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

ORDINANCE NO. 22 - 10

**AN ORDINANCE AMENDING CHAPTER 4.12 OF THE VILLAGE OF HARWOOD
HEIGHTS CODE OF ORDINANCES TO INCREASE THE NUMBER OF CLASS A-2
LIQUOR LICENSES AND CLASS V - VIDEO GAMING SUPPLEMENTARY LIQUOR
LICENSES AND TO ELIMNATE THREE-YEAR WAITING PERIOD ON
ELIGIBILITY FOR CLASS V - VIDEO GAMING SUPPLEMENTARY LIQUOR
LICENSE**

Passed by the Board of Trustees, June 9, 2022

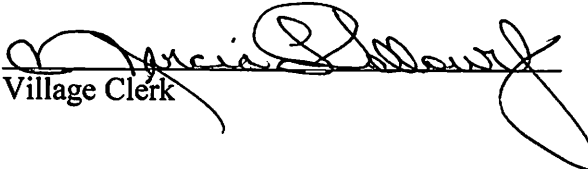
Printed and Published June 9, 2022 in Pamphlet Form
By Authority of the Village Board of Trustees

VILLAGE OF HARWOOD HEIGHTS
COOK COUNTY, ILLINOIS

ARLENE C. JEZIERNY, MAYOR
MARCIA L. POLLOWY, VILLAGE CLERK

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I hereby certify that this document was
properly published in pamphlet form
by authority of the Board of Trustees
on the date stated above.


Village Clerk

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COOK COUNTY, ILLINOIS**

ORDINANCE NO. 22-10

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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 allows video gaming in the Village in accordance with State and locally-imposed regulations and limitations; and

WHEREAS, following several years of successful video gaming operations within the Village, the Village wishes to enhance video gaming and associated terminal fee revenues by eliminating its self-imposed thirty-six months-of-continuous-operation eligibility requirement for a Class V – Video Gaming supplementary license, which introduced an artificial barrier to entering the market that served to limit revenues and businesses expansion; 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 increase the number of Class A-2 and Class V – Video Gaming supplementary liquor licenses as set forth herein; 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. ELIMINATION OF 3 YEAR OPERATING REQUIREMENT
PRIOR TO BECOMING ELIGIBLE FOR SUPPLEMENTAL CLASS V – VIDEO
GAMING LICENSE.**

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**~~), with those subsections not set forth herein remaining in effect as currently written:

4.12.050 License classifications.

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

...

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 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 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:

...

ii. ~~**Reserved. 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;**~~

SECTION 3. INCREASING CLASS A-2, V LICENSES IN FEE TABLE. 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>
A-2	\$1,000	\$1,500	6 <u>7</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	12 <u>14</u>

SECTION 4. INCREASING CLASS A-2, V 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~~**), with those subsections not set forth herein remaining in effect as currently written:

4.12.70 - Number of licenses to be issued.

...

C. Class A-2: There shall be no more than ~~six (6)~~ **seven (7)** Class A-2 licenses issued and outstanding at any one time.

...

K. Class V: There shall be no more than ~~twelve (12)~~ **fourteen (14)** 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

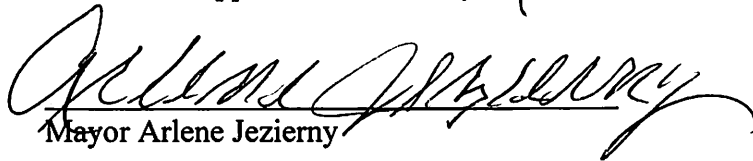
AYES: Trustee Brutto, Steiner, Brzezniak-Volpe, Brzozowski-Wegrecki, Zerillo, Lewandowski

NAYS:

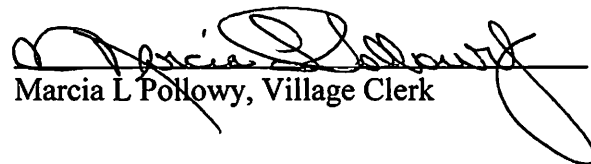
ABSENT:

ABSTAIN:

Passed and Approved this 9th day of June, 2022.


Mayor Arlene Jezierny

ATTEST:


Marcia L Polowy, 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 22-10 entitled:

AN ORDINANCE AMENDING CHAPTER 4.12 OF THE VILLAGE OF HARWOOD HEIGHTS CODE OF ORDINANCES TO INCREASE THE NUMBER OF CLASS A-2 LIQUOR LICENSES AND CLASS V - VIDEO GAMING SUPPLEMENTARY LIQUOR LICENSES AND TO ELIMNATE THREE-YEAR WAITING PERIOD ON ELIGIBILITY FOR CLASS V - VIDEO GAMING SUPPLEMENTARY LIQUOR LICENSE

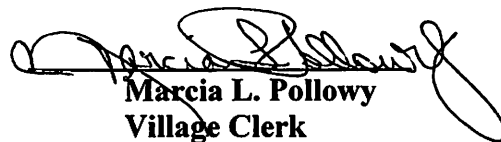
Is true and correct copy of an Ordinance adopted by the Board of Trustees of the Village of Harwood Heights at a meeting held on the 9th day of June, 2022.

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 10th day of June, 2022.




Marcia L. Pollowy
Village Clerk

