

AN ORDINANCE AMENDING TITLE 7 (BUSINESS AND LICENSE), CHAPTER 4 (RETAIL LIQUOR ESTABLISHMENTS), SECTION 7-4-28 OF THE ORLAND PARK VILLAGE CODE REGARDING PROHIBITED SALE OR PROMOTION OF ALCOHOLIC BEVERAGES.

WHEREAS, the Village President and Board of Trustees of the Village of Orland Park (the Village") have the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs and to protect the public health, safety and welfare of its citizens; and

WHEREAS, the Illinois Municipal Code Section 65 ILCS 5/11-20-2 authorizes the corporate authorities of each municipality to "locate and regulate the places where and the manner in which any beverage or food for human consumption is sold."

WHEREAS, it is necessary that the sections of the Village Code regulating the prohibited sale or promotion of alcoholic beverages include prohibition of "on demand" delivery of alcoholic beverages in the interests of the health, safety, and welfare of the residents and businesses of the Village.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Orland Park, Cook and Will Counties, Illinois, as follows:

That Section 7-4-28 shall be amended and revised to read as follows:

All licensees selling alcoholic beverages to be served and consumed on the licensed premises are prohibited from engaging in any of the following enumerated practices:

1. No licensee, employee or agent of a licensee shall:
 - (a) Sell, offer or deliver to any person or persons any drinks sold on the basis of two (2) or more drinks for the price of one drink.
 - (b) Sell, offer or deliver to any person an unlimited number of drinks during any set period of time for a fixed price, except at private functions not open to the public or full meal (banquet packages) and hors d'oeuvres packages which are open to the public.
 - (c) Increase the volume of alcoholic beverages contained in a drink without increasing proportionately the price charged for such drink during the same calendar week.

(d) Encourage or permit any game or contest which involves drinking or the awarding of drinks as prizes on the licensed premises.

2. No licensee shall advertise or promote in any way, whether within or without the licensed premises, any of the practices prohibited under this Section.

The prohibition contained herein shall not prohibit liquor licensees from:

- (a) Offering free food or entertainment at any time.
- (b) Including a drink as part of a meal package.
- (c) Free wine tastings.
- (d) Offering room services to registered guests in hotels licensed for such services.

Licensees should make nonalcoholic beverages available for purchase by any person, and licensees should make coffee available for purchase by any person during the licensee's hours of operation.

3. No licensee, employee, independent contractor or agent of a licensee shall:

- (a) Sell, offer or deliver to any person or persons any alcoholic beverages by way of "on-demand" delivery as defined in section 7.4.28.3(b).

- (b) "On demand" delivery is hereby defined to include any intrastate delivery service whereby consumers order goods, either directly from a vendor or through a third-party, for delivery to a location and the delivery is effectuated within twelve (12) hours after the order was made.

4. If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this Ordinance. All ordinances in conflict herewith are hereby repealed to the extent of such conflict.

5. This Ordinance shall be in full force and effect from and after its adoption, approval and publication in pamphlet form as provided by law.