

ORDINANCE NO. 2115-21

AN ORDINANCE AMENDING THE VILLAGE CODE OF THE VILLAGE OF HAWTHORN WOODS—TITLE 3, CHAPTER 3 LIQUOR CONTROL, SECTION 3-3-15.D GAMBLING; TO AMEND SUBSECTION 3-3-8-H.1, CLASS VG LICENSE; TO AMEND SECTION 3-3-8.H. ADDING SUBSECTION 4; AND TO AMEND SECTION 3-3-10 NUMBER OF LICENSES

SECTION ONE: That Title 3, Section 3-3-15.D of the Village Code of the Village of Hawthorn Woods is hereby deleted in its entirety and the following language shall be substituted:

... “D. Gambling: It shall be unlawful to permit any gambling on any premises licensed to sell alcoholic liquor unless the local liquor control commissioner issues a Class VG license to the premises.”

SECTION TWO: That Title 3, Subsection 3-3-8.H.1 of the Village Code of the Village of Hawthorn Woods is hereby deleted in its entirety and the following language shall be substituted:

... “Only those establishments holding a Class A (restaurant, banquet facility, recreational entertainment such as bowling alley, movie theatre or golf course), a Class F (retail sale at a bar or table of beer and ale manufactured on the premises where sold – brewpub), or a Class G (full-service bar) liquor license may apply for the Class VG license.”

SECTION THREE: That Title 3, Section 3-3-8.H. be amended to include the following additional language:

...”4. Video Gaming Cafes prohibited. A Video Gaming Café shall not be qualified to obtain any existing classification of Hawthorn Woods Liquor Licenses and is prohibited from becoming a Licensed Video Gaming Location within the Village. Further, no such

license allowing Video Gaming Cafés shall be created, maintained or authorized by this Chapter.

- a. Video Gaming Cafés are defined as an establishment whose primary or major focus is video gaming and the service of alcohol and food is incidental to the operation of video gaming. The following factors may be considered when determining if the establishment is a video gaming cafe:
- b. Does not meet the definition of "restaurant" as defined in Section 9-2-2 of the Zoning Ordinance;
- c. An expected revenue to be at least 85% of its gross revenue on an annual basis exclusively from video gaming activities, which can be certified by request from the Village for pertinent business records to verify the certification included but not limited to financial statements, business financial reports, State of Illinois tax information, or any other record deemed acceptable by the Village.”

SECTION FOUR: That Title 3, Section 3-3-10 of the Village Code of the Village of Hawthorn

Woods entitled “Number of Licenses” shall be deleted in its entirety and the following language shall be substituted:

...” The number of liquor and video terminal licenses shall not exceed the following:

License	Number Of Licenses
Class A	2
Class B	1
Class C	No limit

Class D	No limit
Class E	2
Class F	None authorized
Class G	None authorized
Class VG	2

...”

SECTION FIVE:

1. **Severability.** If any provision of this Ordinance, or the application of any provision of this Ordinance, is held unconstitutional or otherwise invalid, such occurrence shall not affect other provisions of this Ordinance, or their application, that can be given effect without the unconstitutional or invalid provisions or its application. Each unconstitutional or invalid provision, or application of such provision, is severable, unless otherwise provided by this Ordinance.
2. **Effective Date.** This ordinance shall be in full force and effect from and after its passage and approval and publication as required by law.

The foregoing Ordinance was adopted by a roll call vote as follows:

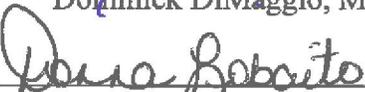
AYES: _____

NAYS: _____

ABSTENTIONS: _____

ABSENT: _____

APPROVED: 
Dominick DiMaggio, Mayor

ATTEST: 
Donna Lobaito, Village Clerk

PASSED: August 9, 2021

APPROVED: August 9, 2021

PUBLISHED: August 10, 2021