

SANGAMON COUNTY, ILLINOIS

ORDINANCE
NUMBER 15-41

**AN ORDINANCE AMENDING THE PROVISIONS ON ALCOHOLIC BEVERAGES
REGARDING DRIVE UP WINDOWS WITHIN THE VILLAGE**

THOMAS S. GRAY, Village President
PAT SCHAD, Village Clerk

KEN BOYLE, JR.
MARK CLAYTON
DAVID KIMSEY
NINA LINDHORST
MATT MAU
JOE SCHATTEMAN
Village Trustees

Published in pamphlet form by authority of the President and Board of Trustees of the Village of
Chatham

on 9-22, 2015

Sorling Northrup – 1 N. Old State Capitol Plaza, Suite 200, Springfield, IL 62705

ORDINANCE NO. 15- 41

**AN ORDINANCE AMENDING THE PROVISIONS ON ALCOHOLIC BEVERAGES
REGARDING DRIVE UP WINDOWS WITHIN THE VILLAGE**

WHEREAS, the Village of Chatham (hereinafter, the “Village”), an Illinois municipal corporation; and

WHEREAS, the Illinois Liquor Control Act of 1934, 235 ILCS 5/4-1, sets forth the rights of municipalities to govern and restrict the sale of alcoholic liquor within their communities; and

WHEREAS, Section 4-2 of the Act provides that the Village has the authority to determine the number, kind and classification of licenses, for sale at retail of alcoholic liquor, not inconsistent with the Act, and the amount of local licensee fees to be paid for the various kinds of licenses to be issues; and

WHEREAS, Section 4-2 of the Act provides that the Village has the authority to establish such further regulations and restrictions upon the issuance of an operations under local licenses not inconsistent with the law as the public good and convenience may require; and

WHEREAS, Section 4-2 of the Act provides that the Village has the authority to provide penalties for the violation of regulations and restrictions relative to the operation of the local license; and

WHEREAS, the Corporate Authorities of the Village previously enacted certain provisions on alcoholic liquors; and

WHEREAS, the Corporate Authorities of the Village believe it is in the best interest of the Village to clarify the ability of licensed establishments to utilize drive up windows as set forth in this Ordinance.

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

Section 1. Recitals. The foregoing recitals shall be and are hereby incorporated into and made a part of this Ordinance as if fully set forth in this Section 1.

Section 2. Amendments to Chapter 111. The provisions of Chapter 111, Section 111.17(E) shall be amended as follows and a new Section 111.30(D) shall be added as follows:

Section 111.17(E) A Class P “Package” license shall be issued to a package liquor store, and shall entitle the licensee to sell at retail alcoholic liquor, in the original package only for consumption off the premises where sold. Sales of beer and wine through a drive-up window are allowed in accordance with the law and applicable zoning regulations. The annual fee for such license shall be \$800. The annual fee shall be payable in two installments, namely, \$400 on December 31 of each year and \$400 on June 30 of each year.

Section 111.30(D). No license, except as permitted for Class P license holders, shall allow the selling or disposition of beer, wine, or any other alcoholic liquor through a drive-up window.

Section 3. Severability. In the event a court of competent jurisdiction finds this ordinance or any provision hereof to be invalid or unenforceable as applied, such finding shall not affect the validity of the remaining provisions of this ordinance and the application thereof to the greatest extent permitted by law.

Section 4. 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 Chatham prior to the effective date of this ordinance.

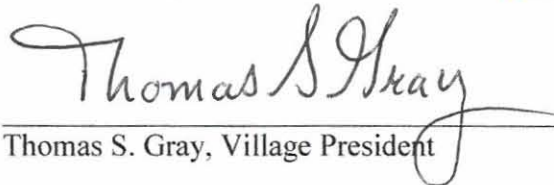
Section 6. Effectiveness. This ordinance shall be in full force and effect from and after passage, approval and publication in pamphlet form as provided by law and the penalty

provisions therein shall be effective and commence 10 days after this Ordinance is printed in book or pamphlet form and published by the authority of the corporate authorities.

PASSED this 22 day of SEP, 2015.

	YES	NO	ABSENT	PRESENT
KEN BOYLE, JR.	✓			
MARK CLAYTON	✓			
DAVID KIMSEY	✓			
NINA LINDHORST	✓			
MATT MAU	✓			
JOE SCHATTEMAN	✓			
THOMAS S. GRAY	NA			
TOTAL	6	0	0	0

APPROVED by the President of the Village of Chatham, Illinois this 22 day of SEP, 2015.


Thomas S. Gray, Village President

Attest:


Pat Schad, Village Clerk