

**ORDINANCE NO. 2018-103**

**AN ORDINANCE AMENDING THE VILLAGE OF  
VERNON HILLS CODE OF ORDINANCES CHAPTER  
3, SECTIONS 3-12, LIQUOR LICENSE  
CLASSIFICATION "J"**

**WHEREAS**, the Village of Vernon Hills is a municipal corporation existing under the laws of the State of Illinois, and

**WHEREAS**, the Village, as a municipal corporation, has a duty to regulate the purchase, sale and serving of alcoholic beverages to the public for the protection of the public, health, safety, morals and welfare; and

**WHEREAS**, the President and Board of Trustees hereby adopt this ordinance amending the Liquor Control Ordinance of the Village of Vernon Hills pursuant to its duty to regulate the purchase and sale of alcoholic beverages within the Village of Vernon Hills;

**NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF VERNON HILLS, LAKE COUNTY, ILLINOIS, AS FOLLOWS:**

**SECTION I.** That Chapter 3 Section 3-12(10), "Class "J" License" of the Village of Vernon Hills Liquor Code is hereby amended to read as follows:

*3-12(10) Class "J" License:* A class "J" license shall authorize the sale of packaged alcoholic liquors for consumption off the premises and the sale of beer, wine and sake spirits for consumption on the premises as an incidental part of a grocery store that has a minimum gross floor area of ~~50,000~~ 44,000 square feet. Class "J" licenses shall be subject to the following conditions and limitations.

- a) The sale of alcohol, in original packages, unopened only, shall be permitted for consumption off premise, subject to the following conditions:
  - 1) Not more than ten percent (10%) of the retail sale square footage area shall be devoted to the sale of liquor products
  - 2) Alcohol sold in original packages and intended for off-premise consumption shall not be opened or consumed on premise or in any designated seating/serving area.
  - 3) Wine, Beer and spirits sampling ~~tasting~~ shall be permitted on premises in accordance with State law.
  - 4) Hours for the sale of packaged liquor, for consumption off premise, shall be in accordance with Section 3-23 of the Liquor and License Code.
- b) The sale of beer, wine and sake spirits ~~only~~ shall be permitted for consumption on premise subject to the following conditions:
  - 1) The sale of liquor intended for consumption on premise shall be limited to individual servings of beer, wine or sake spirits and shall be dispensed in accordance with Section 3-37 of the Liquor and License Code.

- 2) The sale of beer, wine or ~~sake~~ spirits on the premises shall be permitted only where facilities are provided that include an area where food is prepared and regularly served on the premises. Such food shall include hot or cold sandwiches, appetizers, tapas, sushi, baked goods or other similar foods.
  - 3) The seating/serving area for customers consuming beer, wine or spirits on premise shall be limited to five percent (5%) of the gross retail square footage.
  - 4) ~~Consumption of beer, wine and sake on the premises shall be limited to the designated seating/serving area.~~
  - 5) It is intended that the service of alcoholic liquor is merely an adjunct to the operation of a grocery store and that the facility shall not be advertised or otherwise held out to be a drinking establishment.
  - 6) Hours for the sale of beer, wine or sake, for on-premise consumption shall be in accordance with Section 3-23 of the Liquor and License Code, but in no case shall the sale of alcohol take place outside of the normal business hours of the grocery store.
- c) No more than ~~one~~ two class "J" licenses shall be issued at any one time in the Village.

**SECTION II. SEVERABILITY.** In the event that any section, clause, provision, or part of this ordinance shall be found and determined to be invalid by a court of competent jurisdiction, all valid parts that are severable from the invalid parts shall remain in full force and effect. If any part of this ordinance is found to be invalid in any one or more of its several applications that are severable, the valid applications shall remain in effect.

**SECTION III. REPEAL AND SAVINGS CLAUSE.** All ordinances or parts of ordinances in conflict herewith are hereby repealed; provided, however, that nothing herein contained shall affect any rights, actions or causes of action which shall have accrued to the Village of Vernon Hills prior to the effective date of this ordinance.

**SECTION IV. EFFECTIVE DATE.** This ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

**SECTION V. PUBLICATION.** This ordinance shall be published in pamphlet for in the manner provided by law.

**SECTION VI. ORDINANCE NUMBER.** This ordinance shall be known as Ordinance Number 2018-103

Adopted by roll call vote as follows:

AYES: 6- Hebda, Schultz, Marquardt, Koch, Oppenheim, Takaoka

NAYS: 0 - None

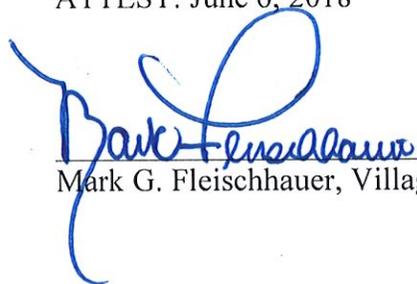
ABSENT AND NOT VOTING: 0 - None

  
\_\_\_\_\_  
Roger L. Byrne, Village President

PASSED: June 5, 2018

APPROVED: June 5, 2018

ATTEST: June 6, 2018

  
\_\_\_\_\_  
Mark G. Fleischhauer, Village Clerk