

ORDINANCE NUMBER 24 - 05

**AN ORDINANCE OF THE VILLAGE OF EAST DUNDEE,
COOK AND KANE COUNTIES, ILLINOIS, GRANTING A
CLASS E LIQUOR LICENSE TO THE ANVIL CLUB, INC. AND
AMENDING SECTION 116.05(B) OF THE VILLAGE CODE TO
INCREASE THE NUMBER OF CLASS E LIQUOR LICENSES
(Tequila Val's)**

WHEREAS, the Village of East Dundee ("Village") is a home rule unit of local government pursuant to Section 6 of Article VII of the Constitution of the State of Illinois, and has the authority to exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, the Illinois Liquor Control Act, 235 ILCS 5/1-1, *et seq.*, authorizes the Village to determine the number, kind and classification of licenses for the retail sale of alcohol liquor, and to establish rules and regulations for the sale thereof; and

WHEREAS, the Anvil Club, Inc., an Illinois corporation d/b/a the Anvil Club ("Licensee"), held a Class E Liquor License issued by the Village ("Existing Liquor License") to permit the sale of alcoholic beverages at the premises located at 309 Meier Street, East Dundee, Illinois ("Premises");

WHEREAS, pursuant to Section 116.06(C) of "the Code of the Village of East Dundee" ("Village Code"), transfers of ownership in a liquor license holder in excess of 50% is deemed a transfer of the liquor license and requires reapplication for a new liquor license; and

WHEREAS, pursuant to Section 116.06(A), the transfer of the Existing Liquor License is prohibited and the Existing Liquor License is terminated; and

WHEREAS, pursuant to Section 116.05(I) of the Village Code, the termination of the Existing Liquor License reduced the number of permitted Class E liquor licenses; and

WHEREAS, the Village has received a request from Colin Hegarty and Thomas Roeser to: (i) amend Section 116.05(I) to increase the number of Class E liquor licenses, from 3 to 4; and (ii) issue a new Class E liquor license to The Anvil Club, Inc., an Illinois corporation d/b/a Tequila Val's, for the Premises; and

WHEREAS, the President and Board of Trustees have deemed it to be in the best interest of the Village to: (i) amend Section 116.05(B) to increase the number of permitted Class E liquor licenses from three to four; and (ii) grant a Class E liquor license to Licensee for the Premises;

NOW THEREFORE BE IT ORDAINED BY THE VILLAGE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF EAST DUNDEE, COOK AND KANE COUNTIES, ILLINOIS, AS FOLLOWS:

SECTION 1: Incorporation. That the recitals above shall be and are hereby incorporated in this Section 1 as if restated herein.

SECTION 2: Amendment of Section 116.05(B). That Section 116.05(B) be amended to increase the number of permitted Class E liquor licenses from three to four.

SECTION 3: Granting of Class E Liquor License. That the Local Liquor Control Commissioner or their designee is hereby authorized to issue a Class E liquor license to Licensee for the Premises.

SECTION 4: Continuation. That all provisions of the Village Code not amended herein shall remain in full force and effect.

SECTION 5: Severability. That if any Section, paragraph or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such Section, paragraph or provision shall not affect any of the remaining provisions of this Ordinance.

SECTION 6: Repeal. That all ordinances, resolutions, motions or parts thereof in conflict with this Ordinance shall be and the same are hereby repealed.

SECTION 7: Effect. That this Ordinance shall be in full force and effect upon its adoption, approval and publication in pamphlet form as provided by law.

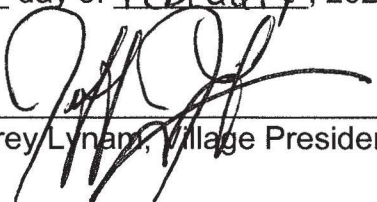
ADOPTED this 5th day of February, 2024 pursuant to a roll call vote as follows:

AYES: Mahony, Kunze, Brittin, Saviano and Sauder

NAYES: 0

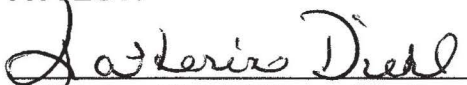
ABSENT: Treiber

APPROVED by me this 5th day of February, 2024.



Jeffrey Lynam, Village President

ATTEST:



Katherine Diehl, Village Clerk

Published in pamphlet form this 5th day of February, 2024, under the authority of the Village President and Board of Trustees.

Recorded in the Village records on February 6, 2024.