

VILLAGE OF GURNEE

2007- 87

AN ORDINANCE AMENDING CHAPTER 6
ENTITLED ALCOHOLIC BEVERAGES OF THE GURNEE MUNICIPAL CODE TO
ADD RESORT HOTEL LICENSING PROVISIONS AND TO AMEND THE FEES
FOR CERTAIN LIQUOR LICENSES

ADOPTED BY THE PRESIDENT AND BOARD OF TRUSTEES

OF THE

VILLAGE OF GURNEE, ILLINOIS

ON

November 5, 2007

Published in pamphlet form by authority of the Village Board of the
Village of Gurnee, Lake County, Illinois,
This 6th day of November, 2007

KRISTINA KOVARIK President

ANDY HARRIS Clerk

BRYAN WINTER Attorney

JEANNE BALMES

GREG GARNER

MICHAEL JACOBS

DAVID OHANIAN

CHERYL G. ROSS

HANK SCHWARZ

Trustee

Trustee

Trustee

Trustee

Trustee

Trustee

**AN ORDINANCE AMENDING CHAPTER 6
ENTITLED ALCOHOLIC BEVERAGES OF THE GURNEE MUNICIPAL CODE
TO ADD RESORT HOTEL LICENSING PROVISIONS AND TO AMEND THE FEES
FOR CERTAIN LIQUOR LICENSES**

WHEREAS, the Village of Gurnee (VILLAGE), located in Lake County, Illinois, is a home rule unit of government under the provisions of Article 7 of the 1970 Constitution of the State of Illinois, can exercise any power and perform any function pertaining to its government affairs, including but not limited to the power to tax and incur debt; and

WHEREAS, the Village has a policy of regularly reviewing and revising the Municipal Code as necessary to insure all provisions of the document remain compliant with contemporary statutes and relevant to current operations; and

WHEREAS, at the direction of the Village President, staff has undertaken a review of certain provisions in Chapter 6 entitled Alcoholic Beverages; and

WHEREAS, the Board has determined in order to protect the public safety, health, and welfare of the Village of Gurnee, it is reasonable, appropriate, and necessary to update and amend its Liquor Control Ordinances.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND THE BOARD OF TRUSTEES OF THE VILLAGE OF GURNEE, LAKE COUNTY, ILLINOIS, IN THE EXERCISE OF ITS HOME RULE POWERS, AS FOLLOWS:

SECTION I: That Chapter 6 of the Gurnee Municipal Code is hereby amended by adding the following definitions, license classification and additional provisions in the following existing sections:

Section 6-1. Definitions.

Resort Hotel means a full-service hotel with at least the following characteristics: (a) 300 rooms; (b) 4,000 gross square feet of spa and fitness facilities; (c) one full-service restaurant; and (d) an accessory recreational or entertainment amenity such as but not limited to a water park, theater, or golf course.

Resort Hotel Premises means (a) all areas within the interior of a Resort Hotel (including but not limited to restaurants, recreational and entertainment amenities, conference and/or banquet centers, rooms and facilities which are ancillary to conference and banquet centers, resort hotel rooms, lounges, spa and/or fitness facilities and retail facilities) and shall authorize the placement of small, locked, refrigerated units containing alcoholic beverages (commonly referred to as "mini-bars") in the guest rooms. Keys or other approved access for said mini-bars may be provided only to hotel guests who are at least 21 years of age; and (b) outdoor areas of a Resort Hotel for recreation, dining or conference

and/or banquet purposes (including but not limited to outdoor pools, outdoor dining areas and outdoor seating areas for banquet or conference facilities).
Section 6.55 License classification and fees.

Class II license allows the retail sale of alcoholic liquor for consumption on Resort Hotel Premises. The fee for such license shall be \$3,000.00 per year.

SECTION II: That Chapter 6 of the Gurnee Municipal Code is hereby amended by increasing the liquor license fees required for the following licenses as set forth in Section 6-55 as follows:

Section 6-55. License classification and fees.

(1) As to Class 1 license, the last sentence in this subsection shall be amended to read as follows: **The fee for such license shall be \$2,000.00 per year.**

(2) As to Class 2 license, the last sentence in this subsection shall be amended to read as follows: **The fee for such license shall be \$2,250.00 per year.**

(3) As to Class 3 license, the last sentence in this subsection shall be amended to read as follows: **The fee for such license shall be \$2,000.00 per year.**

(4) As to Class 4 license, the last sentence in this subsection shall be amended to read as follows: **The fee for such license shall be \$2,000.00 per year.**

(7) As to Class 7 license, the last sentence in this subsection shall be amended to read as follows: **The fee for such license shall be \$1,200.00 per year.**

(10) As to Class 10 license, the last sentence in this subsection shall be amended to read as follows: **The fee for such license shall be \$1,500.00 per year.**

SECTION III: Nothing in this Ordinance shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action arising, acquired or existing under any act or ordinance or portion thereof hereby repealed or amended by this ordinance; nor shall any just or legal right, claim penalty or remedy of any character of the corporate authority existing on the effective date hereof be lost, impaired or affected by this Ordinance.

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

SECTION V: If any provision, clause, sentence, paragraph, section, or part of this ordinance or application thereof to any person, firm, corporation, public agency or circumstance, shall, for any reason, be adjudged by a court of competent jurisdiction to be unconstitutional or invalid, said judgment shall not affect, impair or invalidate the remainder of this ordinance and the application of such provision to other persons,

firms, corporation, or circumstances, but shall be confined in its operation to the provision, clause, sentence, paragraph, section, or part thereof directly involved in the controversy in which such judgment shall have been rendered and to the person, firm, corporation, or circumstances involved. It is hereby declared to be the legislative intent of the corporate authorities that this ordinance would have been adopted had such unconstitutional or invalid provision, clause, sentence, paragraph, section, or part thereof not been included.

SECTION VI: That the Village Clerk is hereby directed and ordered to publish this Ordinance in pamphlet form as provided by law.

SECTION VII: That this Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as required by law.

Passed this 5th day of November, 2007

	Ayes:	Nays:	Absent/Abstain:
Jeanne E. Balmes	<u>X</u>	_____	_____
Greg Garner	<u>X</u>	_____	_____
Michael Jacobs	<u>X</u>	_____	_____
David Ohanian	<u>X</u>	_____	_____
Cheryl G. Ross	<u>X</u>	_____	_____
Hank Schwarz	<u>X</u>	_____	_____

APPROVED:

By: *Kristina Kovarik* Date: 11/5/07
 KRISTINA KOVARIK, Village President

ATTEST:

By: *Andy Harris*
 ANDY HARRIS, Village Clerk

Presented and read, or reading having been waived, at a duly convened meeting of the Corporate Authorities on November 5, 2007.

I hereby certify that the above ordinance was published in pamphlet form on the 6th day of November, 2007, as provided by law.

Andy Harris
 ANDY HARRIS, Village Clerk

STATE OF ILLINOIS)
)
COUNTY OF LAKE) **SS.**


CERTIFICATE

I, ANDY HARRIS, certify that I am the duly elected and acting municipal clerk of the Village of Gurnee, Lake County, Illinois.

I certify that on the 5th day of November, 2007, the Corporate Authorities of such municipality passed and approved Ordinance 2007-87, entitled, "**AN ORDINANCE AMENDING CHAPTER 6 ENTITLED ALCOHOLIC BEVERAGES OF THE GURNEE MUNICIPAL CODE TO ADD RESORT HOTEL LICENSING PROVISIONS AND TO AMEND THE FEES FOR CERTAIN LIQUOR LICENSES** ", which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 2007-87, including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted in the municipal building, commencing on the 6th day of November, 2007, and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the municipal clerk.

Dated at Gurnee, Illinois, this 5th day of November, 2007.



ANDY HARRIS
Village Clerk

