

CITY OF VILLA GROVE
DOUGLAS COUNTY, ILLINOIS

ORDINANCE NO. 2026-MC04

**AN ORDINANCE AMENDING CHAPTER 111 OF THE CITY OF VILLA GROVE
MUNICIPAL CODE TO AUTHORIZE THE LOCAL LIQUOR COMMISSIONER
TO GRANT DISTANCE REQUIREMENT EXEMPTIONS FOR THE
RETAIL SALE OF ALCOHOLIC LIQUOR**

PASSED BY THE CITY COUNCIL AND
APPROVED BY THE MAYOR OF THE
CITY OF VILLA GROVE, ILLINOIS
THIS TWENTY-SEVENTH DAY OF APRIL, 2026

PUBLISHED IN PAMPHLET FORM BY AUTHORITY OF THE MAYOR AND CITY COUNCIL OF THE CITY
OF VILLA GROVE, DOUGLAS COUNTY, ILLINOIS THIS TWENTY-EIGHTH DAY OF APRIL A.D. 2026.

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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 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 Illinois Liquor Control Act of 1934 (235 ILCS 5/1 et seq.) authorizes non-home rule municipalities to regulate the sale of alcoholic liquor within their corporate limits; and

WHEREAS, Section 6-11 of the Illinois Liquor Control Act (235 ILCS 5/6-11) restricts the issuance of retail liquor licenses within 100 feet of certain protected uses, unless otherwise provided by local ordinance; and

WHEREAS, the City Council has determined that it is in the best interests of the public health, safety, and welfare to allow limited flexibility in the application of such distance restrictions under appropriate circumstances.

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 create Sections 111.04 through 111.07 of Chapter 111 of the Villa Grove Code creating the authority, standards, conditions and public hearings for exemptions of distance restrictions.

SECTION 3: Code of Villa Grove Amendment. Chapter III of the Villa Grove Municipal Code is hereby amended to include the following new sections, Section 111.04-111.06 as follows:

§ 111.04 AUTHORITY TO GRANT EXEMPTIONS.

Notwithstanding any provision of this Code to the contrary, and pursuant to the authority granted under 235 ILCS 5/6-1, the Local Liquor Commissioner is hereby authorized, in his or her discretion, to grant an exemption from the prohibition against the issuance of a retail liquor license for premises located within 100 feet of any protected-use property below:

- Church
- School
- Other institution of higher learning
- Hospital
- Home for the aged and indigent persons
- Facility for veterans, their spouses or children
- Military or naval station

§ 111.05 STANDARDS FOR GRANTING EXEMPTIONS.

In determining whether to grant an exemption under this Ordinance, the Local Liquor Commissioner shall consider, at a minimum, the following factors:

- A. The character of the surrounding neighborhood;

- B. The nature of the proposed establishment and its operation;
- C. The proximity and visibility of the protected use;
- D. The potential impact on the protected use and its occupants;
- E. Any written objections or support from the affected institution or nearby property owners;
- F. The applicant's prior record of compliance with liquor laws and local ordinances; and
- G. Any other factor relevant to the protection of the public health, safety and welfare.

§ 111.06 CONDITIONS.

The Local Liquor Commissioner may impose reasonable conditions or restrictions upon any exemption granted under this ordinance, including but not limited to limitations on hours of operation, type of liquor license, or other operational requirements deemed necessary.

§ 111.07 HEARING.

Prior to granting an exemption, the Local Liquor Commissioner may, in his or her discretion, conduct a public hearing and provide notice to the affected institution and nearby property owners.

SECTION 4: Non-Home Rule Limitation. This Ordinance is adopted pursuant to the express statutory authority granted to non-home rule municipalities under the Illinois Liquor Control Act and shall be construed in a manner consistent therewith.

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 Administrator 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 twenty-seventh day of April, A.D., 2026, by a roll call vote as follows:


ELECTED OFFICIAL NAME	AYE	NAY	ABSTAIN	ABSENT
Clark, Wayne R.	✓			
Elston, Christopher R.	✓			
Fulk, Andrew J.	✓			
Hooker, Anthony L.	✓			
Nieto, Gilbert III	✓			
Taylor-Sanford, Clay D.	✓			
<i>If required, Mayoral vote:</i> Rasmussen, Derek L.				

APPROVED:



 DEREK L. RASMUSSEN
 Mayor

ATTEST:



 MICHELLE L. OSBORNE
 City Clerk

SEAL

