

**VILLAGE OF DOWNERS GROVE**  
**COUNCIL ACTION SUMMARY**

**INITIATED:** Liaison to the Liquor Commission      **DATE:** September 7, 2004  
(Name)

**RECOMMENDATION FROM:** Liquor Commission      **FILE REF:** \_\_\_\_\_  
(Board or Department)

**NATURE OF ACTION:**

- Ordinance
- Resolution
- Motion
- Other

**STEPS NEEDED TO IMPLEMENT ACTION:**

Motion to Adopt "AN ORDINANCE AMENDING PROVISIONS FOR NOT-FOR-PROFIT CLUBS", as presented.

**SUMMARY OF ITEM:**

Adoption of the attached ordinance will amend certain liquor provisions concerning bingo/pull tab/jar games conducted at Club (Class "C") licensed premises.

**RECORD OF ACTION TAKEN:**

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ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING PROVISIONS FOR NOT-FOR-PROFIT CLUBS**

BE IT ORDAINED by the Village Council of the Village of Downers Grove in DuPage County, Illinois, as follows: (Additions are indicated by underline; deletions by strikeout):

**Section 1. That Section 3.32. is hereby amended to read as follows:**

**3.32. Restrictions on club licenses.**

It shall be unlawful for any licensee holding a Class "C" license to sell or offer for sale any alcoholic liquor for any event which is open to the general public, except as follows:

(1) An event open to the public which is for the benefit of a not-for-profit or charitable organization and which is sponsored by a member of the club shall be permitted.

(2) An event open to the public which is not for the benefit of a not-for-profit or charitable organization or which is not sponsored by a member of the club may be held as a special event, subject to the restrictions of Section 3-38 of this Chapter.

~~(3) An event open to the public held for the purpose of gambling as defined in Section 3.33(a).~~  
(Ord. No. 2586, § 1; Ord. No. 2735, § 1.)

**Section 2. That Section 3.33. is hereby amended to read as follows:**

**3.33. Prohibited activities on licensed premises.**

(a) Gambling. It shall be unlawful to permit any gambling on any premises licensed to sell alcoholic liquor ~~with the following exception:~~

~~(1) the game commonly known as "bingo", when conducted in accordance with the provisions of the of the Illinois Bingo License and Tax Act (230 ILCS 25/1 et seq.) and pull tab and jar games when conducted in accordance with the provisions of the Illinois Pull Tabs and Jar Games Act (230 ILCS 20/1 et seq.) may be conducted for the sole benefit of the not-for-profit organization holding a valid Class "C" liquor license and shall be conducted upon those premises holding a Class "C" liquor license.~~

(b) Solicitation. It shall be unlawful for any licensee, its manager or other person in charge of any licensed premises where alcoholic liquor is sold or offered for sale for consumption thereon to engage, employ or permit the engagement or employment of any person, nor shall any person be permitted to remain on said premises, who shall solicit any patron or customer thereof to purchase alcoholic or nonalcoholic liquor for said person, or any other person therein; nor shall any person, whether or not such person impersonates or presents the appearance of one of the opposite sex, and whether or not such person is an employee or entertainer, solicit any patron or customer therein to purchase alcoholic or nonalcoholic liquor for himself or herself or any other person therein; provided, however, that nothing herein contained shall prohibit any adult manager, bartender or waitress who shall be regularly employed therein from accepting and serving the order of a patron or customer in the regular course of employment as such manager or waitress.

(c) It shall be unlawful for any licensee, its manager, or other person in charge of premises licensed to sell alcoholic liquor to permit the following kinds of conduct; or books, magazines, coin-operated motion picture devices, films, or movies depicting, describing or relating to the following kinds of conduct on such premises:

(1) The performance of acts, or simulated acts, of sexual intercourse, masturbation, sodomy, bestiality, oral copulation, flagellation or any sexual acts which are prohibited by law.

(2) The actual or simulated touching, caressing or fondling of the breast, buttocks, anus or

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genitals.

(3) The actual or simulated displaying of the breasts, pubic hair, anus, vulva or genitals.

(d) It shall be unlawful for any licensee, its manager, or other person in charge of premises licensed to sell alcoholic liquor to permit any entertainment, fashion show, presentation or performance which may include any person in a nude or semi-nude state, including, but not limited to, servers, hosts, hostesses, dancers, singers, models or other performance artists, or to permit role playing interactions. (Ord. No. 2489, § 1; Ord. No. 2735, § 1.)

**Section #3** That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

**Section #4.** That this ordinance shall be in full force and effect from and after its passage and publication in the manner provided by law.

\_\_\_\_\_  
Mayor

Passed:

Published:

Attest: \_\_\_\_\_

Village Clerk