

VILLAGE OF GODFREY

ORDINANCE NO. 37-2023

AN ORDINANCE AMENDING CHAPTER 6, SECTION 53 OF THE REVISED CODE OF
ORDINANCES FOR THE VILLAGE OF GODFREY, ILLINOIS REGULATING ALCOHOLIC
BEVERAGES

ADOPTED BY THE VILLAGE

BOARD OF TRUSTEES

OF THE

VILLAGE OF GODFREY

MADISON COUNTY, ILLINOIS

THIS 21st DAY OF NOVEMBER, 2023

Published in book form by authority of the President and Village Board of
Trustees of the Village of Godfrey, Madison County, Illinois this 22nd day of
November, 2023

**AN ORDINANCE AMENDING CHAPTER 6, SECTION 53 OF THE REVISED CODE OF ORDINANCES
FOR THE VILLAGE OF GODFREY, ILLINOIS, - ALCOHOLIC BEVERAGES**

WHEREAS the Village of Godfrey maintains a Revised Code of Ordinances which contains in part Chapter 6, entitled "Alcoholic Beverages", which currently sets forth the licensing and regulations for serving and selling alcoholic beverages within the Village; and

WHEREAS the Village desires to amend Chapter 6 to add sections to regulation and licensing of video gaming, and combining certain licenses provided for therein; and

WHEREAS, after considerable deliberation and thought, the Village Trustees deem it to be in the best interest of the Village of Godfrey to amend the Village Code in the manner set forth below.

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

SECTION 1: AMENDMENT: The following shall, as indicated, amend Chapter 6, Section 53, of the Revised Code of Ordinances for the Village of Godfrey, Illinois, which shall hereafter read as follows:

"§ 6-53- Classification of licenses and fees; limitations on number of licenses issued; VGT Permit Fees

(a) *Classifications; fees.* Licenses to sell alcoholic liquor at retail shall be the following classes:

- (1) *Class A.* A class A license shall entitle the licensee to sell alcoholic liquor at retail for consumption either on the premises by the drink or pitcher or off the premises where sold in the original package, provided however the sales are associated with a restaurant receiving not less than 50% of its annual gross revenue from the sale of food or alcohol. All applicants for a Class A license shall be required to present the Liquor Commissioner with a business plan demonstrating the projected gross sales, or past year's gross sales, generated by food and alcohol at the licensed location shall or did meet or exceed 50% of the projected/actual gross annual revenue of the license holder. Applicants for renewal of a Class A license shall be required to submit to the Village all documentation deemed necessary for the Village to verify the licensed establishment continues to qualify for a Class A license based on the food and liquor sale percentage requirement, and shall execute annually an affidavit attesting the establishment meets or exceeds the minimum food and alcohol sale percentage of overall revenue to qualify for renewal. The annual fee for such license shall be \$500.00.

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- (2) *Class B.* A class B license shall entitle the licensee to sell alcoholic liquor, in the original package only, for consumption off the premises and to allow *complimentary* tasting of alcoholic liquors on the premises so long as no money or compensation of any type is charged or paid for the privilege of tasting alcoholic liquor on the premises. The annual fee for such license shall be \$500.00.
- (3) *Class C.* A class C license shall entitle the licensee to sell beer and wine only, in the original package, for consumption off the premises, and to allow *complimentary* tasting of alcoholic liquors on the premises so long as no money or compensation of any type is charged or paid for the privilege of tasting alcoholic liquor on the premises. The annual fee for such license shall be \$500.00.
- (4) *Class E.* A class E license shall entitle the licensee to sell alcoholic liquor at retail for consumption on the premises only as part of a video gaming business, for consumption on the premises only. The annual fee for such license shall be \$500.00.
- (5) *Class F.* A class F license shall entitle the licensee to sell alcoholic liquor, at retail by the drink or pitcher, for consumption on the premises, or off the premises where sold in the original package, by clubs. The annual fee for such license shall be \$500.00.
- (6) *Class S.* A class S license shall entitle the licensee to sell alcoholic liquor at retail for consumption either on the premises by the drink or pitcher or off the *premises* where sold in the original package, in connection with a regularly occurring sporting event or athletic activity and at a fixed location, which place and which activity were previously described in the license application required. The annual fee for such license shall be \$500.00.
- (7) *Class W.* A class W license shall entitle the licensee to sell wine only, at retail by the drink or bottle, for consumption on the premises, or off the premises where sold in the original package, by wineries. The annual fee for such license shall be \$500.00.
- (8) *Class Z.* A class Z license shall entitle the licensee to cater functions within the Village of Godfrey and to sell and or dispense alcoholic liquor, beer and wine at said functions upon the premises of the catered function, but not to sell or dispense for consumption off the catered premises. The sale or dispensing of alcoholic liquor, beer and wine must be incidental to the service of food at the catered function. The annual

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fee for such license shall be \$200.00. Provided, however, that if the caterer already holds a valid class A Village of Godfrey liquor license, a class Z license shall not be required to cater an event away from the licensed premises of the holder of the class A liquor license.

- (9) *Class M.* A class M license shall entitle the licensee to manufacture and brew beer as a craft brewer within the Village of Godfrey, and to sell said beer to a licensed distributor only, or pursuant to self-distribution exemption approved by the state commission under 235 ILCS 5/3-12(a)(18)(A)—(G). No retail sales of beer shall be allowed under the class M license. No beer tastings or samples may be provided to the public for any reason under a class M license. The annual fee for such license shall be \$500.00.
- (10) *Class N.* A class N license shall entitle 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. Licensee shall employ at least one employee, who is over 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 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.

(b) *Limitations upon number of licenses issued.*

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- (1) By separate ordinance, the Village Board may set a limitation upon the number of licenses to sell alcoholic liquor at retail to be issued for each classification of license. This restriction upon the number of licenses shall not limit the right to the renewal of any existing licenses, nor to the issuance of a license to the purchaser of an established licensed business as a growing concern; but as licenses are revoked, expire without renewal or for any reason cease to exist, the total number of licenses for each classification shall be reduced until the total of each such class shall not exceed the number authorized by the village board.
- (2) If any establishment selling alcoholic liquor is annexed to and becomes a part of the village, the various alcoholic liquor licenses as enumerated in this section shall be increased in number only in the class which the annexed establishment qualifies provided the annexed establishment holds a current valid liquor license from the governmental entity from which the establishment was annexed and from the state.
- (3) The following limits are established on the number of licenses to sell alcoholic beverages in the village:

18	A Licenses
7	B Licenses
0	C Licenses
4	E Licenses
2	F Licenses
5	N Licenses
1	S Licenses
0	W Licenses
	Z Licenses

- (c) Permit Fees. The Village of Godfrey hereby imposes a Video Gaming Terminal Fee of \$250.00, annually, per VGT in use in the Village of Godfrey. All video gaming operators shall be required to annually pay the permit fee to the Village and obtain and affix a sticker issued by the Village to each VGT.

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SECTION 2: SEVERABILITY OF PROVISIONS: Each section, paragraph, sentence, clause, and provision of this Ordinance is severable, and if any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of the Ordinance, nor any part thereof, other than that part affected by such decision.

SECTION 3: CONFLICTING ORDINANCES: Any conflicting ordinances, code provisions or pertinent portions thereof in effect at the time this ordinance takes effect are hereby repealed.

SECTION 4: EFFECTIVE DATE: This Ordinance and the penalty provisions herein shall take effect thirty (30) days following its passage, approval and publication as required by law, however, the amendments hereto shall not apply to existing license holders in calendar year 2023, however, renewals of existing liquor licenses shall be applied for through the Village in accordance with the new schedule of licenses set forth herein for licenses to be renewed for 2024.

Passed this 21st day of November, 2023 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
Weber	X				
McAtee				X	
Lauschke	X				
Woodman	X				
Fisher	X				
Lombardi	X				

Approved by the President of the Village of Godfrey, Madison County, Illinois, this 21st day of November, 2023.



MICHAEL J. MCCORMICK, PRESIDENT
GODFREY, ILLINOIS

ATTEST: 
SUSAN ROBBINS - VILLAGE CLERK
GODFREY, ILLINOIS

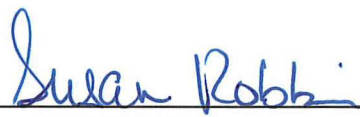
(SEAL)

VILLAGE CLERK'S CERTIFICATE

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

I, Susan Robbins, 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 22nd day of November, 2023.


SUSAN ROBBINS, VILLAGE CLERK
GODFREY, ILLINOIS

(SEAL)