

VILLAGE OF CARPENTERSVILLE
1200 L. W. Besinger Drive
Carpentersville, Illinois 60110
847-426-3439

Village President

John Skillman

Village Clerk

Diane Cernekee

Interim Village Manager

Benjamin Mason

Village Trustees

John O'Sullivan

Jeff Frost

Maria Vela

Jim Malone

Humberto Garcia

Brenda Sandoval

BOARD REPORT

TO: Village Board

FROM: Brad Stewart, Village Attorney

DATE: February 3, 2023

RE: Consideration of an Ordinance Amending Hours of Liquor Sales for a Bowling Alley or Movie Theater Establishment on Sundays

ANALYSIS

The Village recently received a request from the owner of Liberty Lanes to allow for the sale of alcoholic beverages beginning at 9 a.m. on Sundays for bowling tournament events that are planned in the coming months. Current Code requirements would not allow the bowling alley, holding a Class "L" liquor license, or most liquor licensed establishments, to sell alcoholic beverages prior to 11 a.m. on Sunday.

While the request is only for dates through April, staff considered that there is a likelihood that future events will occur and the efficiency of looking more broadly at the regular hours of operation permitted for sales of alcoholic beverages. The Village currently allows a licensed "brunch" establishment to sell alcohol as early as 8 a.m. on Sunday.

Staff's review and recommendation is that allowing Class "L" license holders to serve alcohol beginning at 8:00 a.m. on Sunday is reasonable and allows for the bowling alley to conduct events, in which the sale of alcohol is appropriate and not likely to create a social hazard, similar to how the brunch license also allows the same. At the same time, staff does not recommend changing the 11 a.m. start time for all liquor license holders, and that there is good reason to keep the general requirement.

FISCAL IMPACT

There is no direct financial impact from expanding the hours of liquor sales for Class "L" licensees, although there is foreseeable increased sales tax revenue by expanding hours of operation to allow liquor sales during the tournament events.

DEPARTMENT RECOMMENDATION

Recommendation: Approve the Ordinance Amending Title 5, Chapter 5.12, Section 5.12.200 of the Carpentersville Municipal Code, Concerning Hours During Which a Class "L" Licensee May Serve Alcoholic Liquor.

VILLAGE OF CARPENTERSVILLE

ORDINANCE NO. 2023- 06

AN ORDINANCE AMENDING TITLE 5, CHAPTER 5.12, SECTION 5.12.200 OF THE CARPENTERSVILLE MUNICIPAL CODE CONCERNING HOURS DURING WHICH ALCOHOLIC LIQUOR MAY BE SERVED BY A CLASS "L" LICENSEE

WHEREAS, the Village of Carpentersville, Kane County, Illinois, is a home rule municipality as contemplated under Article VII, Section 6, of the Constitution of the State of Illinois, and the passage of this Ordinance constitutes an exercise of the Village's home rule powers and functions as granted in the Constitution of the State of Illinois; and

WHEREAS, subject to said Section, a home rule unit may exercise any power and perform any function pertaining to its government and affairs for the protection of the public health, safety, morals and welfare; and

WHEREAS, this ordinance creates efficiencies for the Village, and promotes additional economic opportunities for local businesses, and ensures proper diligence is exercised over liquor licensing.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Carpentersville, Illinois as follows:

SECTION 1: That TITLE 5, CHAPTER 5.12, SECTION 5.12.020, "Closing Hours-Sunday." of the Carpentersville Municipal Code shall be amended to read as follows (underlined text being added, stricken through text being deleted), without impacting the other provisions:

C. Any licensee, who also has qualified for and has been issued a brunch license or a Class L license (bowling center establishments and movie theaters), may serve alcoholic liquor, otherwise fully in accordance with its license restriction, to its patrons from eight a.m. until eleven a.m. on Sundays.

SECTION 2: If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate or nullify the remainder thereof, which remainder shall remain and continue in full force and effect.

SECTION 3: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

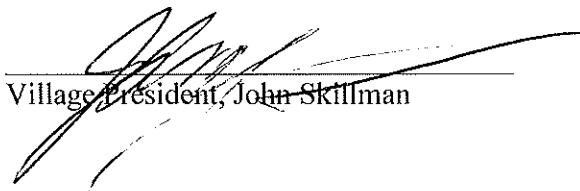
SECTION 4: This Ordinance shall be in full force and effect upon its approval and publication in pamphlet form (which publication is hereby authorized) as provided by law.

*AN ORDINANCE AMENDING TITLE 5, CHAPTER 5.12, SECTION 5.12.200
OF THE CARPENTERSVILLE MUNICIPAL CODE CONCERNING HOURS DURING WHICH
ALCOHOLIC LIQUOR MAY BE SERVED BY A CLASS "L" LICENSEE*

Passed this 7th day of Feb, 2023, by roll call vote as follows:


	Ayes ✓	Nays	Absent	Abstain
Trustee John O'Sullivan	✓			
Trustee Jeff Frost	✓			
Trustee Maria Vela	✓			
Trustee Jim Malone	✓			
Trustee Humberto Garcia	✓			
Trustee Brenda Sandoval	✓			
President John Skillman	✓			

APPROVED THIS 7th DAY OF Feb, 2023


Village President, John Skillman

(SEAL)

ATTEST:


Village Clerk, Diane Cernekee

Published: February 7, 2023



AN ORDINANCE AMENDING TITLE 5, CHAPTER 5.12, SECTION 5.12.200
OF THE CARPENTERSVILLE MUNICIPAL CODE CONCERNING HOURS DURING WHICH
ALCOHOLIC LIQUOR MAY BE SERVED BY A CLASS "L" LICENSEE

CERTIFICATION

I, Diane Cernekee, do hereby certify that I am the duly appointed, acting and qualified Clerk of the Village of Carpentersville, Kane County, Illinois, and that as such Clerk, I am the keeper of the records and minutes and proceedings of the President and Board of Trustees of said Village of Carpentersville.

I do further certify that at a regular meeting of the President and Board of Trustees of the Village of Carpentersville, held on the 1st day of Feb, 2023, the foregoing Ordinance entitled, ***AN ORDINANCE AMENDING TITLE 5, CHAPTER 5.12, SECTION 5.12.200 OF THE CARPENTERSVILLE MUNICIPAL CODE CONCERNING HOURS DURING WHICH ALCOHOLIC LIQUOR MAY BE SERVED BY A CLASS "L" LICENSEE,*** as duly passed by the President and Board of Trustees of the Village of Carpentersville.

The pamphlet form of Ordinance No. 2023-06, including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was available in the Village Hall, commencing on the 7th day of Feb, 2023, and will continue for at least 10 days thereafter. Copies of such Ordinance are also available for public inspection upon request in the office of the Village Clerk.

I do further certify that the original, of which the attached is a true and correct copy, is entrusted to me as the Clerk of said Village for safekeeping, and that I am the lawful custodian and keeper of the same.

Given under my hand and seal of the Village of Carpentersville this 7th day of Feb, 2023.

Diane Cernekee

Diane Cernekee, Village Clerk
Village of Carpentersville,
Kane County, Illinois

(SEAL)



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