mayor Arlene Jezierny

ATTEST:


Marcia L. Pollowy, Village Clerk

STATE OF ILLINOIS

COUNTY OF COOK

CERTIFICATION

I, Marcia L. Pollowy, do hereby certify that I am the duly elected and acting Clerk of the Village of Harwood Heights, County of Cook, State of Illinois.

I do further certify that the foregoing Ordinance 22-02 entitled:

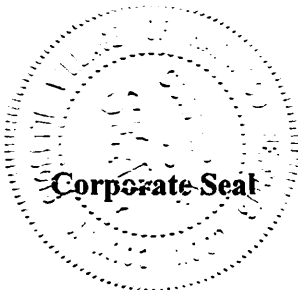
AN ORDINANCE AMENDING CHAPTER 4.12 OF THE VILLAGE OF HARWOOD HEIGHTS CODE OF ORDINANCES TO CREATE A NEW ON-PREMISES CONSUMPTION LIQUOR LICENSE CLASSIFICATION FOR GAS STATIONS AND CONVENIENCE STORES AND TO AUTHORIZE ISSUANCE OF CLASS V - VIDEO GAMING SUPPLEMENTARY LICENSES TO HOLDERS OF NEWLY CREATED LIQUOR LICENSE CLASSIFICATION

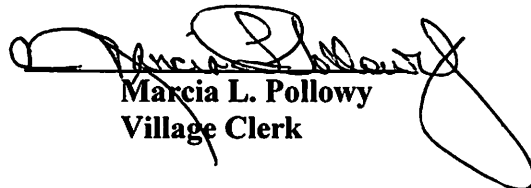
Is true and correct copy of an Ordinance adopted by the Board of Trustees of the Village of Harwood Heights at a meeting held on the 24th day of March, 2022.

I do further certify that the original of which the foregoing is a true copy is entrusted to my care and safekeeping, and that I am keeper of the same.

I do further certify that I am the keeper of the records, ordinances, and resolutions of said Village of Harwood Heights, Cook County, Illinois.

In witness whereof I have hereunto set my official hand and seal this 25th day of March, 2022.




Marcia L. Pollowy
Village Clerk

THE UNITED STATES OF AMERICA
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

WYOMING
COUNTY OF TETTER
TETTER TOWNSHIP
SECTION 36, T.14N. R.10E. S.10E.

BEFORE ME, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this _____ day of _____, 19____.

Notary Public in and for the State of Wyoming

My commission expires this _____ day of _____, 19____.

WITNESSES my hand and seal of office this _____ day of _____, 19____.

[Handwritten signature]

