

ORDINANCE NO. 1038

AN ORDINANCE AMENDING THE VILLAGE OF MACKINAW MUNICIPAL CODE
SAID MUNICIPAL CODE BEING ORDINANCE NO. 513 OF THE VILLAGE OF
MACKINAW TO PROVIDE AMENDMENTS RELATING TO SPECIAL EVENT LIQUOR
LICENSES

BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE
OF MACKINAW:

SECTION 1: § 113.110 of the Village Code of the Village of Mackinaw is hereby amended by deleting the definitions of “private function”, “public function” and “tavern” and inserting a new definition, which shall be as follows:

SPECIAL EVENT. Means an event at which alcoholic liquor is offered for sale at retail for consumption in any area other than Premises for which a class A, A-1, C, E, F, or I license has been issued.

SECTION 2. §113.110 of the Village Code of the Village of Mackinaw is hereby amended in the following manner, with additions shown in underlined font.

PREMISES. Means the area within a building for which a license to sell alcoholic liquor is issued and which is actually used in connection with the storage, preparation, and sale of alcoholic liquor, but specifically excluding any outside areas such as patios, open porches, roof tops, balconies, stoops, sidewalks, yards, driveways, parking lots and similar outside areas. A Beer Garden or outdoor cafe shall be considered part of the premises if a Class A-1 license has been issued for the Beer Garden or outdoor café.

SECTION 3: §113.60 of the Village Code of the Village of Mackinaw is hereby amended in the following manner and method, with additions shown in underlined font and deletions shown in strike through font:

113.60 License Classifications; Fees

Class A. A Class A license shall authorize the sale at retail of all alcoholic liquor for consumption on the premise described in the license and alcoholic liquor in original packages for consumption off the premise described in the license. A Class A license shall not authorize the sale at retail of alcoholic liquor for a special event. Fee: \$500.00

Class A-1. Applicant must have a valid Class A license. A supplemental license may be obtained for the retail sale of alcoholic beverages in an outdoor beer garden or cafe adjacent to the licensed premises. The annual fee for this supplemental license will be \$100.00 annually. To apply for this supplemental license, the licensee shall file its request in writing with the Liquor Control Commission to be approved by the Village of Mackinaw Trustees. A Class A-1 license shall not authorize the sale at retail of alcoholic liquor for a special event. Fee: \$100.00

The request shall include a scale drawing of the proposed outdoor

- a. A method by which the area shall be confined to prohibit the removal of alcoholic liquor and constrict noise to the approved area.
- b. A reasonably substantial structure across which alcoholic liquor shall be served which shall afford bartenders reasonable protection from patrons unless the outdoor facility is serviced directly by the indoor licensed premises.
- c. The locations of at least two (2) exits from the area, only one of which shall be through a building or, in the case of a patio, deck, open porch, balcony or rooftop facility, such exits.

Class B. A Class B license shall authorize the sale at retail of alcoholic liquor in original packages for consumption off the premise described in the license. The sale at retail of alcoholic liquor for consumption on the premise described in the license is strictly prohibited. **Fee: \$500.00**

Class B-1. A Class B license shall authorize the sale at retail of alcoholic liquor in original packages for consumption off the premises described in the license, which alcoholic liquor in original packages may be delivered to customers using parking lot or curbside delivery. Delivery of alcoholic liquor in original packages shall only be permitted in the parking lot of the licensed premises or to a vehicle parked on a public street immediately adjacent to the licensed premises. No individual shall be eligible for a Class B-1 license unless such individual has been issued a Class B license. **Fee: \$0**

Class C (Club). A Class C license shall authorize the sale at retail of alcoholic liquor by a club for consumption on the club premise described in the license. The sale at retail of alcoholic liquor for consumption off the premise described in the license is strictly prohibited. A Class C license shall not authorize the sale at retail of alcoholic liquor for a special event. **Fee: \$150.00**

Class E. A Class E license shall authorize the sale at retail of alcoholic liquor for consumption on the premise of a restaurant described in the license. The sale at retail of alcoholic liquor for the consumption off the premise described in the license is strictly prohibited. Not less than 51 % of the restaurant's gross retail sales revenue must be from the sale of food and/or non-alcoholic beverages. A Class E license shall not authorize the sale at retail of alcoholic liquor for a special event. **Fee: \$500.00**

Class F. A Class F license shall authorize the sale at retail of beer and wine only, for the consumption on the premise of a restaurant. The sale at retail of alcoholic liquor other than beer and wine or the sale of alcoholic liquor for consumption off the premise described in the license is strictly prohibited. Not less than 51 % of the restaurant's gross retail sales revenue must be from the sale of food and/or non-alcoholic beverages. A Class F license shall not authorize the sale at retail of alcoholic liquor for a special event. **Fee: \$400.00**

Class G. A Class G license shall be a supplemental license which shall authorize the sale of alcoholic liquor for consumption on the premise by the holder of a Class A, C, E, or F license as a part of a public activity or special event approved by the Board of Trustees. The period of the license shall not exceed four days. No special event may be held by the holder of a Class A, C, E, or F license without first obtaining a Class G license. **Fee: \$50.00**

Class G-1. A Class G-1 license shall authorize the sale of alcoholic liquor for consumption on the premises as a part of a ~~public activity or~~ special event approved by the Board of Trustees for a non-license holder applicant. This period of the license shall not exceed four (4) days. **Fee: \$50.00**

Class H (Public Accommodation License). A Class H license shall authorize the service and consumption of alcoholic liquor at a public accommodation facility on the premises as a part of a ~~public activity or~~ special event approved by the Board of Trustees. The period of the license shall not exceed four days and not more than one license in any twelve-month period may be issued for a single special event. Not more than two Class H licenses shall be issued to any person in a calendar year. Not less than 75% of the public accommodation facility's gross retail sales revenue must be from sales and events unrelated to alcoholic liquor. **Fee: \$50.00**

Class I. A Class I license shall authorize the consumption of alcoholic liquor only on the premises of a public accommodation facility described in the license. **Fee: \$150.00**

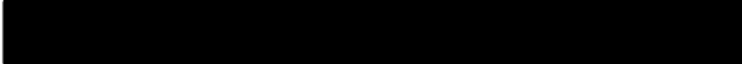
SECTION 4: If any section or part of this Ordinance is held invalid, it shall not affect the validity of the remainder of this Ordinance.

SECTION 5: This Ordinance shall take effect 10 days after publication thereof as provided by law.

SECTION 6: Ordinance No. 513 of the Village of Mackinaw, as amended by this Ordinance, shall remain in full force and effect and all previous amendments to Ordinance No. 513 shall remain in force and effect except as modified by this Ordinance.

PASSED in due form on a roll call vote by the Board of Trustees of the Village of Mackinaw at a duly held meeting on the 12th day of December, 2022

APPROVED:


Josh Schmidgall, President of the Board of Trustees of
The Village of Mackinaw

ATTEST:


Lisa Spencer

Village Clerk

AYES:

NAYS:

ABSENT:

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