

VILLAGE OF MAPLE PARK

ORDINANCE NO. 2018-21

**AN ORDINANCE MODIFYING CERTAIN PROVISIONS
OF TITLE 4, "LIQUOR CONTROL," OF THE VILLAGE
CODE OF MAPLE PARK, ILLINOIS TO ADD NEW
PROVISIONS TO CREATE A LIQUOR LICENSE
CLASSIFICATION FOR "COFFEE HOUSES"**

**ADOPTED BY
THE BOARD OF TRUSTEES
OF THE
VILLAGE OF MAPLE PARK**

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WHEREAS, the President and Board of Trustees of the Village of Maple Park desire to modify certain sections of the Maple Park Liquor Control Ordinance; and

WHEREAS, the nature of these revisions will be to add a new liquor license classification for "coffee houses," within the Village.

NOW THEREFORE, BE IT ORDAINED as follows that Title 4, Chapter 2 of the Village Code of Maple Park (The Maple Park Liquor Control Ordinance) shall be modified as follows:

SECTION 1. That the following provisions of Title 4, Chapter 2 of the Maple Park shall be amended:

Section 4-2-2, "Rules and Definitions," shall add a definition for "coffee house" as follows:

COFFEE HOUSE: Any place of business that is open to the public for business not later than 7:00 a.m. and is engaged in the primary business of the sale, over a counter located at the point of sale where customers place orders, of coffee, tea, coffee-based beverages, and other beverages prepared on the premises for consumption on or off the premises. Coffee houses may also engage in the sale of food items, including baked goods, appetizers, sandwiches, salads, and similar food items prepared on or off premises for consumption on or off the premises where served.

Section 4-2-8 "Classification; Fees and Number of Licenses" shall be modified to add new section I. as follows:

- I. Class E-3 Coffee Houses, Beer and Wine Only
 1. Class E-3, which shall permit the retail sale of beer and wine for consumption on the premises only at establishments that are not Restaurants as that term is defined in this Chapter but meet the definition of Coffee House in this Chapter.
 2. The retail sale of wine and beer is permitted only under the following conditions:
 - a. The sale of beer and wine is prohibited before 11 a.m. and after 10:00 p.m.
 - b. Each and every patron who desires to consume beer or wine must be physically present at the counter during each point of sale transaction at which beer or wine is purchased, and must present a valid government issued photo ID.

- c. The sale of beer and wine shall be incidental and secondary to the sale of coffee, food, and similar products.
- 3. The annual fee for a Class E-3 license shall be five hundred dollars (\$500.00).
- 4. There shall be no limit on the number of Class E-3 licenses issued.

SECTION 2. SEVERABILITY.

If any provision of this Ordinance or parts thereof is held invalid by a court of competent jurisdiction, the remaining provisions of this Ordinance are to remain in full force and effect, and are to be interpreted, applied, and enforced so as to achieve, as near as may be, the purpose and intent of this Ordinance to the greatest extent permitted by applicable law.

SECTION 3. EFFECTIVE DATE.

The provisions of this Ordinance will be in full force and effect upon its passage, approval and publication, in accordance with law.

PASSED by the Board of Trustees of the Village of Maple Park, Kane and DeKalb Counties, Illinois this 4th day of **December, 2018**, by a roll call vote as follows:

AYES: Dalton, Dries, Fahnestock, Higgins, Shaver

NAYS: None

ABSENT: None

ABSTAIN: Harris

APPROVED by the Village President and attested by the Village Clerk this **December 6, 2018.**



Kathleen Curtis
Kathleen Curtis, Village President

ATTEST:
Elizabeth Peerboom
Elizabeth Peerboom, Village Clerk

CLERK'S CERTIFICATE

STATE OF ILLINOIS)
) SS
COUNTIES OF DEKALB AND KANE)

I, Elizabeth Peerboom, certify that I am the duly appointed and acting municipal clerk of Maple Park, DeKalb and Kane County, Illinois.

I further certify that on the 4th day of December, 2018, the Board of Trustees of the Village of Maple Park passed and approved Ordinance 2018-21, AN ORDINANCE MODIFYING CERTAIN PROVISIONS OF TITLE 4, "LIQUOR CONTROL," OF THE VILLAGE CODE OF MAPLE PARK, ILLINOIS TO ADD NEW PROVISIONS TO CREATE A LIQUOR LICENSE CLASSIFICATION FOR "COFFEE HOUSES"

Dated at Maple Park, Illinois, December 6, 2018.



Elizabeth Peerboom

Elizabeth Peerboom, Village Clerk