

CITY OF VILLA GROVE
DOUGLAS COUNTY, ILLINOIS

ORDINANCE NO. 2017-MC12

**AN ORDINANCE AMENDING CHAPTER 111 OF THE CITY OF VILLA GROVE
MUNICIPAL CODE OF ORDINANCES TO PROVIDE FOR AN ADDITIONAL
CLASS "A" LIQUOR LICENSE AND TO CREATE THE POSITION
OF DEPUTY LIQUOR COMMISSIONER**

PASSED BY THE CITY COUNCIL AND
APPROVED BY THE MAYOR OF THE
CITY OF VILLA GROVE, ILLINOIS
THIS ELEVENTH DAY OF DECEMBER, 2017

PUBLISHED IN PAMPHLET FORM BY AUTHORITY OF THE MAYOR AND CITY COUNCIL OF THE CITY
OF VILLA GROVE, DOUGLAS COUNTY, ILLINOIS THIS ELEVENTH DAY OF DECEMBER A.D. 2017.

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DECEMBER 11, 2017

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WHEREAS, the City of Villa Grove, Douglas County, State of Illinois (the "City") is a duly organized and existing City created under the provisions of the laws of the State of Illinois, and is not operating under the provisions of the Illinois Municipal Code, and all laws amendatory thereof and supplementary thereto with full powers to enact ordinances for the benefit of the residents of the City and the City previously enacted the Code of Villa Grove; and

WHEREAS, the City Council of the City of Villa Grove previously enacted Chapter 111 of the Code of Ordinances which regulates Alcoholic Beverages; and

WHEREAS, the City Council has determined that it is appropriate to increase the number of Class "A" liquor licenses from 5 to 6 and it is appropriate to create the position of "Deputy Liquor Commissioner" to serve instead of the Mayor during periods of illness, absence and/or conflict of interest all as provided herein.

NOW, THEREFORE BE IT ORDAINED BY THE MAYOR AND COUNCIL, CITY OF VILLA GROVE, DOUGLAS COUNTY, ILLINOIS, as follows:

SECTION 1: Incorporation Clause. The Mayor and City Council of the City of Villa Grove, Illinois hereby find that all of the recitals hereinbefore stated as contained in the preambles to this Ordinance are full, true and

correct and do hereby, by reference, incorporate and make them part of this ordinance.

SECTION 2: Purpose. This Ordinance is to amend Section 111.18 and create Section 111.36 of Chapter III of the Villa Grove Code allowing for an extra Class "A" Liquor License and creating the position of Deputy Liquor Commissioner.

SECTION 3: Code of Villa Grove Amendment. Section 111.18 of Chapter III of the Villa Grove Municipal Code is hereby repealed and amended to now read in entirety, as follows:

§ 111.18 ISSUANCE OF LICENSE: TRANSFERENCE; NUMBER OF LICENSE.

No licenses of any kind shall be issued to the persons as are prohibited to receive a retail liquor dealer's license under the "Liquor Control Act" hereinabove referred to. No license under this section shall be transferable. Not more than 6 Class "A" licenses, not more than 3 Class "D" licenses, and not more than 1 class "E" license shall be issued in any year; provided that in the case of surrender or cancellation of any one of the 6 Class "A" licenses, the 3 Class "D" licenses or the 1 Class "E" licenses originally issued in any year, another license, respectively, may be issued in place of the original license.

SECTION 4: Code of Villa Grove Amendment. Section 111 of the Villa Grove Municipal Code is hereby further amended to additionally include the following new section, Section 111.36:

§ 111.36 Deputy Liquor Commissioner.

The Mayor may designate an alderman with the consent of the City Council to serve as "Deputy Liquor Commissioner" for purposes of serving the City Liquor Commissioner during times of absence, illness and/or conflicts of interest. In the event that

the Mayor is unavailable to make such an appointment, then such an appointment may be made upon motion and approval by a majority of the City Council.

SECTION 5: State Law Adopted. All applicable provisions of the Illinois Compiled Statutes, including the Illinois Municipal Code, as may be amended from time to time, relating to the purposes of this Ordinance are hereby incorporated herein by reference.

SECTION 6: Approval and Execution of Documents. The Mayor and City Clerk are hereby authorized and directed to execute and/or publish documents necessary to carry out and give effect to the purpose and intent of this Ordinance.

SECTION 7: Other Actions Authorized. That the Mayor, City Clerk and City Employees are hereby authorized and directed to do all things necessary, essential, or convenient to carry out and give effect to the purpose and intent of this Ordinance.

SECTION 8: Acts of City Officials. That all acts and doings of the officials of the City, past, present and future which are in conformity with the purpose and intent of this Ordinance, are hereby in all respects, ratified, approved, authorized and confirmed.

SECTION 9: Headings. The headings for the articles, sections, paragraphs and sub-paragraphs of this Ordinance are inserted solely for the convenience of reference and form no substantive part of this Ordinance nor should they be used in any interpretation of construction of any substantive provisions of this ordinance.

SECTION 10: Severability. The provisions of this Ordinance are hereby declared to be severable and should any provision, clause, sentence, paragraph, sub-paragraph, section, or part of this Ordinance be determined to be in conflict with any law, statute or regulation by a court of competent jurisdiction, said provision shall be excluded and deemed inoperative, unenforceable, and as though not provided for herein, and all other provisions shall remain unaffected, unimpaired, valid and in full force and effect. It is hereby declared to be the legislative intent of the City Council that this Ordinance would have been adopted had not such unconstitutional or

invalid provision, clause, sentence, paragraph, sub-paragraph, section, or part thereof had not been included.

SECTION 11: Superseder and Publication. All code provisions, ordinances, resolutions and orders, or parts thereof, in conflict herewith, are to the extent of such conflict hereby superseded. A full, true and complete copy of this Ordinance shall be published in pamphlet form as provided by the Illinois Municipal Code, as amended.

SECTION 12: Effective Date. This Ordinance shall be in full force and effect upon passage and approval, as provided by the Illinois Municipal Code, as amended.

PRESENTED, PASSED, APPROVED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF VILLA GROVE, ILLINOIS, at its regular meeting on this eleventh day of December, A.D., 2017, by a roll call vote as follows:

Allen, Bruce D. recused

Griffith, Darrel M. yea

Blaney, Thelma I. yea

Leon, Michael S. yea

Cheely, Jennifer J. yea

Stipp, Robert L. yea

Eversole-Gunter, Cassandra A. _____

APPROVED:

Cassandra A. Eversole-Gunter

CASSANDRA A. EVERSOLE-GUNTER
Mayor

ATTEST:

Michelle L. Osborne

MICHELLE L. OSBORNE
City Clerk

SEAL

