

VILLAGE OF NORTH AURORA



VILLAGE OF NORTH AURORA
KANE COUNTY, ILLINOIS

Ordinance No. 16-06-06-03

ORDINANCE AMENDING TITLE 5 CHAPTER 5.08
ALLOWING LIQUOR ON VILLAGE PROPERTY
WITH CERTAIN CONDITIONS AND CIRCUMSTANCES

Adopted by the
Board of Trustees and President
of the Village of North Aurora
this 7th day of JUNE, 2016

Published in Pamphlet Form
by authority of the Board of Trustees of the
Village of North Aurora, Kane County, Illinois,
this 7th day of June, 2016
by Cynthia Ferraro.

Signed

A handwritten signature in black ink, appearing to read "Paul Murray", written over a horizontal line.

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**ORDINANCE AMENDING TITLE 5 CHAPTER 5.08 ALLOWING LIQUOR ON VILLAGE
PROPERTY ON CERTAIN CONDITIONS AND CIRCUMSTANCES**

WHEREAS, the Village of North Aurora has recently acquired title to a portion of North Aurora Riverfront Park from the Fox Valley Park District for the purpose of using the park for Village sponsored events, among other things; and

WHEREAS, the Village would like to host or sponsor various community events to bring people to the area surrounding the Fox River; and

WHEREAS, the Village has the authority to designate specific property owned by the Village for the purpose of allowing the sale, possession and/or consumption of alcoholic liquor on the premises under conditions and limitations that are prescribed by ordinance; and

WHEREAS, the Village further intends to limit the possession and/or consumption of alcoholic liquor in North Aurora Riverfront Park to Village events, Village sponsored events, and/or a series of Village Sponsored events as designated by a resolution approved by the Village Board.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of North Aurora, Kane County, Illinois, as follows:

1. The recitals set forth above are adopted and incorporated herein as the material and significant findings of the President and the Board of Trustees as if fully stated herein.
2. Title 5 (Business Licenses and Regulations) Chapter 5.08 (Alcoholic Beverage Sales) is hereby amended as follows:

5.08.040 - License required.

- F. No person shall allow alcoholic liquor to be brought into and/or consumed on the premises open generally to the public without having a liquor license specifically allowing alcoholic liquor to be brought into and/or consumed on such premises, except as specifically allowed in this Chapter.

5.08.135 - Sale and/or consumption of alcoholic liquor outside.

The sale and/or consumption of alcoholic liquor on the premises for which a license is granted shall be limited to the fully enclosed buildings on such premises, except as follows:

- A. The terms of the license expressly allow the outside sale and/or consumption of alcohol and the licensee complies with all the conditions and limitations of the license;
- B. On that portion of North Aurora Riverfront Park owned by the Village during a Village sponsored community event or series of events, subject to the following limitations and conditions:

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1. Alcoholic Liquor may only be sold or offered for sale subject to a Class I Event License for outdoor liquor sales, and the requirements of an outside liquor license shall apply unless expressly waived and/or altered by a resolution approved by the Village Board;
2. People may be allowed to bring their own alcoholic liquor to North Aurora Riverfront Park under the following conditions:
 - a. The Village Board approves the possession and consumption of alcohol at the particular event with or without the sale of alcohol pursuant to a Class I Event License by resolution;
 - b. Persons possessing and/or consuming alcohol comply with subsection 1 and 3 of this Section.
3. The sale and/or possession and consumption of alcohol at North Aurora Riverfront Park is further conditioned as follows:
 - a. Consumption shall be limited to that portion of North Aurora Riverfront Park owned by the Village;
 - b. No open containers of alcohol shall be removed from that portion of the North Aurora Riverfront Park owned by the Village;
 - c. All specific limitations or conditions approved by the Village Board for a specific event or series of events shall apply and be observed.

5.08.300 - Alcoholic liquor prohibited in governmental buildings.

No alcoholic liquor shall be sold or delivered in any building or on any property belonging to or under the control of any governmental body except as allowed by this Chapter and is approved by that governmental body owning or having control of the building or property.

3. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Ordinance, or any part thereof. The Village Board of Trustees hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

4. This Ordinance shall take immediate full force and effect from and after its passage, approval, publication and such other acts as required by law.

VILLAGE OF NORTH AURORA

6th Presented to the Board of Trustees of the Village of North Aurora, Kane County, Illinois this day of June, 2016, A.D.

Passed by the Board of Trustees of the Village of North Aurora, Kane County, Illinois this 6th day of JUNE, 2016, A.D.

Mark Carroll yes

Laura Curtis yes

Chris Faber yes

Mark Gaffino yes

Mark Guethle yes

Michael Lowery yes

Approved and signed by me as President of the Board of Trustees of the Village of North Aurora, Kane County, Illinois this 6th day of JUNE, 2016, A.D.

Dale Berman
Dale Berman, Village President

ATTEST:

Lori Murray
Lori Murray, Village Clerk