

**VILLAGE OF VERNON HILLS
ORDINANCE 2022-043**

**AN ORDINANCE OF THE VILLAGE OF VERNON HILLS REGARDING THE
DELIVERY OF ALCOHOLIC LIQUOR**

WHEREAS, the Village of Vernon Hills (“Village”) is a home rule unit of local government pursuant to Section 6 of Article VII of the Constitution of the State of Illinois, and has the authority to exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, the Illinois Liquor Control Act (the “Act”), 235 ILCS 5/1-1, et seq., authorizes the Village to establish rules and regulations for the sale of alcohol liquor; and

WHEREAS, pursuant to recent amendments to the Act, the President and Board of Trustees of the Village have deemed it to be in the best interest of the Village to amend the Village’s Code of Ordinances to comply with the provisions of the Act that authorize the delivery of alcoholic liquor by local liquor licensees; and

WHEREAS, the Village Board finds that it is in the best interests of the Village, as well as the general public, to enact the Code Amendments as set forth below; and

**NOW THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF
TRUSTEES OF THE VILLAGE OF VERNON HILLS, LAKE COUNTY, ILLINOIS:**

SECTION 1: The above Whereas paragraphs are incorporated by reference into Section 1 of this Ordinance as material terms and provisions.

SECTION 2: Amendments to the Code of Ordinances. Chapter 3, Section 3-36 of the Village of Vernon Hills Code of Ordinances is hereby amended to read as follows:

“Sec. 3-37. - Dispensation and delivery of alcoholic liquor.

(a) Class A liquor licensees may only dispense and deliver alcoholic liquor to customers via: (1) Bartender service, as defined in subsection (b) below, ~~or~~ (2) waitperson service, as defined in subsection (c), below, or delivery service, as defined in subsection (e), below.

(b) Bartender service is the dispensing and delivery of alcoholic liquor by an employee of the licensee to a customer pursuant to a specific request by that customer, and permanent fixture affixed to the floor or walls of the premises such as a bar or counter must separate the employee from the customer. It is specifically prohibited to dispense or deliver alcoholic liquor from any temporary apparatus or from any tub, cooler, or other similar container or device located in an area accessible to customers.

(c) Waitperson service is the delivery of alcoholic liquor by an employee of the licensee to a customer pursuant to a specific request by that customer, and the employee must retrieve such alcoholic liquor in accordance with subsection (b) above, specifically prohibited to deliver alcoholic liquor to a customer who has not previously requested such alcoholic liquor.

(d) Failure to dutifully enforce this section shall be grounds for license revocation.

(e) All holders of a liquor license for the retail sale of alcoholic liquor shall be permitted to deliver, either directly or through a third party delivery service, or allow for curbside pick-up of pre-packaged alcohol within the corporate limits of the Village in accordance with 235 ILCS 5/5-1(d) and subject to the following restrictions:

(i) Alcoholic liquor must be delivered by an individual at least twenty-one (21) years of age or older;

(ii) Deliveries must be during liquor service hours allowed for the liquor license holder;

(iii) The express company, common carrier, contract carrier, employee or agent of a liquor license holder that carries or transports alcoholic liquor into or within the Village shall not deliver or leave such deliveries without requiring a signature of an individual twenty-one years of age or older;

(iv) Adequate evidence for proof of age shall be produced to the delivery agent in all instances of delivery;

(v) A record shall be kept by the express company, common carrier, contract carrier, employee or agent of a liquor license holder who delivers alcoholic liquor into or within the Village indicating the purchaser's name, address, and driver's license/state identification number; the time, date and place of delivery; and the individual deliverer's identity; and

(vi) All persons delivering alcoholic liquor within the Village shall receive Basset training and training that covers the Village's rules and regulations, specifically regarding how to properly check and record proper identification. Proof of this training shall be provided to the Village upon request."

SECTION 3: All ordinances, codes or regulations, or parts of ordinances, codes or regulations, of the Village of Vernon Hills in conflict with the provisions of this Ordinance are repealed insofar as they conflict herewith. Each section, paragraph, clause and provision of this Ordinance is separable, and if any provision is held unconstitutional or invalid for any reason, such decision

shall not affect the remainder of this Ordinance, nor any part thereof, other than that part affected by such decision.

SECTION 4: Except as to the Code Amendments set forth above in this Ordinance, all Chapters and Sections of the Code of Ordinances of the Village of Vernon Hills, as amended, shall remain in full force and effect.

SECTION 5: This Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by State law.

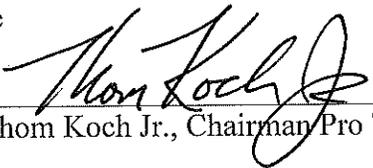
Dated the 5th of April, 2022

Adopted by roll call votes as follows:

AYES: 4 – Forster, Oppenheim, Marquardt, Koch

NAYS: 0 - None

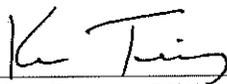
ABSENT AND NOT VOTING: 3 – Schenk, Takaoka, Byrne


Thom Koch Jr., Chairman Pro Tem

PASSED: 04/05/2022

APPROVED: 04/05/2022

ATTEST: 04/05/2022


Kevin Timony, Village Clerk

