

AN ORDINANCE AMENDING CHAPTER 13
OF THE ARLINGTON HEIGHTS MUNICIPAL CODE

SECTION ONE: That Chapter 13, Alcoholic Liquor Dealers, of the Arlington Heights Municipal Code, is hereby amended as follows (the language being added is highlighted and the language being deleted is stricken):

1. That Section 13-101, Definitions, is hereby amended by adding the following definition and re-lettering the existing subsections as needed:

- i. **Cosmetic Facility.** Any place of business at which a person receives cosmetic services from a State licensed professional, such as a barber, cosmetologist, or nail technician; however, cosmetic facility shall not include places of business which are classified as Massage/Accu-Pressure establishments, as that term is defined in Section 28-3(74) of this Code.

2. That Section 13-501, Classification, is hereby amended by adding Class “N” and Class “O” liquor license classifications and re-lettering the existing subsections as needed:

- q. **Class “N” license** which shall permit the retail sale of alcoholic liquor at hotels for consumption on the premises where sold only to guests of the hotel. A holder of a Class “N” license may sell alcoholic liquor at a retail location within the hotel as well as in a hotel room.

If the sale is at a retail location, prior to any sale, the purchaser must provide proof that s/he is a guest at the hotel where the purchase is being made. The retail location must either be accessible only to the front desk staff of the hotel or in a locked display cabinet or cooler.

In each hotel room, the hotel may install cabinets for the storage of liquor for the use of guests in each room, provided, however, that each cabinet must be locked and access may only be given to a guest who is 21 or older at the time of checking in to the hotel.

This classification of license is exempt from the restrictions in Section 13-611 regarding sales of single servings of alcoholic liquor.

- r. **Class “O” license** which shall permit the retail sale of alcoholic liquor at cosmetic facilities for consumption on the premises where sold. Liquor may be sold only to customers of the cosmetic facility during the time they are in the facility to receive services. The retail sale of liquor shall be limited to beer and wine only and no customer shall be served no more than two alcoholic beverages during any one calendar day.

3. That subsection b. of Section 13-204, Training Requirements for Beverage Alcohol Sellers and Servers Education and Training Program (BASSET), is hereby amended as follows:

- b. All persons employed by an establishment holding a class "A", "AA", "B", "BB", "C", "DD", "E", "G" or "H", "I", "J", "K", ~~"L"~~, "N", or "O" liquor license who serves or sells alcoholic beverages shall, upon demand, show a valid State-certified BASSET card or its equivalent, meeting the minimum curriculum requirements of the Illinois Department of Alcoholism and Substance Abuse (DASA), Title 77, Chapter X, Rule 2056.

4. That Class "N" and Class "O" liquor licenses are hereby added to the Table in Section 13-502, Fees and Number of Licenses, as follows:

| Class of License | Annual License Fee | Number of Licenses Authorized |
|------------------|--|-------------------------------|
| N | \$ 1,000 (retail only or in-room only) \$1,400 (retail and in-room) | 0 |
| O | \$1,400 | 0 |

5. That Class "N" and Class "O" liquor licenses are hereby added to the Tables in Section 13-503, Hours of Operation, as follows:

| Class of License | Monday through Thursday | Friday | Saturday | Sunday |
|--------------------------|-------------------------|------------------------|------------------------|---------------------|
| N (Retail sales only) | 8:00 AM - Midnight | 8:00 AM - 1:00 AM Sat. | 8:00 AM - 1:00 AM Sun. | 8:00 AM - Midnight |
| O | 8:00 AM - Midnight | 8:00 AM - 1:00 AM Sat. | 8:00 AM - 1:00 AM Sun. | 10:00 AM - Midnight |

On the mornings of July 4, Memorial Day, Labor Day and Thanksgiving, the sale of alcoholic beverages is permitted as follows:

| | |
|-------------------------|--|
| Class A - 1 AM | Class E - 1 AM |
| Class AA - 2 AM | Class G - 2 AM |
| Class AA Adjunct - 3 AM | Class I - 1 AM |
| Class B - 2 AM | Class L - 2 AM |
| Class BB - 2 AM | Class N (retail sales only) - 2 AM |
| Class C - 2 AM | Daily - Not for Profit - 30 Minutes Before Closing |
| Class DD - 2 AM | Daily - Special - 30 Minutes Before Closing |

On the morning of January 1, the sale of alcoholic beverages is permitted as follows:

| | |
|-------------------------|----------------|
| Class A - 2 AM | Class E - 2 AM |
| Class AA - 2 AM | Class G - 2 AM |
| Class AA Adjunct - 3 AM | Class I - 2 AM |
| Class B - 2 AM | Class L - 2 AM |

| | |
|-----------------|--|
| Class BB - 2 AM | Class N (retail sales only) – 2 AM |
| Class C - 2 AM | Daily - Not-for-Profit – 30 Minutes Before Closing |
| Class DD - 2 AM | Daily – Special – 30 Minutes Before Closing |

All patrons and customers shall leave the premises no later than ten minutes following the closing hours stipulated above, excepting in establishments which are full service restaurants in which the service of alcoholic beverages is incidental and complimentary to the service of meals; in such establishments, all alcoholic beverages must be removed from all service areas, tables, counters, bars, etc., within ten minutes following the closing hours stipulated.

6. That Section 13-607, Employees, is hereby amended as follows:

Section 13-607 Employees. It shall be unlawful for any licensee or any officer, associate, member, representative, agent or employee of such licensee to engage, or employ, or permit any person under the age of 19 years to handle, sell, serve or deliver alcoholic liquor or to entertain, or to act as host or hostess in or upon the licensed premises where the principal business is the sale of alcoholic liquor, while such premises are open for the sale at retail of alcoholic liquor. Any person under the age of 19 years, engaged or employed or permitted to work in or upon the general premises where the sale of alcoholic liquor is not the main or principal business may not work as entertainer, host or hostess or in connection with the handling, selling, serving or delivering of alcoholic liquor.

It shall be unlawful to permit any person in a Class “A”, “AA”, “B”, “BB”, “C”, “DD”, “E”, “G” or “H”, “I”, “J”, “K”, ~~or~~ “L”, “N”, or “O” licensed establishment to serve or sell alcoholic beverages unless that person has completed the BASSET training program or its equivalent, as required by Section 13-204 of this Code.

7. That Section 13-608, Location Requirements, is hereby amended as follows:

Section 13-608 Location Requirements. No license shall be issued for the sale at retail of any alcoholic liquor within 100 feet of any church, school, hospital, home for the aged or indigent persons or for veterans, their wives or children or any military or naval stations; provided, that this prohibition shall not apply to hotels ~~offering restaurant service~~, regularly organized clubs, or to restaurants, food shops or other places where the sale of alcoholic liquors is not the principal business carried on, if such place of business exempted has been established for such purposes prior to the taking effect of this Article. The prohibition of this Section shall not extend to the renewal of a license for the sale at retail of alcoholic liquor on premises within 100 feet of any church where the church has been established within 100 feet since the issuance of the original license.

8. That Section 13-611, Sales of Single Servings of Alcoholic Beverages, is hereby amended as follows:

Section 13-611 Sales of Single Servings of Alcoholic Beverages. It shall be unlawful for a holder of any classification of liquor license for retail sale not for consumption on the premises to offer for sale or sell any of the following:

- a. A single can of beer or malt liquor unless the volume of the container is greater than 24 fluid

ounces (or approximately 710 ml) but any such can of beer or malt liquor cannot be sold refrigerated or chilled;

- b. A single bottle of beer or malt liquor unless the volume of the container is greater than 12 fluid ounces (or approximately 355 ml) but any such bottle of beer or malt liquor cannot be sold refrigerated or chilled;
- c. A single bottle of beer or malt liquor if the volume is 40 fluid ounces (or approximately 1190 ml) or greater;
- d. A single container of wine, other than sparkling wine and/or champagne, unless the container is greater than 10 fluid ounces (or approximately 300 ml);
- e. A single container of alcoholic liquor other than beer, malt liquor or wine, unless the container is greater than 6.4 ounces (or approximately 190 ml).

It shall further be unlawful for any holder of any classification of liquor license for retail sale to sell any of the above prohibited items attached together in any method other than that done by the distributor or manufacturer. This limitation shall not apply to products permitted to be sold pursuant to subsection b. above.

The prohibitions contained in this Section shall not apply to a holder of a Class “N” license.

SECTION TWO: This Ordinance repeals all ordinances or parts of ordinances in conflict with the provisions hereof, and shall be in full force and effect after its passage, approval and publication in pamphlet form, in the manner provided by law.

AYES:

NAYS:

PASSED AND APPROVED this 18th day of February, 2019.

Village President

ATTEST:

Village Clerk