MEMO

FOSTER BUICK

ATTORNEYS AT LAW

To: **Cortland Board of Trustees and Mayor Stokes**
From: **Town Attorney - Kevin E. Buick**
Date: **July 19, 2019**
Regarding: **Liquor Chapter Revisions**

Last month, one of your liquor license holders, Casey's, approached the Board requesting the ability to sell hard liquor in addition to beer and wine at their store. On July 22 you will take up discussion of this request and to facilitate consideration I have prepared a draft of a possible "Class H-1" license which could accommodate the request. In preparing this draft, I have essentially mirrored existing "Class H" license provisions, which you may recall was significantly modified last year to accommodate Kelly-Williamson's request to enable video gaming. Please know that the ordinance draft can be modified so that it does not contemplate video gaming if you wish. In other words, the Town could tailor a license for convenience stores which simply permits sale of package liquor for off-site consumption only without any on-site consumption (which is necessary for videogaming purposes). Again, we will discuss this more fully on Monday night.

The Town Clerk will share with you the current liquor control chapter in the Town Code so that you can have the opportunity to carefully review regulatory aspects for different classes of licensees. For example, there is a floor space limitation requirement right now in the Class H/H-1 provisions. There are other elements to consider, such as separated liquor areas, areas that can be locked when the store might otherwise be open but outside of permissible liquor sale hours, and other means and methods of appropriately moderating liquor sales for different classes of licensees as the Board may deem appropriate. I would encourage you to explore regulation that other communities have, which can be easily accessed on the internet through the Sterling Codifiers' website or the Municipal Code Corporation's website, in order to avoid "re-inventing the wheel." Both of those municipal codifying companies have links to all manner of communities in Illinois that can be perused for the many, many different types of regulation that communities typically are looking to when considering liquor control.

You also may wish to discuss the possibility of creation of a license classification for bars. Cortland currently has no provisions for that type of establishment in its liquor code, but it is my understanding that there may be business interest in the near future, so now may be the time to begin planning on that front.

If anyone has any specific questions about the nature of consideration of these items, please do not hesitate to contact me at any time.