
**VILLAGE OF SUGAR GROVE
BOARD REPORT**

TO: VILLAGE PRESIDENT & BOARD OF TRUSTEES
FROM: BRENT EICHELBERGER, VILLAGE ADMINISTRATOR
ALISON MURPHY, ASSISTANT TO THE VILLAGE
ADMINISTRATOR/VILLAGE CLERK
SUBJECT: ORDINANCE: ESTABLISHING A NEW CLASS R LIQUOR LICENSE
AGENDA: FEBRUARY 1, 2022 REGULAR BOARD MEETING
DATE: JANUARY 27, 2022

ISSUE

Should the Village Board approve an ordinance amending the Village Code Section 3-2-6 regarding Liquor License Classifications and Establishing a New Class R Liquor License.

DISCUSSION

At the January 18, 2022 Village Board meeting, the Board discussed creating an on premise “pour” license to accommodate video gaming at gas stations and convenience stores. The Board reached consensus to move forward with an amendment to the Liquor License ordinance to create a new liquor license classification, Class R – Gas Station/Convenience Store with provisions to limit the service to be ancillary to the operation of the store. A total fee of \$3,750.00 will be set for the Class R license, which is an additional \$2,500 over the \$1,250 Class B license (Packaged Liquor).

The draft Prairie Grove Commons annexation agreement includes the creation and issuance of a pour license for the purpose of video gaming. Staff has shared the proposed ordinance amendment with representatives of Casey’s, the proprietors of the proposed new gas station at Prairie Grove Commons, and they indicated their satisfaction with the proposal.

COST

Legal fees are estimated at \$500 for attorney review. The creation of a pour license is expected to result in \$5,000 in new revenue.

RECOMMENDATION

That the Board approve an ordinance amending the Village Code Section 3-2-6 regarding Liquor License Classifications and Establishing a New Class R Liquor License.



VILLAGE OF SUGAR GROVE

ORDINANCE NO. 20220201B

**An Ordinance Amending Village Code Section 3-2-6 Regarding Liquor License Classifications and
Establishing a New Class R Liquor License**

PASSED BY THE PRESIDENT AND BOARD OF TRUSTEES
OF THE VILLAGE OF SUGAR GROVE, KANE COUNTY, ILLINOIS
THIS 1ST DAY OF FEBRUARY, 2022.

PUBLISHED IN PAMPHLET FORM BY AUTHORITY
OF THE PRESIDENT AND BOARD OF TRUSTEES
OF THE VILLAGE OF SUGAR GROVE, KANE COUNTY, ILLINOIS
THIS 1ST DAY OF FEBRUARY, 2022

**VILLAGE OF SUGAR GROVE
ORDINANCE NO. 20220201B**

**An Ordinance Amending Village Code Section 3-2-6 Regarding Liquor License Classifications and
Establishing a New Class R Liquor License**

BE IT ORDAINED by the President and Board of Trustees of the Village of Sugar Grove, Kane County, Illinois, as follows;

WHEREAS, the Village of Sugar Grove is not a home rule municipality within Article VII, Section 6A of the Illinois Constitution and accordingly, acts pursuant to the powers granted to it under 65 ILCS 5/1-1 et seq.; and,

WHEREAS, the Illinois Liquor Control Act, 235 ILCS 5/4-1, establishes that the Village of Sugar Grove Board of Trustees shall have the power by general ordinance or resolution to determine the number, kind, and classification of licenses, for sale at retail of alcoholic liquor; and,

WHEREAS, a request has been made to the Village to establish a new “Class R – Gas Station/Convenience Store” liquor license; and,

WHEREAS, the Village of Sugar Grove Board of Trustees finds that it is in the best interests of the citizens of the Village of Sugar Grove to amend the Village of Sugar Grove Village Code, Section 3-2-6-A with regard to the aforementioned proposition.

NOW, THEREFORE, BE IT ORDAINED by the President and the Board of Trustees of the Village of Sugar Grove, Kane County, Illinois, as follows:

SECTION ONE: CREATION OF A NEW CLASS R LIQUOR LICENSE

Section 3-2-6 of the Village Code shall be amended to add a new Section 3-2-6-A-18 establishing a “Class R – Gas Station/Convenience Store” liquor license. Section 3-2-6-A-18 shall read as follows:

3-2-6-A-18. Class R – Gas Station/Convenience Store

a. A Class R license shall authorize the licensee to sell to the general public alcoholic liquor in original packages only, for consumption off of the premises where sold, and shall authorize the service of beer only, in conjunction with video gaming, to be sold for consumption on the specified premises.

b. The on-site consumption component of the Class R license shall be subject to the following guidelines and restrictions:

- (1) This license shall authorize the service of beer only, limited to one (1) drink per hour per video gaming customer on the licensed premises, and no such customer shall be served more than two (2) beer beverages during any one calendar day.
- (2) No serving of beer shall be greater than twelve (12) fluid ounces and shall not exceed a maximum alcohol content of 5% ABV.

- (3) The service of beer shall be ancillary to the operation of a gas station or convenience store that holds a valid video gaming license with the state and the village. It shall not be advertised or otherwise held out to be a drinking establishment. No window or any other signage shall be permitted on the licensed premises or surrounding property that indicates that alcoholic beverages are available for consumption at the licensed premises.
- (4) On-premise consumption may only occur in the separate video gaming area, and video gaming terminals must be located in the direct line of site of the cashier from the location of the cashier counter. No patio, beer garden, or similar area shall be allowed on the licensed premises for alcohol consumption.
- (5) Beer beverages may not be removed from the designated gaming area at any time. (6) The license holder shall not serve alcohol to any individual without their age having been first verified confirming that such individual is at least twenty-one (21) years of age.
- (7) Beer shall be poured from its original container into a clear container before serving to a customer. No cans or glass containers shall be allowed.
- (8) Beer service shall only be provided to patrons who are actively playing on video gaming terminals.
- (9) No happy hour practices shall be allowed on the licensed premises.
- (10) The license holder shall adhere to the village's closing hours set forth in section 3-2-13 of the Village Code.

SECTION TWO: GENERAL PROVISIONS

REPEALER: All ordinances or portions thereof in conflict with this Ordinance are hereby repealed.

SEVERABILITY: Should any portion of this Ordinance be declared invalid by a court of competent jurisdiction; the remaining provisions will remain in full force and effect the same as if the invalid provision had not been a part of this Ordinance.

EFFECTIVE DATE: This Ordinance shall be in full force and effect after its approval, passage, and publication in pamphlet form as provided by law.

PASSED AND APPROVED by the President and Board of Trustees of the Village of Sugar Grove, Kane County, Illinois, this 1st day of February, 2022.

Jennifer Konen,
Village President

ATTEST:

Alison Murphy,
Village Clerk

| | Aye | Nay | Absent | Abstain |
|-------------------------|-------|-------|--------|---------|
| Trustee Matthew Bonnie | _____ | _____ | _____ | _____ |
| Trustee Sean Herron | _____ | _____ | _____ | _____ |
| Trustee Heidi Lendi | _____ | _____ | _____ | _____ |
| Trustee Michael Schomas | _____ | _____ | _____ | _____ |
| Trustee Ryan Walter | _____ | _____ | _____ | _____ |
| Trustee James F. White | _____ | _____ | _____ | _____ |