

VILLAGE OF GODFREY

ORDINANCE NO. 09-2019

ORDINANCE AMENDING CHAPTER 6 – ALCOHOLIC BEVERAGES; ARTICLE II –
LICENSES AND PERMITS; SECTION 6-53 – CLASSIFICATION OF LICENSES AND
FEES; LIMITATIONS UPON NUMBER OF LICENSES USED, TO INCLUDE A NEW
LIQUOR LICENSE FOR CONVENIENCE STORES

ADOPTED BY THE VILLAGE

BOARD OF TRUSTEES

OF THE

VILLAGE OF GODFREY

MADISON COUNTY, ILLINOIS

THIS 15th DAY OF OCTOBER 2019

Published in book form by authority of the President and Village Board of
Trustees of the Village of Godfrey, Madison County, Illinois this 16th day of
October 2019

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WHEREAS, the Village of Godfrey, Madison County, Illinois (hereinafter “Village”), is a non-home rule municipality duly established, existing and operating in accordance with the provisions of the Illinois Municipal Code (Section 5/1-1-1 *et seq.* of Chapter 65 of the Illinois Compiled Statutes); and

WHEREAS, Village has the authority to define, regulate, issue, and collect fees associated with liquor licenses; and

WHEREAS, Village shall have the power by ordinance or resolution to determine the number, kind, and classification of [liquor] licenses to be issued . . . 235 ILCS 5/4-1; and

WHEREAS, Village shall have the authority to establish [liquor] license fees for the various kinds of licenses to be issued. 235 ILCS 5/4-1; and

WHEREAS, Village desires to amend Chapter 6 – Alcoholic Beverages; Article II – Licenses and Permits; Section 6-53 – Classification of Licenses and Fees; Limitations Upon Number of Licenses Used, to include a new liquor license for convenience stores that will permit beer and wine to be served and allow video gaming; and

WHEREAS, Village desires to strictly regulate the new convenience store liquor licenses to ensure:

1. Convenience stores may only serve beer and wine for consumption on the premises;
2. Convenience stores shall employ at least one employee, who is over twenty-one (21) years of age, to serve beer and wine for consumption on the premises and monitor video gaming;
3. Convenience stores will be limited to selling one (1) drink per hour to any individual for consumption on the premises;
4. Convenience stores may only serve beer and wine for consumption on the premises in a separate and enclosed room located within convenience store;
5. Convenience stores may only offer video gaming in a separate and enclosed room located within convenience store;
6. Convenience stores must provide a separate address for the licensed premises that is registered with the United States Post Office located in Village;
7. Prior to issuing any convenience store liquor license, Village shall have the right to review the plans, dimensions, specification and location of the separate and enclosed room where any convenience store proposes to serve beer and wine and offer video gaming. Village may approve or deny any convenience store liquor license based solely upon this review by a majority vote of the corporate authorities;

and

WHEREAS, Village has determined it to be in the best interests of Village to amend the Village Code of Ordinances and create a new liquor license for convenience stores permitting the sale of beer and wine for consumption on the premises and allowing video gaming; and

WHEREAS, the Mayor is authorized and directed to execute any documents necessary to amend the Village Code as stated herein.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF GODFREY, ILLINOIS, AS FOLLOWS

Section 1. The foregoing recitals are incorporated herein as findings of the Village of Godfrey, Illinois.

Section 2. Chapter 6 – Alcoholic Beverages; Article II – Licenses and Permits; Section 6-53 – Classification of Licenses and Fees; Limitations Upon Number of Licenses Used, shall include:

- (11) Class N. A class N license shall entitled the licensee to sell beer and wine only for consumption on the premises in a convenience store (hereinafter defined), but only in a separate enclosed room where video gaming terminals are located and the plans, dimensions, specification, and location of such enclosed room have been approved by the Village of Godfrey, and the Illinois Gaming Board has authorized the placement and operation of such video gaming terminals only in such enclosed room location. The licensee must provide a separate address (EG – “Suite A”) for the Class N licensed premises registered with the United States Post Office located in the Village of Godfrey. Licensee shall employ at least one employee, who is over twenty-one (21) years of age, to serve beer and wine for consumption on the premises and monitor video gaming. Licensee will be limited to selling one (1) drink per hour to any individual for consumption on the premises. A class N license shall also entitle the licensee to sell alcoholic liquor, in the original package only, for consumption off the premises

CLASS N LICENSE PERMITS VIDEO GAMING

For purposes of a Class N license, “convenience store” may mean a small-size retail business and/or gas station that sells gasoline, fuel, and a limited range and selection of household goods, grocery items, snack foods, confectionery, soft drink beverages, alcoholic liquor for consumption off the premises, tobacco products, over-the-counter drugs, health and beauty aids, toiletries, newspapers, magazines, etc. A “convenience store” need not sell all of these products to be eligible for a Class N license. This definition is provided as a guide for the Village to determine what may

qualify as a “convenience store” for purposes of issuing a Class N license.

The annual fee for such license shall be \$500.00.

Section 3. This ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

Section 4. If any provision of this Ordinance, or the application of any provision of this Ordinance, is held unconstitutional or otherwise invalid, such occurrence shall not affect other provisions of this Ordinance, or their application, that can be given effect without the unconstitutional or invalid provision or its application. Each unconstitutional or invalid provision, or application of such provision, is severable, unless otherwise provided by this Ordinance.

Passed this 15th day of October 2019 by the Village Board of Trustees of the Village of Godfrey, Madison County, Illinois, and deposited and filed in the office of the Village Clerk in said Village on that date.

Village Clerk,
Godfrey, Illinois

NAME	AYE	NAY	ABSTAIN	ABSENT	CONFLICT
Mark Stewart		X			
Jeff Weber		X			
Nathan Schruppf		X			
Karen McAtee	X				
Ben Allen	X				
Virginia Woulfe-Beile		X			

Michael McCormick	X				

Approved by the President of the Village of Godfrey, Madison County, Illinois, this 16th day of October 2019.

MICHAEL J. MCCORMICK, PRESIDENT
GODFREY, ILLINOIS

ATTEST:

BETHANY A. BOHN - VILLAGE CLERK
GODFREY, ILLINOIS

(SEAL)

VILLAGE CLERK'S CERTIFICATE

STATE OF ILLINOIS)	
COUNTY OF MADISON)	ss. VILLAGE CLERK'S OFFICE
VILLAGE OF GODFREY)	

I, Bethany A. Bohn, Village Clerk of the Village of Godfrey, do hereby certify that the following Ordinance of the Village of Godfrey, Madison County, Illinois, published by authority of the Village Board of Trustees was duly passed by the Village Board of Trustees of the Village of Godfrey, Illinois, approved by the Village President, and published in pamphlet form according to law on this date, and that this ordinance is a true and perfect copy of the ordinance, as passed, approved, and now of record and on file in my office as provided by law.

In witness whereof, I have set and affixed the Corporate Seal of the Village of Godfrey, Illinois, this 16th day of October 2019.

BETHANY A. BOHN, VILLAGE CLERK
GODFREY, ILLINOIS

(SEAL)

