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

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**ORDINANCE NO. 23 - 11**

**AN ORDINANCE AMENDING CHAPTER 4.28 OF THE VILLAGE OF HARWOOD  
HEIGHTS CODE OF ORDINANCES TO MODIFY HOURS OF OPERATION FOR  
CLASS A-2 LIQUOR LICENSEES**

Passed by the Board of Trustees, April 13, 2023

Printed and Published April 13, 2023 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

GENE BRUTTO  
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GIUSEPPE "JOE" ZERILLO

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

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

**ORDINANCE NO. 23-11**

**AN ORDINANCE AMENDING CHAPTER 4.28 OF THE VILLAGE OF HARWOOD  
HEIGHTS CODE OF ORDINANCES TO MODIFY HOURS OF OPERATION FOR  
CLASS A-2 LIQUOR LICENSEES**

**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**, 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 has established a variety of liquor license classifications, including the A-2 liquor license, which authorizes gas stations and convenience food stores with such licenses to serve beer and wine for consumption on the premises in accordance with the rules established by the Village Board; and

**WHEREAS**, the Village has required that the service of alcohol for on-premises consumption cease for such establishments at 10:00 p.m. daily, which has the indirect effect of requiring video gaming terminals to cease operation at such time; and

**WHEREAS**, the Village Board is desirous of extending the hours of alcohol service for on-premises consumption to 12:00 a.m. (midnight) for Class A-2 licensees or such earlier time as the business may close for other purposes;

**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. VIDEO GAMING SIGNAGE AMENDMENT.**

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:

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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 subsection (A)(11). 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:

- a. 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.
- b. The property for which a license is issued shall provide an indoor area on the premises dedicated exclusively to alcohol consumption and video gaming.
- c. Alcohol consumption on the premises shall be strictly limited to the designated area detailed in subsection [b] above and may only occur during the hours of 9:00 a.m. to ~~8:00 p.m.~~ **the earlier of (i) 12:00 a.m. (midnight) daily or (ii) such time as the premises closes to the public for all other purposes.** 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.

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**SECTION 4. RESOLUTION OF CONFLICTS.** All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

**SECTION 5. 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 6. 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**

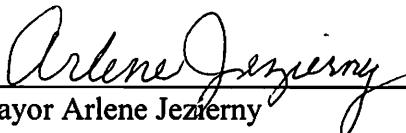
AYES: Trustee Brutto, Steiner, Brzozowski-Wegrecki, Zerillo, Lewandowski

NAYS:

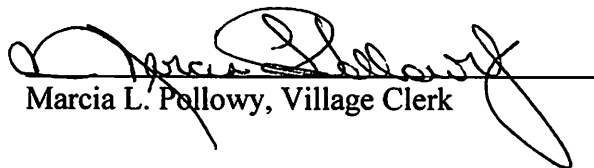
ABSENT: Trustee Brzezniak-Volpe

ABSTAIN:

Passed and Approved this 13th day of April, 2023.

  
\_\_\_\_\_  
Mayor Arlene Jezerny

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 23-11 entitled:**

**AN ORDINANCE AMENDING CHAPTER 4.28 OF THE VILLAGE OF HARWOOD HEIGHTS CODE OF ORDINANCES TO MODIFY HOURS OF OPERATION FOR CLASS A-2 LIQUOR LICENSEES**

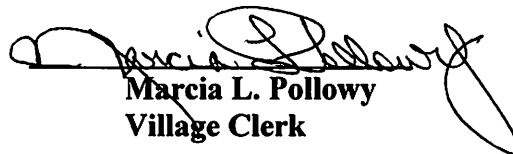
**Is true and correct copy of an Ordinance adopted by the Board of Trustees of the Village of Harwood Heights at a meeting held on the 13th day of April, 2023.**

**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 14th day of April, 2023.**



  
**Marcia L. Pollowy**  
**Village Clerk**

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*[Handwritten signature]*

