

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 5.08.100 (LICENSE; CLASSIFICATIONS DESIGNATED; FEES) OF CHAPTER 5.08 (ALCOHOLIC BEVERAGES) OF TITLE 5 (BUSINESS LICENSES AND REGULATIONS) OF THE CITY OF CREST HILL CODE OF ORDINANCES

WHEREAS, the City Council of the City of Crest Hill has the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs and protect the public health, safety, and welfare of its citizens; and

WHEREAS, Section 4-1 of the Illinois Liquor Control Act (235 ILCS 5/4-1) authorizes the Corporate Authorities to determine the number, kind, and classification of liquor licenses that authorize the sale of alcoholic liquor at retail within the City’s corporate limits; and

WHEREAS, the Corporate Authorities of the City previously exercised the authority granted by Section 4-1 of the Liquor Control Act, enacting Chapter 5.08 (Alcoholic Beverages) of the City of Crest Hill Code of Ordinances (the “City Code”), including Section 5.08.100 which designates the various classes of Liquor Licenses and the associated license fees; and

WHEREAS, the Corporate Authorities have determined that Section 5.08.100 of the City Code should be amended to add a new category of Liquor License which would allow Restaurants to serve beer and wine, which license shall be designated a Class H-1 Liquor License.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CREST HILL, WILL COUNTY, ILLINOIS, PURSUANT TO ITS STATUTORY AUTHORITY, AS FOLLOWS:

SECTION 1: The City Council hereby finds that all the recitals contained in the preamble to this Ordinance are true, correct, and complete and are hereby incorporated by reference hereto and made a part hereof.

SECTION 2: That Section 5.08.100 is repealed in its entirety and replaced with the following:

§ 5.08.100 LICENSE; CLASSIFICATIONS DESIGNATED; FEES.

(A) Class A licenses, which shall authorize the retail sale upon the premises specified of alcoholic liquor of all varieties for other retail sale of such liquor. The annual fee shall be \$1,500. The number of Class A licenses shall be limited to five. A Class A license shall not be issued to a restaurant, but only to a tavern where the principal business is the sale of liquor on the premises. Carryouts are prohibited for Class A license holders.

(B) Class B licenses, which shall authorize the retail sale of alcoholic liquor upon the specified premises only to club members and guests when accompanied by members and shall be issued only to clubs, as defined in § 5.08.100 or by state law, not organized primarily for the sale of

consumption of alcoholic liquor. The annual fee for such license shall be \$300. The number of Class B licenses shall be limited to two.

(C) Class C licenses, which shall authorize the retail sale of beer and wine in the original package only and not for consumption on the premises, but only where the principal business of the establishment is the sale and dispensation of gasoline and gasoline-related products. This class license will not authorize the holder to sell hard liquor. The annual fee shall be \$1,200.

(D) Class D licenses, which shall authorize that charitable, educational, and benevolent corporations or organizations not organized for pecuniary profit may sell alcoholic beverages upon the specified premises at retail. The fee shall be a daily license fee of \$50 per day for the sale of alcoholic beverages, payable in advance each and every day in which it or they are engaged in the sale of beer; provided that such fee shall not exceed \$300 per year. The word "day" as used in this section shall have reference to any 24 consecutive hours. There shall be no limit on the number of Class D licenses issued, other than the Local Liquor Commissioner's discretion.

(E) Class E licenses, which shall permit the sale of all alcoholic liquor in the original package only and not for consumption on the premises. The annual fee shall be \$1,500. The number of Class E licenses shall be limited to 11.

(F) Class F licenses, which shall be issued to places of business selling alcoholic beverages where live entertainment is offered on the premises by one or more entertainers employed for one or more days, for one or more consecutive weeks. The annual fee shall be \$500 in addition to the regular liquor license fee, payable semiannually in advance. The number of Class F licenses shall not be greater than the total number of Class A, B, C, D and E licenses allowed by this ordinance.

(G) Class X licenses which shall permit the holder thereof to remain open for business during the hours set forth in § 5.08.180. A Class X license shall only be held in conjunction with a licensee's other liquor license classification and shall not confer upon the holder thereof other than the privileges set forth in § 5.08.180. The annual fee shall be \$1,000, and shall be in addition to all other fees due and payable for other liquor licenses, including but not limited to Class F licenses. This division shall be construed to mean that a Class A license holder who also possesses a Class 10 entertainment license and a Class X license shall pay a total annual fee of \$3,500. If the holder of a Class X license sells the business to another person or entity, or if the license holder goes out of business, the Class X license shall abate and shall not be reissued to any other entity, even at the same location.

(H) Class H licenses (restaurant): Class H licenses shall authorize the sale of alcoholic liquor for consumption upon the specified premises in conjunction with a "restaurant," as herein defined. The sale of liquor for consumption off the premises (carryout) is expressly prohibited. The annual fee shall be \$1,200. No holder of a Class H license may provide liquor service if food service is not available.

(H-1) Class H-1 restaurant licenses shall authorize the sale of beer and wine only (bottles, cans and draft) for consumption upon the specified premises in conjunction with a "restaurant" as herein defined. The sale of beer and/or wine for consumption off the premises (carry-out) is expressly prohibited. The annual fee for a Class H-1 license shall be \$750.00. No holder of a Class H-1 license shall be allowed to sell beer or wine if food service is unavailable.

(I) For purposes of this section, a **RESTAURANT** is an establishment offering and serving food prepared for sit-down consumption on the premises, where at least 75% of the square footage of the entire restaurant structure (including kitchen, restroom facilities, reception and bar, if any) is devoted to the preparation or service of food.

(J) (1) Class J licenses (outdoor restaurants and taverns): Restaurants and taverns with space available on the exteriors of their facilities to serve customers food and beverages in an outdoor

setting may apply for a supplemental outdoor restaurant or tavern license. The annual fee shall be \$500. If granted, the supplemental outdoor license shall allow the restaurant or tavern operator to make available space outside the structure housing the restaurant or tavern for customers each calendar year. To qualify for issuance of an outdoor restaurant or tavern license, each owner or operator must demonstrate to the Crest Hill Building Inspector or his/her designee the following:

(a) The outdoor space is either owned or leased by the owner/operator, or that the owner/operator has obtained written permission from the owner to occupy the space designated. No such licenses will be issued to allow the restaurant owner/operator to use space owned by the city or other public body.

(b) The presence of the outdoor space does not present a safety hazard either to the patrons or to the general public.

(c) The indoor facilities, including restrooms, are sufficient to accommodate the increased traffic occasioned by patrons in the outdoor space.

(d) The service of alcoholic beverages in the outdoor space will not present an unreasonable risk of illegal passage of alcohol to minors or others outside the designated space.

(e) The parking spaces available to the facility are sufficient to service the facility, including the outdoor area, in compliance with the requirements of the Crest Hill Zoning Ordinance or other sections of this Code.

(f) The occupant loading ratio to square footage of both the interior and exterior service space is sufficiently safe to satisfy the requirements of this Municipal Code, in the opinion of the Crest Hill Building Inspector or his/her designee.

(g) The square footage in outdoor space allocated to seating of patrons must be specified in the application for a Class J license, and the amount of square footage may be increased without approval by the Liquor Commission upon recommendation by the Building Inspector or his/her designee.

(h) No outdoor facility under the Class J license classification may be located a distance of less than 300 feet from any residential area.

(i) Live entertainment will not be permitted in any outdoor area and, if a license for live entertainment is acquired, said activities must be conducted solely within the fully enclosed building of the licensed premises.

(j) Noise emitting from the licensed outdoor area shall not unreasonably disturb the surrounding locale in which it is located.

(k) Entrance to the licensed outdoor area shall be through the indoor licensed premises, and any part of the licensed outdoor area not abutted by a building shall be enclosed by a fence, with access barred from any public way. The outdoor area must be physically connected to the building housing the indoor restaurant or tavern. Provided, however, that the license shall insure that suitable emergency exits from the **area** approved by the Building Inspector or his/her designee are available to patrons seated in the outdoor area.

(l) Floors shall be of a hard surface, such as concrete, asphalt, brick, or other commonly used and commercially available material. Gravel, sand or other loose aggregate materials shall not be used as the floor of any outdoor seating area.

(m) Food must be available from the kitchen facility of the indoor licensed facility

during all hours of operation of the licensed outdoor area. At no time may liquor be served in an outdoor area if food is not offered.

(n) Hours of operation for outdoor seating shall be Sunday through Thursday 10:00 a.m. to 10:00 p.m. and Friday and Saturday 10:00 a.m. to 11:00 p.m.

(2) If any violations of either state or local liquor regulations occur within the outdoor area, said violations will be addressed in the same manner that violations, including proceedings to revoke or suspend liquor licenses, are addressed under Chapter 5.08 of the Municipal Code. The Liquor Control suspend liquor licenses, are addressed under Chapter 5.08 of the Municipal Code. The Liquor Control Commissioner shall, upon holding a hearing in accordance with Chapter 5.08 and that state statutes, have the power to suspend or revoke the violator's liquor license, or just suspend or revoke the violator's outdoor restaurant or tavern license, as the case warrants.

(3) Violation of this section may also be punished in accordance with § 5.28.010 of this Code.

(K) Class G licenses shall authorize the sale on the specified premises of alcoholic liquor of a golf course owned by a unit of local government for consumption on the specified premises. The licensed premises may include areas outside a permanent structure. The annual fee for such license shall be \$1,500. The number of Class G license shall be limited to one.

(L) Class AG licenses which authorize the sale of alcoholic liquor for consumption upon the specified premises of a diversified family farm used for educational and recreational activities located in a B3 zoning district. The licensed premises may include areas outside of a permanent structure. The annual fee for such licenses shall be \$1,500. The number of Class AG licenses shall be limited to one.

(M) Class K licenses shall authorize the sale of alcoholic liquor of all varieties for consumption on the specified premises of a video gaming café. The sale of alcoholic liquor of any variety for consumption off the premises (carryout) is expressly prohibited. The number of active Class K licenses shall be limited to seven. The annual fee for a Class K license shall be \$1,200.

('78 Code, § 5.08.100) (Ord. 543, passed - -82; Am. Ord. 870, passed 1-19-93; Am. Ord. 912 passed - - 94; Am. Ord. 913 passed - -94; am. Ord. 937, passed 12-5-94; Am. Ord. 939, passed 12-5-94; Am. Ord. 967, passed 12-4-95; Am. Ord. 982, passed 3-18-96; Am. Ord. 1000, passed 8-19-96; Am. Ord. 1016, passed 2-17-97; Am. Ord. 1021, passed 4-7-97; Am. Ord. 1049, passed 3-16-98; Am. Ord. 1077, passed 12-7-98; Am. Ord. 1078, passed 12-7-98; Am. Ord. 1115, passed 12-6-99; Am. Ord. 1119, passed 1-18-00; Am. Ord. 1201, passed 7-2-01; Am. Ord. 1233, passed 3-18-02; Am. Ord. 1289, passed 5-19-03; Am. Ord. 1292, passed 6-16-03; Am. Ord. 1361, passed 6-6-05; Am. Ord. 1376, passed 11-21-05; Am. Ord. 1386, passed 3-6-06; Am. Ord. 1437, passed 9-17-07; Am. Ord. 1503, passed 9-21-09; Am. Ord. 1517, passed 1-19-10; Am. Ord. 1548, passed 11-15-10; Am. Ord. 1556, passed 1-18-11; Am. Ord. 1571, passed 7-18-11; Am. Ord. 1584, passed 12-19-11; Am. Ord. 1592, passed 4-16-12; Am. Ord. 1602, passed 7-2-12; Am. Ord. 1637, passed 8-5-13; Am. Ord. 1680, passed 2-2-15; Am. Ord. 1688, passed 5-18-15; Am. Ord. 1704, passed 12-21-15; Am. Ord. 1705, passed 1-4-16; Am. Ord. 1729, passed 1-16-17; Am. Ord. 1742, passed 8-7-17; Am. Ord. 1753, passed 10-16-17; Am. Ord. 1769, passed 2-5-18; Am. Ord. 1771, passed 3-5-18; Am. Ord. 1773, passed 10-16-17; Am. Ord. 1769, passed 2-5-18; Am. Ord. 1771, passed 3-5-18; Am. Ord. 1773, passed 3-19-18; Am. Ord. 1774, passed 3-19-18; Am. Ord. 1797, passed 1-21-19, Am. Ord. 1810, passed 5-20-19; Am. Ord. 1828, passed 10-21-19; Am. Ord. 1836, passed 1-20-20; Am. Ord. 1847, passed 9-21-20; Am. Ord. 1852, passed 10-19-20; Am. Ord. 1901, passed 4-18-22; Am. Ord. 1921, passed 8-29-22; Am. Ord. 1970 , passed 12-18-23)

SECTION 3: In the event that any provision or provisions, portion or portions, or clause or clauses of this Ordinance shall be declared to be invalid or unenforceable by a Court of competent jurisdiction, such adjudication shall in no way affect or impair the validity or enforceability of any of the remaining provisions, portions, or clauses of this Ordinance that may be given effect without such invalid or unenforceable provision or provisions, portion or portions, or clause or clauses.

SECTION 4: That all ordinances, resolutions, motions, or parts thereof, conflicting with any of the provisions of this Ordinance, are hereby repealed to the extent of the conflict.

SECTION 5: That the City Clerk is hereby directed to publish this Ordinance in pamphlet form.

SECTION 6: That this Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

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PASSED THIS 15TH DAY OF JUNE, 2026.

	Aye	Nay	Absent	Abstain
Alderman Scott Dyke	_____	_____	_____	_____
Alderman Angelo Deserio	_____	_____	_____	_____
Alderwoman Claudia Gazal	_____	_____	_____	_____
Alderman Darrell Jefferson	_____	_____	_____	_____
Alderperson Tina Oberlin	_____	_____	_____	_____
Alderman Mark Cipiti	_____	_____	_____	_____
Alderman Nate Albert	_____	_____	_____	_____
Alderman Joe Kubal	_____	_____	_____	_____
Mayor Raymond R. Soliman	_____	_____	_____	_____

Christine Vershay-Hall, City Clerk

APPROVED THIS 15TH DAY OF JUNE, 2026.

Raymond R. Soliman, Mayor

ATTEST:

Christine Vershay-Hall, City Clerk