

Vermilion County

Liquor Control Ordinance

Establishing Rules and Regulations

For The

Sale of Alcoholic Beverages Within the Unincorporated Areas

of

Vermilion County, Illinois

(As Amended)

Liquor Control Commissioner

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VERMILION COUNTY LIQUOR CONTROL ORDINANCE (As Amended)

Establishing Rules and Regulations for the Sale of Alcoholic Beverages Within the Unincorporated Areas of Vermilion County, Illinois

ARTICLE I

WHEREAS, the County Board has heretofore established Rules and Regulations for County Liquor Licenses outside the corporate limits of any municipality within Vermilion County, Illinois; and,

WHEREAS, the County Board of Vermilion County, Illinois desires to update and revise these said Rules and Regulations.

NOW, THEREFORE, BE IT ORDAINED by the County Board of Vermilion County, Illinois, Liquor Ordinance establishing Rules and Regulations for the Sale of Alcoholic Beverages outside the corporate limits of any municipality within Vermilion County, Illinois, be and is hereby adopted by the duly elected County Board of Vermilion County, Illinois, and shall become effective upon its adoption.

BE IT FURTHER ORDAINED that the following Vermilion County, Illinois, Liquor and Ordinance establishing Rules and Regulations for the Sale of Alcoholic Beverages outside the corporate limits of any municipality within Vermilion County, Illinois be and is hereby adopted by the duly elected County Board of Vermilion County, Illinois, and shall become effective upon its adoption.

ARTICLE II

Definitions of Words and Terms

The following definitions shall apply to the words and terms when used within the Ordinance. Words and phrases defined in the State of Illinois Liquor Control Act, Chapter 43, Illinois Revised Statutes shall also apply in the enforcement of this Ordinance.

- A. Alcoholic Beverages: Spirits, wine, beer, ale, whiskey, gin, brandy, rum or any distilled or fermented liquid containing more than one-half of one (1) percent alcohol by volume, for human consumption. The term "Alcoholic Liquor" shall have the same meaning.
- B. Retail Sale: Sale for use or consumption and not for resale.
- C. Sale: Transfer, exchange or barter for consideration, including any sale made by any person including principal, proprietor, agent, servant or employee.
- D. Sell: The act of making a sale, receiving an order for exposing to the public for the purpose of selling or keeping with the intent to sell.
- E. The hours indicated herein shall mean either Central Standard Time or Central Daylight Time, whichever is in effect in Vermilion County.
- F. Beer: A beverage obtained by the alcoholic fermentation of an infusion or concoction of barley or other grain, malt, and hops in water, and includes, among other things, beer, ale, stout, lager beer, porter and the like.
- G. Wine: Any alcoholic beverage obtained by the fermentation of the natural content of fruits or vegetables containing sugar including such beverages when fortified by the addition of alcohol or spirits, as above defined.
- H. Micro-Distillery: A commercial enterprise at a single location producing spirits in quantities no more than fifteen thousand (15,000) gallons per distillation per year, or as otherwise permitted by any amended State statute as found at 235 ILCS 5/6-4.
- I. "Adjacent Premises Area." A defined area that is generally enclosed, but not necessarily under roof, which shall not extend more than 100 feet from the nearest exterior wall of the structure containing the premises licensed under ordinance.

ARTICLE III

Liquor Control Commissioner, Liquor Control Commission

Section 1. Liquor Control Commissioner

The Chairman of the County Board of Vermilion County, Illinois shall be the Liquor Control Commissioner, and shall have the responsibility to administer the provisions of this Ordinance including but not limited to, the issuance of liquor licenses, the revocation or suspension of liquor licenses, and the keeping of records and an official listing of all licenses. The Liquor Control Commissioner shall maintain an office in the Vermilion County Courthouse Annex from which liquor control business will normally be conducted.

Section 2. Liquor Control Commission

The Liquor Control Commission shall consist of the membership of the Taxation & Elections Committee of the Vermilion County Board. Meetings of the Liquor Control Commission shall be called by the Liquor Control Commissioner or by the Chairman of the Liquor Control Commission through the Office of the Liquor Control Commissioner.

Section 3. Site Review Sub-Committee

The Liquor Control Commission shall establish a Site

Review Sub-Committee consisting of two of its members and a County Health Inspector, when needed, which shall have as its responsibility to make on site visits to make unannounced site visits, review new applications and renewal applications prior to the review of those applications by the Liquor Control Commission. Applications for Class G - Temporary Licenses shall not require a site review unless the Liquor Control Commissioner so directs that a site review be conducted by the Site Review Sub-Committee.

Section 3. Site Review Sub-Committee (con't)

The purpose of the site visit and review shall be to assure that all requirements of this Ordinance and the application are met prior to the issuance of a license. Said Sub-Committee may use the services of the Liquor Control Commissioner's Technical Advisor as deemed necessary. The Liquor Control Commissioner and members of the Site Review Sub-Committee shall receive the per diem pay they would normally receive as County Board members for each day they make license application site visits.

License Required, License Defined, License Privileges

Section 1. License Required

It shall be unlawful to make any sale, to sell at retail, offer to sell or offer for sale any alcoholic liquor at retail within the territory of Vermilion County, Illinois, outside of the corporate limits of any incorporated city or village of said County without having a valid liquor license as provided in this Ordinance or in violation of the regulations and requirements governing such licenses as contained in this Ordinance.

Section 2. License Defined

The terms, "Vermilion County, Illinois, Liquor License", or the short term, "Liquor License", shall be used and shall mean the licensing document issued by the Vermilion County, Illinois Liquor Control Commissioner to permit the sale of alcoholic beverages at retail in accordance with the provisions of this Ordinance.

Section 3. License Privileges

A Liquor License shall allow the licensee to sell or offer for sale at retail, within the premises specified in such license, **and any permitted adjacent area as defined by this ordinance**, alcoholic beverages for use of consumption on said premises, or to sell alcoholic beverages in the original package, not to be consumed on the premises where sold, in accord with the classification of said license as hereinafter provided. It shall be illegal for any license holder to transport or transfer liquor or any alcoholic beverages from one place of business to another place of business. **Adjacent premises areas must meet the definition of this ordinance and also be under the control of the licensee such that access to the area by minors may be controlled and the safety of the public is not threatened, and is otherwise in conformity with the law.**

Application Required, Procedures, Contents

Section 1. Application Required

Any person, partnership or corporation seeking to sell alcoholic beverages under the terms of this Ordinance shall submit the appropriate application for a Liquor License in accordance with the requirements of this Article.

Section 2. Application Procedures

Applications for a Vermilion County, Illinois, Liquor License shall be made in writing by the applicant on forms made available for such purpose. The Liquor Control Commission shall cause the following types of application forms to be prepared and made available and shall have the authority to revise such forms as deemed necessary by the Liquor Control Commission. Prior to making application for a Vermilion County, Illinois, Liquor License, other than a Class G or Class H, temporary license 1 (one) day, special event, applicants shall obtain any zoning amendments, variances, special use permits, or any other zoning amendments, variances, special use permits, or any other zoning approval required to permit the sale of liquor at the applicant's business location.

Type of Application

N - Application for New License

R - Application for Renewal License

G - Application for Temporary License

H - Application for Temporary License - One Day

Special Event

Type of Application/Due date

N - Any applicant not holding a valid Vermilion County Liquor License.

R - Holders of a valid license shall submit by November 10th prior to the date of issuance for the date of issuance for the following calendar year.

G and GG-

Applicants for Temporary (Class G and GG) License shall submit at least thirty (30) days prior to date for which license is requested.

Applications shall be submitted to the Office of the Liquor Control Commissioner and shall be accompanied by a filing fee of Twenty-five Dollars (\$25) which shall be paid by money order, cashier's check or bank draft and shall be made payable to "Vermilion County, Illinois".

License fees, as required in ARTICLE IX, shall not be paid at the time of the application, but shall be paid upon notification that a Liquor License has been approved by the Liquor Control Commissioner.

Upon receipt of an application, the Liquor Control Commissioner shall submit said application and the applicant's file to the Chairman of the Liquor Control Commission or to the Site Review Subcommittee as directed by the Commission.

The Site Review Sub-Committee shall, as appropriate, make an on-site investigation with a County Health Inspector and/or **Sheriff's Department member, if necessary**, of the premises to determine whether all statements on the application are true and correct. **For large outdoor events, Section 2A will also apply.**

The Site Review Sub-Committee shall be authorized to add any appropriate information to the applicant's file including, but not limited to, site review comments, photographs of the premises, and/or recommendations regarding approval or disapproval based on their review of the site and the application.

The Liquor Control Commission or the Site Review Sub-Committee shall inform the license holder by a 48-hour written notice of the date and approximate time that the site review visit will be conducted. Failure of the owner or manager of any licensed establishment to be present and have the licensed establishment open for said site review visit at the prescribed date and time will be cause for the applicant to pay an additional fee of Two Hundred Dollars (\$200) to Vermilion County to cover the cost of a later scheduled site review visit.

Applicants for a new license shall be required to request the Vermilion County Sheriff to conduct a POLICE RECORDS CHECK. Said report shall be forwarded by the Sheriff to the Liquor Control Commissioner. The records check report shall become a part of the applicant's file, but shall be kept as confidential information for review by the Liquor Commissioner and the Liquor Commission only. A records check shall be conducted on each party of the applicant (i.e. individual owner, partner of a partnership, officers of a corporation).

Upon completion of required site investigations and records check the Liquor Control Commissioner shall call a meeting of the Liquor Control Commission to review the full application. Applicants shall be notified by the Liquor Control Commissioner of the meeting date, time, and place. At such meeting, the Liquor Control Commission shall recommend approval or disapproval of the license application, but such action shall not constitute final action on said application.

The Liquor Control Commissioner shall, within a reasonable time of receipt of the Commission's recommendation, make a determination to approve or deny the license as applied. The Liquor Control Commissioner shall notify the applicant in writing of his decision. Such notification shall include instructions to the applicant as to the amount of fee to be paid and the date or conditions under which said license shall be issued.

License fees shall be made payable to "Vermilion County, Illinois", and shall be in the form of a money order, cashier's check or bank draft. The Liquor Control Commissioner shall not issue a license to any applicant unless the license fee has been paid in full in manner prescribed herein. All such fees shall be deposited by the Liquor Control Commissioner into the General Fund of Vermilion County, Illinois.

2A SITE REVIEW OF SPECIAL LARGE OR OUTDOOR EVENTS:

When a picnic, outing, festival or other similar special event involving more than 200 people or an undetermined amount of people, is held out of doors and outside of any licensed premises or its adjacent area, pursuant to a license under this ordinance, the applicant or current license holder shall:

- (1) Use only paper or plastic products to serve alcoholic liquor or food; service of alcoholic liquor in aluminum cans or aluminum bottles may be allowed if approved as part of the permitting process for a special event that is issued a permit pursuant to this ordinance;
- (2) Provide fencing with at least two (2) means of ingress and egress around the area designated in the license; the egress shall have a ratio of at least forty-four (44) inches for every two hundred (200) occupants and at least one (1) alternate exit of at least forty-four (44) inches;
- (3) Monitor each means of ingress and egress so as to provide adequate crowd control;
- (4) Prevent alcoholic liquor from being removed from the designated area by invitees or customers;
- (5) Participate in a meeting with representatives of the Sheriff's Department if requested by the Sheriff or the Sheriff's designee. The purpose of said meeting shall be to discuss and review in detail the following:
 - (A) The proposed physical layout of the site of the event, including but not limited to the location and size of fences or other barriers used to secure the area, the location where alcoholic beverages will be served, the location and size of any stage that will be used for live entertainment, and the number and location of sound amplification devices;
 - (B) The identity, training and background of any persons who will be responsible for security at the event;
 - (C) Any other aspects of how the applicant proposes to operate and manage the event that are related to ensuring that the event will not violate the requirements of this ordinance or otherwise adversely impact on the health, safety and welfare of the public.
- (6) Provide any additional security measures that are recommended by the Sheriff or the Sheriff's designee and required by the Commissioner. Said measures may include the use of fencing or other physical barriers and/or the use of additional personnel. Said additional measures shall be reasonably calculated to ensure compliance with the requirements of this ordinance and other regulations in this Code;
- (7) The Sheriff or Sheriff's designee may consider the following characteristics of the event as proposed to determine whether to request a meeting with the applicant ahead of the event and whether to recommend the imposition of additional security measures as a condition of the license:
 - (A) The size of the site for the event.
 - (B) The duration of the event.
 - (C) The number of persons that can reasonably be expected to attend the event.
 - (D) The event's proximity to residential areas.
 - (E) The event's proximity to public streets or other public rights-of-way.

- (F) Whether live entertainment will be provided.
 - (G) The Sheriff's Department's or other municipalities' experience with similar events in the past.
 - (H) Any other characteristics of the event as proposed that could reasonably be expected to adversely affect the public health, safety and welfare in the absence of adequate security measures.
- (g) In addition to a suspension or revocation of the a license under this ordinance license, or a fine imposed for a violation of this ordinance, the Code and Ordinances or the laws of the state, for failure to comply with this section for large outdoor events, the Liquor Control Commissioner may also impose a penalty that the license under this ordinance license holder may not be issued another license under this ordinance license for a period of up to three (3) years from the date of the violation for which the license under this ordinance has been suspended or revoked.
- (h) The Commissioner may impose reasonable conditions upon a license for operation under any license involving a large outdoor event. The determination of the Liquor Commissioner as to the need for the requirements of this section 2A is final. For certain large events involving more than 200 persons, the costs of any overtime or additional Sheriff's personnel for security may be assessed against the license holder as determined by the Liquor Commissioner.

Section 3. Application Contents

All applications for any license under the terms of this Ordinance shall be completed in full and shall be accompanied by all required attachments as listed herein. All such applications shall be signed by the applicant, if an individual; or partners, if a partnership; or by a duly authorized agent of the corporation, if a corporation; and all signatures thereon shall be verified by a Notary Public registered in the State of Illinois.

Section 3A. Applications for New Licenses

Applications for new license shall include the following items and attachments:

- (a) An indication of the license classification being applied for.
- (b) Name, address and telephone number of the business location that license is being applied for.
- (c) A statement that the business location for which the applicant is requesting a license is not subject to township or municipal zoning, or that the applicant has been granted any zoning amendment, variance, special use permit, or any other zoning permits or approval necessary to allow the applicant to lawfully conduct a business involving the sale of liquor at said location.
- (d) An indication that applicant is an individual owner, partnership, for-profit corporation or not-for-profit corporation.
- (e) Name, title, address, telephone number, present age, place of birth; or if naturalized date and place naturalized for the individual owner; each partner, if a partner- ship; and the agent, manager and corporation officials, if a corporation.
- (f) Information relating to any conviction of any felony crime for any person listed in item (e) above.

- (g) Description of object of business being conducted.
- (h) Information relative to any denials, suspensions or revocations of any liquor licenses that the applicant has had at the same or other premises.
- (i) Information relative to any denials, suspensions or revocations of any type of license that the applicant has had.
- (j) Name of any public office currently held by applicant.
- (k) Attachment giving description of corporation if applicant is a corporation.
- (l) Attachment giving description of place of business.
- (m) Attachment that applicant has requested ~~the Sheriff to conduct~~ a records check.
- (n) Attachment providing a Certificate of Dram Shop Insurance for the term of the license being applied for by a reputable insurance carrier insuring the business under the dram shop laws of the State of Illinois, said certificate reflecting dram shop insurance coverage in the amounts not less ~~than as required by the Illinois Liquor Commission and the determination of the Illinois State Comptroller. \$30,000 Bodily injury, \$40,000 means of support and \$30,000 property damage as stated in the Illinois Revised Statutes as amended.~~
- (o) Attachment providing a Certificate of Liability Insurance on the place of business for the term of the license being applied for by a reputable insurance carrier for not less than \$30,000.
- (p) Attachment providing proof of ownership or lease of premises for the term of the license being applied for.
- (q) Attachment providing a bond in the amount of \$5,000 as required by Article VIII of this Ordinance.
- (r) Attachment providing a Certificate that all taxes and special assessments are paid.
- (s) Attachment providing signatures and verification of signatures of the applicant as required by this Section.

NOTE: Applicants for a license for a newly established business may submit a letter of intent from a reputable insurance agent indicating that the required insurance and bond (items n, o, and q above) will be issued to the applicant prior to the issuance of a license. Upon notification of license approval, the applicant must secure and submit the appropriate certificates as in items n, o, q above before the license will be issued.

Section 3B. Renewal Applications

Renewal applications shall include items a, b, d, e, j, n, o, p, q, r and s as listed in Article V, Section 3A as well as the following:

- (1) Attachment which provides a statement regarding any change in the nature of the business or the premises for which the license applies.

(2) Attachment which provides a statement regarding any change in ownership, partnership, corporate officers or management for the business to which the license applies.

(3) Attachment which provides a statement regarding any change in the object of the business or corporation to which the license applies.

Section 3C. Applications for Temporary License: Applications for temporary license shall include the following items:

(a) Title or description of the event for which the application is being made.

(b) Description or location of the event to be held.

(c) Proposed term of the license (number of days and specific rates).

(d) Name or title of the not-for-profit corporation seeking the application.

(e) Name, title, address, telephone number, present age, place of birth; or if naturalized, date and place naturalized of the agent, manager and corporation officials.

(f) Information relating to any conviction of any felony crime for any person listed in item (e) above.

(g) Description of the object of the applicant corporation.

(h) Description of the purpose for which the license is

being sought.

(i) Information relative to any denials, suspensions or revocations of any liquor license that the applicant corporation has had for the same or other premises.

(j) Name of any public office currently held by any persons listed in item (e) above.

(k) Attachment providing proof of ownership or lease of the premises for the term of the license being applied for.

(l) Attachment providing a Certificate of Dram Shop Insurance for the term of the license being applied for by a reputable insurance carrier insuring the business under the dram shop laws of the State of Illinois, said certificate reflecting dram shop insurance coverage in amounts not less than the amount required by the Illinois Liquor Commission as determined by the Illinois State Comptroller. ~~\$30,000 bodily injury, \$40,000 means of support and \$30,000 property damage as stated in the Illinois Revised Statutes as amended.~~

(m) Attachment providing a certificate of Liability insurance on the place of business for the term of the license being applied for by a reputable insurance carrier for not less than \$30,000.

(n) Attachment providing signatures and verification of signatures of the applicant as required by this Section.

NOTE: Applicants for a license for a newly established business may submit a letter of intent from a reputable insurance agent indicating that the required insurance (items l and m above) will be issued to the applicant prior to the issuance of a license. Upon notification of license approval, the applicant must secure and submit the appropriate certificates as in items l and m above before the licenses will be issued.

~~TEMPORARY LICENSE – CLASS H~~

~~This classification is a temporary 1 (one) day special liquor license for establishments currently holding a Class B/Tavern, or Class F/Beer & Wine Only Liquor License. See Article IX, Section 1(h) on page 29 for clarification.~~

Section 3D. Statement of Understanding

All applications shall include a “Statement of Understanding”, which shall read:

I/We, the undersigned applicant(s), hereby acknowledge:

that I/we am/are not disqualified from receiving a liquor license by reason of any provisions within the laws of the State of Illinois or the United States; and,

that I/we am/are completely familiar with the terms and provisions of the Vermilion County, Illinois Liquor Control Ordinance and all applicable and referenced laws of the State of Illinois or the United States; and,

that I/we have in good faith, submitted all required documents and have answered all questions and parts of this application true and accurately; and,

that I/we fully understand that any license issued hereunder may be revoked in accordance with the provisions of the Vermilion County, Illinois, Liquor Control Ordinance under the terms of which this application is made, and hereby agree that any license issued hereunder may be so revoked.

The applicant(s) shall sign the "Statement of Understanding" separately from other signatures required and such signatures shall serve as an agreement regarding the "Statement of Understanding".

ARTICLE VI

License Prohibited

Section 1. License Prohibited

No license under the terms of this Ordinance shall be issued to:

- (a) A person who is not good character and reputation in the community in which he resides.
- (b) A person who at the time of application for renewal of any license issued hereunder would not be eligible for such license upon a first application.
- (c) A person who at the time of application is not a citizen of the United States. Individual applicants or at least one partner of a partnership shall be a resident of Vermilion County. **A corporation must either hire a manager who lives within Vermilion County or have an officer or director of the corporation who resides in the County.**
- (d) A partnership, unless all of the members of such partnership shall be qualified to obtain a license, under the provisions of (a) and (b) of this Article.
- (e) A corporation, if any officer, manager or director thereof, or any holder or owner of 51% in the stock or other securities of the corporation, would not be eligible to receive a license under the provisions of (a) and (b) or (c) of this Article for any reason other than citizenship.
- (f) A person, partnership or corporation or **LLC**, whose place of business is conducted by a manager or agent unless said manager or agent possesses the same qualification as required of the licensee.
- (g) A person who has been convicted of a violation of any Federal or State law concerning the manufacture, possession or sale of alcoholic liquor, or who has forfeited his Bond to appear in court to answer charges for any such violation.
- (h) A person, partnership or corporation or **LLC** who does not own the premises for which a license is sought or who does not have a lease for the term of the license as being applied for, for the premises for which the license is being issued.

(i) Any person, partnership or corporation or LLC if the applicant or any partner, director, or officer, or their spouse is employed by Vermilion County, Illinois as a law or health enforcement officer or is a member of the County Board of Vermilion County, Illinois or is an elected Vermilion County Illinois, officeholder.

(j) Any person, partnership, or corporation or LLC not eligible for a State of Illinois retail liquor dealer's license.

(k) For any license other than a Class G; temporary license: Any person, partnership or corporation whose business location is subject to township or municipal zoning, unless the sale of liquor is a lawful, permitted use according to such zoning ordinance at said business location.

(l) No person owing a fine, fee or debt of any kind to the County of Vermilion shall be issued a license until that fine, fee or debt is paid in full. The County may enter into payment arrangements and issue a license upon completion of a written payment agreement, and in such cases any license may be revoked or suspended for failure to maintain that payment agreement.

ARTICLE VII

Term of License fees, Expiration of License

Section 1. Term of License Fees

License fees shall be set for a full year rate as established in Article IX for all licenses issued between January 1 and June 30 of each calendar year, and shall be reduced by half for licenses issued between July 1 and December 31 of each calendar year.

Section 2. Expiration of License

Each such license shall terminate at 12 o'clock midnight on December 31, next following its date of issuance.

Bond Required, Filing Conditions

Section 1. Bond Required

Each applicant for a license hereunder shall execute a penal bond to the County of Vermilion and the State of Illinois in the sum of \$5,000 with a solvent Surety company licensed to do business in the State of Illinois. The Commission shall consider said bond, but shall have the right to reject said bond. A new bond shall be presented with each application prior to issuance or renewal of any license under the terms of this Ordinance and the terms of each bond shall be for the calendar year for which the license applies.

Section 2. Bond Filing

Said bond shall be filed as a part of the documentation required to accompany the applicant's application.

Section 3. Bond Conditions

Said bond shall be conditioned upon the faithful observance by the licensee of this Ordinance and the provisions of all liquor laws of the State of Illinois and all laws of the United States of America applying to the sale, transportation and possession of alcoholic beverages. Said bond shall be further conditioned upon the payment by the person, partnership, or corporation bonded to any person or persons entitled to damages as a result of any sale, occurrence, transaction or injury which arises from the operation of the business for which the license hereto applies.

License Classifications, Requirements, Fees, and Forfeiture of Fees, Limit on Number of Licenses

Section 1. License Classifications

Retailer's licenses issued by the Liquor Control Commissioner shall be of the following classes. Requirements for each classification and the annual fees to be charged shall be as follows:

1A. CLASS A LIQUOR LICENSE:

A Class A Liquor License shall be issued to **taverns or similar establishments**, hotels, motels or restaurants meeting the following definitions and requirements:

A tavern is hereby defined as a place selling alcoholic beverages for consumption on the premises and shall include such places commonly known as saloons, bars, barrooms, cocktail lounges, ale houses, road houses, pubs, and taprooms.

A hotel or motel is hereby defined as every building or other structure kept, used, maintained, advertised, and held out to the public to be a place where food is actually served and consumed and sleeping accommodations are offered for adequate pay to travelers and guests, whether transient, permanent or residential in which twenty- five (25) or more rooms are used for the sleeping accommodations of such guests and having one or more public dining rooms where meals are served to such guests, such sleeping accommodations and dining rooms being conducted in the same building or buildings in connection therewith and such building or buildings, structure or structures being provided with adequate and sanitary kitchen and dining room equipment and capacity and as long as such food is prepared under sanitary conditions meeting all local and State laws, rules, and regulations.

A restaurant is hereby defined as a place where food is actually served and consumed for adequate pay to the public, and having one or more public dining rooms where meals are served and wherein adequate and sanitary kitchen and dining room equipment is provided and wherein the combined dining room seating capacity is adequate to serve 50 patrons at one time as long as any such food prepared and served is done so under sanitary conditions meeting all local and State laws, rules and regulations. All such hotels, motels, or restaurants licensed under this classification shall have an assessed valuation of all buildings and grounds of at least Three Hundred Thousand Dollars (\$300,000).

~~A Class A Liquor License issued to any hotel, motel, or restaurant meeting the requirements above shall entitle the licensee to sell alcoholic beverages for consumption on the premises and in the original package.~~

A Class A Liquor License shall entitle the licensee to sell alcoholic beverages for consumption on the premises or to sell alcoholic liquor in the original package not to be consumed on the premises where sold, but shall not include grocery stores or any business wherein the primary business is other than the sale of alcoholic beverages.

A licensee under this classification shall be entitled to sell food and food items as a **secondary** function of the business being conducted as long as any food prepared and served is done so under sanitary conditions meeting all local and State laws, rules and regulations.

The annual fee for a Class A Liquor License shall be One
Thousand Five-Hundred Dollars (\$1,500).

Any licensee under this classification shall be entitled to maintain a dance floor on or within the premises.

1B. CLASS B LIQUOR LICENSE: **RESERVED**

~~A Class B License shall be issued to taverns or similar establishments meeting the following definitions and requirements:~~

~~A tavern is hereby defined as a place selling alcoholic beverages for consumption on the premises and shall include such places commonly known as saloons, bars, barrooms, cocktail lounges, ale houses, road houses, pubs, and taprooms.~~

~~A Class B Liquor License shall entitle the licensee to sell alcoholic beverages for consumption on the premises or to sell alcoholic liquor in the original package not to be consumed on the premises where sold, but shall not include grocery stores or any business wherein the primary business is other than the sale of alcoholic beverages.~~

~~A licensee under this classification shall be entitled to sell food and food items as a secondary function of the business being conducted as long as any food prepared and served is done so under sanitary conditions meeting all local and State laws, rules and regulations.~~

~~Any licensee under this classification shall not maintain a dance floor. The annual fee for a Class B Liquor License shall be One Thousand Dollars (\$1,000).~~

~~Any Class B License shall be considered null and void or may be revoked by the Liquor Control Commissioner if the licensee shall cease the sale of alcoholic beverages for any reason during the term of the license.~~

Class C RESERVED

~~A Class C License shall be issued to nightclubs or similar establishments meeting the following definitions and requirements:~~

~~A nightclub is hereby defined as a place selling alcoholic beverages for consumption on the premises which offer live entertainment or mechanically reproduced entertainment and shall include such places as discoteques, dis-cos, and cabarets.~~

~~A Class C Liquor License shall entitle the licensee to sell alcoholic beverages for consumption on the premises or to sell alcoholic liquor in the original package not to be consumed on the premises where sold.~~

~~A licensee under this classification shall be entitled to sell food and food items as a secondary function of the business being conducted as long as any food prepared and served is done so under sanitary conditions meeting all local and State laws, rules and regulations.~~

~~The annual fee for a Class C Liquor License shall be One Thousand Five Hundred Dollars, with or without a dance floor.~~

~~A licensee under this classification shall be entitled to maintain a dance floor on or within the premises.~~

A Class D License shall be issued to package liquor stores or similar establishments meeting the following definitions and requirements:

A package liquor store or establishment is hereby defined as a place selling alcoholic beverages in the original packages not to be consumed on the premises including places where sales are made at drive-up facilities but shall not include grocery stores or any business wherein the primary business is other than the sale of packaged liquors.

A Class D Liquor License shall not entitle the licensee to sell alcoholic beverages for consumption on the premises. Licensees under this classification shall be entitled to sell packaged foods or food items as a secondary function of the business but the sale of food prepared on the premises shall be prohibited.

Any license under this classification shall not maintain a dance floor on or within the licensed premises. The annual fee for a Class D Liquor License shall be Eight Hundred Fifty Dollars (\$850).

Any Class D License shall be considered null and void or may be revoked by the Liquor Control Commissioner if the licensee shall cease the sale of alcoholic beverages for any reason during the term of the license.

1E. CLASS E LIQUOR LICENSE:

A Class E Liquor License shall be issued to a club or fraternal organization meeting the following definitions and requirements:

A club or fraternal organization is hereby defined as a corporation organized under the laws of this State, not for pecuniary profit, solely for the promotion of some common object other than the sale or consumption of alcoholic beverages, kept, used and maintained by its members through the payment of annual dues, and owning, hiring or leasing a building or space in a building, or of such extent and character as may be suitable and adequate for the reasonable and comfortable use and accommodation of its members and their guests; provided that such club files with the Liquor Control Commissioner at the time of its application for a license under this Act two copies of a list of names and residences of its members, and similarly, files within ten (10) days of the election of any additional member his name and address; and provided further that its affairs and management are conducted by a board of directors, executive committee, or similar body chosen by members at their annual meeting and that no member of any officer, agent, or employee of the club is paid, or directly or indirectly receives, in the form of salary or other compensation, any profits from the distribution or sale of alcoholic beverages to the club or its guests introduced by members beyond the amount of such salary as may be fixed and voted at any

annual meeting by the members or by its board of directors or other governing body out of the general revenue of the club.

A Class E Liquor License shall entitle the licensee to sell alcoholic beverages for consumption on the premises only.

A licensee under this classification shall be entitled to prepare, sell, and serve food and food items and meals to the members and their guests, provided that there exists adequate and sanitary kitchen and dining room equipment and as long as any such food prepared and served is done so under sanitary conditions meeting all local and State laws, rules and regulations.

Any licensee under this classification shall be entitled to maintain a dance floor on or within the licensed premises. The annual fee for a Class E Liquor License shall be Nine Hundred Fifty Dollars (\$950). Any Class E License shall be considered null and void or may be revoked by the Liquor Control Commissioner if the licensee shall cease the sale of alcoholic beverages for any reason during the term of the license.

1F. CLASS F LIQUOR LICENSE:

A Class F License shall be issued to establishments wishing to sell beer and wine only as long as the following definitions and requirements are met:

The definition of beer and wine shall be as defined in Article II of this Ordinance. A Class F Liquor License shall entitle the licensee to sell beer and wine for consumption on the premises only.

A licensee under this classification shall be an establishment that sells and serves food and food items provided that there exists adequate and sanitary kitchen and dining room equipment and as long as any such food prepared and served is done so under sanitary conditions meeting all local and State laws, rules and regulations.

Any licensee under this classification shall not maintain a dance floor on or within the licensed premises. The annual fee for a Class F Liquor License shall be Nine Hundred Dollars (\$900).

Any Class F Liquor License shall be considered null and void or may be revoked by the Liquor Control Commissioner if the licensee shall cease the sale of alcoholic beverages as defined under this classification, for any reason during the term of the license.

1G. CLASS G TEMPORARY LIQUOR LICENSE – Nonprofit, Religious, Charitable, Political:

A Class G Temporary Liquor License shall be issued to any chartered not-for-profit corporation, religious, political, charitable or any organization that can show tax exempt status wishing to sell beer, **wine and alcoholic beverages** only as long as the following definitions and requirements are met:

~~The definition of beer shall be as defined in Article II of this Ordinance.~~

A Class G Temporary License shall entitle the licensee to sell beer, **wine and alcoholic beverages** for consumption on the licensed premises only.

The duration of a Class G License shall be for a period of no longer than ten (10) days in any calendar year. Each day of said license term shall begin no earlier than 6:00 A.M. and end no later than 12:00 midnight of the same calendar date.

At the time of application, the applicant shall provide evidence that the organization is duly chartered by the State of Illinois as a not-for-profit corporation or show proof that the organization has tax exempt status. The Liquor Commission may recommend and the Liquor Commissioner may require any special conditions that relate to the public health, safety, and welfare including, but not limited to: (a) Limitations on extent or area of the site or premises that liquor may be sold or consumed. (b) Special parking or security requirements. (c) Special or additional sanitary requirements.

Applicants for Class G Temporary License shall not be required to submit a bond as specified in Article VIII. The fee for a Class G Temporary License shall be Fifty Dollars (\$50) for the first day and Twenty-five Dollars (\$25) for each additional day that the license is issued.

1 GG TEMPORARY LIQUOR LICENSE – OCCASIONAL EVENT

The Liquor Commissioner is authorized to issue, at his discretion, a temporary license, Class GG, for any event which entitles the licensee to sell beer, wine, and alcoholic beverages for consumption on the premises, if he finds that said event shall not represent a serious negative influence on the health, safety and well-being of the neighborhood in which the event will be located, or to the entire community. Premises shall be defined as any building or adjacent premises area. A tent or area with a temporary perimeter to control entry and exit of individuals shall be considered the premises for the purposes of this ordinance.

A temporary liquor license shall be valid for any period of time not exceeding 72 hours. The temporary liquor license shall not permit the sale of alcoholic liquors in original packages or in any place where the sale of alcoholic liquor is prohibited by any federal, state or local law, or which is not within the jurisdiction of the County. Temporary liquor licenses shall not be obtained in such a manner as to circumvent the licensing requirements of this ordinance. Temporary liquor licenses shall not be issued to the same applicant more than once every three months.

The fee for a Class GG Liquor License shall be Fifty Dollars (\$50) for the first day and Twenty-five Dollars (\$25) for each additional day that the license is issued.

1H. CLASS H SPECIAL LIQUOR LICENSE: RESERVED

~~A Class H Special Liquor License shall be issued to any establishment currently holding a valid Class B or Class F Vermillion County Liquor License.~~

~~A Class H Special Liquor License would not exempt a liquor license holder from any provisions of their current liquor license in accordance with the Vermilion County Liquor Control Ordinance with the following exception:~~

~~A Class H Special Liquor License would allow entertainment for 1 (one) day only to be offered on the premises.~~

~~A Class H Special Liquor License shall be limited to any one establishment for a maximum of 4 (four) times per calendar year.~~

~~The fee for a Class H Special Liquor License would be \$50.00 per occurrence, except if the establishment applied for the maximum 4 (four) days at one time, making the fee \$150.00.~~

~~Applications for a Class H Liquor License must be received by the Liquor Control Commissioner no later than 10 (ten) business days prior to the special event.~~

~~Any and all Class H Liquor Licenses shall be approved or denied at the discretion of the Vermilion County Liquor Control Commissioner.~~

~~All other Provisions, Sections and Articles as amended April 10, 2001, and July 12, 2005, within the Vermilion County Liquor Control Ordinance establishing the rules and regulations for the sale of alcoholic beverages within the unincorporated areas of Vermilion County, Illinois, shall remain in full force and effect.~~

1I. VINEYARDS and WINERIES

A Class I Liquor license shall be issued to vineyards and wineries or similar establishments wishing to sell wine only as long as the following definitions and requirements are met:

For the purpose of this classification a vineyard, winery or similar establishment shall be defined as an establishment operated by a person engaged in the manufacture of or making of wine under the Liquor Control Act of 1934, as amended, 235 ILCS, 5/1 et seq.

A Class I Liquor License shall entitle the licensee to sell wine for consumption on the premises or to sell wine in the original package not to be consumed on the premises where sold. For an additional fee of \$100.00 per year as set forth below, the Class I License shall be entitled to sell beer for consumption on premises and said license shall be noted on the face of the License.

A Class I Liquor License shall be entitled to sell food and food items as a secondary function of the business being conducted as long as any food prepared and served is done so under sanitary conditions meeting all local and State laws, rules and regulations.

The fees for a Class I Liquor License shall be \$900.00 (nine hundred dollars) per year along with a \$25.00 (twenty- five dollar) nonrefundable application fee, except that where an applicant for a Class I Liquor

License desires to have the privilege of selling beer for consumption on premises, the fee shall be increased an additional \$100.00 per year for a total of \$1,000 per year.

1J. SEASONAL LICENSES

A Class J Liquor license shall be issued to establishments meeting the following definitions and requirements:

1. An establishment that qualifies for any class of liquor license already established under the Vermilion County Liquor Control Ordinance except for Class G and Class H, and
2. Operates for a term not less than 6 consecutive months within the same calendar year.

A Class J Liquor License shall entitle the licensee to sell alcoholic beverages, as they would otherwise be entitled to under the terms of a full year license. The license on its face shall designate the seasonal nature of the license "J" and the otherwise existing a license under this ordinance that would define the terms of the entitlement of such beverages. For example, "JF" would be a seasonal establishment that sells beer and wine as allowed under a Class F license.

A seasonal license holder shall be entitled to sell and serve food and food items as long as any foods prepared and served is done so under sanitary conditions meeting all local and State laws, rules, and regulations.

Any licensee under this classification shall not maintain a dance floor on or within the premises. The annual fee for a Class J liquor license shall be Six Hundred Dollars (\$600).

1K LIQUOR ESTABLISHMENT WITH GAMBLING

A liquor establishment otherwise qualified under any other classification in the Vermilion Liquor Control Ordinance, may, to the extent allowed by Illinois State law, permit gambling to occur on the premises. The licensee prior to permitting gambling on the premises shall purchase a Class K license.

A Class K Liquor License shall entitle the licensee to sell beer, wine and alcoholic beverages for consumption on the premises, or to sell alcoholic liquor in the original package not to be consumed on the premises where sold, and to permit gambling as authorized by law.

A licensee under this classification shall be entitled to prepare, sell, and serve food and food items and meals, provided that there exists adequate and sanitary kitchen and dining room equipment, and as long as any such food prepared and served is done under sanitary conditions meeting all local and State laws, rules and regulations.

Any licensee under this classification shall be entitled to maintain a dance floor on or within the licensed premises.

The fee for such license shall be \$2,500. Such fee shall not be required for the State Lotto program or any State operated form of gambling or games of chance. Such establishments that permit gambling shall comply with all State laws, and Liquor Control laws, both State and County. Failure to comply with said laws will result in revocation of the liquor license.

This license shall be considered null and void or may be revoked by the Liquor Control Commissioner if the licensee shall cease the sale of alcoholic beverages for any reason during the term of the license.

~~1L~~ ~~SPECIAL USE EVENT PERMIT (1-day only):~~

~~A Special Use Event Permit Liquor License allowing the sale and consumption of alcohol at an approved designated site for special events shall be available for qualified applicants. The following Special Event Permit Liquor Licenses are available for the purpose of special events on Vermilion County Conservation District owned properties:~~

~~(1) Vermilion County Parks and Recreation Areas:~~

~~upon approval of the governing board of a Vermilion County, Illinois entity concerning sites over which the Vermilion County Liquor Commissioner has jurisdiction, and upon approval by the Vermilion County Liquor Commissioner, a "Special Use Event Permit Liquor License" may be granted to an approved Vermilion County liquor license holder to sell alcohol for special events at any property or facility owned by the Vermilion County Conservation District.~~

1 L Micro-Distillery

A Class L License shall authorize the on-site production and storage of alcoholic liquor beverages in quantities not to exceed fifteen thousand (15,000) gallons of spirits per distillation per year and the storage of such spirits, or such amount as may hereafter be allowed by state statute found at 235 ILCS 5/5-1, for sale by the bottle for off-premises consumption or by the glass for in-site tasting in an accessory tasting room or retail outlet. A tasting room or retail outlet allows patrons to taste sample of products manufactured on-site for off-site consumption, and to purchase related sales items. Sales of alcohol manufactured out- side the site are prohibited unless a separate state and local license is purchased. Licensee must have at least one (1) BASSET-certified manager on premises when- ever offering tasting samples of alcohol. Licensee must have a valid craft distiller's license from the State of Illinois or be eligible to receive such license. In the event the State of Illinois or Federal government require the possession of a local County liquor license prior to the issuance of the State or Federal license, a County license may be issued if the licensee is otherwise qualified, but in no event shall sales take place without appropriate State and Federal licenses. This license will permit any self-distribution as allowed by the State Liquor Commission upon proper State exemption to the licensee.

The fee for such license shall be \$1,000.

1 M Special Event Conservation District

A Special Event Permit Liquor License allowing the sale and consumption of alcohol at an approved designated site for special events shall be available for qualified applicants. The following Special Event Permit Liquor Licenses are available for the purpose of special events on Vermilion County Conservation District owned properties:

(1) Vermilion County Parks and Recreation Areas: upon approval of the governing board of a Vermilion County, Illinois entity concerning sites over which the Vermilion County Liquor Commissioner has jurisdiction, and upon approval by the Vermilion County Liquor Commissioner, a "Special Event Permit Liquor License" may be granted to an approved liquor license holder to sell alcohol for special events at any property or facility owned by the Vermilion County Conservation District.

CLASS N MICRO-BREWERY

A Class N micro-brewery retail license shall permit an establishment primarily engaged in the production and wholesale distribution of beer, other malt beverages, to sell at retail any beer, ale, or other malt beverages produced by the licensee, by the drink or by the package for consumption on the premises, or in original package form for consumption off the premises where sold.

The fee for a Class N Liquor License

Section 2. Forfeiture of Fee

In the event a license is surrendered under any provision of this Article, the license fee shall be forfeited by the licensee. No portion of any license fee shall be returned to the licensee for the period of time when a license is considered null and void or when a license is suspended or revoked under any provisions of this Article.

~~Section 3. Limit on Number of Licenses~~

~~At no time shall the Liquor Control Commissioner issue more licenses than indicated below for the classifications allowed by this Article.~~

~~License Classification~~

~~Limit on Number of Licenses~~

~~Class A _____ 10~~

~~Classes B,C,D & E _____ A combined total of 28~~

Class F _____ 2 ??????

Class G _____ No Limit

Class H _____ 4

Class I _____ No Limit Class J _____ No Limit Class K _____
No Limit Class L _____ No Limit Class M _____ No Limit Class N _____
No Limit

ARTICLE X

License List, Transfers, Unused License, Change in Location, Change in Ownership, Peddling

Section 1. License List

The Liquor Control Commissioner shall keep or cause to be kept a complete record/or official listing of all licensees and licenses issued by said Liquor Control Commissioner. Upon issuance of any license or revocation of any license, the Liquor Control Commissioner shall notify the County Treasurer, State's Attorney and Sheriff within 48 hours by providing a copy of such transactions or an updated copy of the official list of licensees and licenses issued.

Section 2. Transfers

Any license granted shall not be subject to attachment, garnishment or execution, nor shall it be alienable to transferable, voluntarily or involuntarily, or subject to being encumbered or the subject matter of any lien. The trustees of any insolvent or bankrupt licensee, when such estate consists, in part, of alcoholic beverages, may continue the business of the sale of alcoholic liquor under order of the appropriate court, and may exercise the privileges of deceased or insolvent or bankrupt licensee after the death of such decedent, or such insolvency or bankruptcy until the expiration of such license, but not longer than six months after the death, bankruptcy or insolvency of such licensee. No license may enter into any lease, rental or employment agreement which, in any manner constitutes a transfer of the license or any aspect thereof. Any license fees paid to Vermilion County shall not be refunded in the event any such business ceases to operate during the term of the license issued.

Section 3. Unused License

Any business which ceases to operate for a period of sixty (60) days during the term of a license for any cause shall be deemed to have an unused license. Any such unused license shall be forfeited and shall be considered null and void for the period that the license is not in use. Any license fees paid to Vermilion County shall not be refunded when a license is forfeited. Any license holder wishing to renew an unused license shall pay a renewal license fee of Five Hundred Dollars (\$500) and shall submit a Renewal application in accordance with Article V; however, the Liquor Control Commissioner can reissue said license for the remainder of the current term of the license without following the review procedures required in Section 2 of Article V. In the event that a business is closed as a result of an act of God, the Liquor Control Commissioner may hold open the licensee's license for a period not to exceed one (1) year from the date of occurrence.

Section 4. Change of Location

Any license holder who proposes to change the location of the business which is licensed shall notify the Liquor Control Commissioner in writing prior to such change being made. The Liquor Control Commissioner shall notify the Liquor Control Commission and shall update and reissue the official license list required in Section 1 of this Article. In the event that the new location does not meet the requirements of this Ordinance, the applicant will be so notified by the Liquor Control Commissioner.

Section 5. Change in Ownership

Any transfer of an operating business between owners or any change in ownership shall cause the new owner to submit an "Application for New License", and a new license fee in accordance with Article V. Such new application will be handled and acted upon in accordance with Article V; however, the Liquor Control Commissioner shall be required to issue notification to the previous owner and the new owner that the license is being issued to the new owner. Any new owner of an operating business shall not sell alcoholic beverages until such time as a new license has been issued by the Liquor Control Commissioner.

Section 6. Peddling

It shall be unlawful for any person, firm, partnership, or corporation to peddle alcoholic liquor within Vermilion County outside the corporate limits of any municipality and accordingly, the sale of alcoholic beverages shall be limited to the premises for which a license is issued under the terms of this Ordinance.

ARTICLE XI

Sanitary Conditions, Rest Rooms, Employees, Location, Restrictions, Closing Hours, Display of License

Section 1. Sanitary Conditions

All premises used for the retail sale of alcoholic beverages for such sale shall be kept in a clean and sanitary condition, and shall be kept in full compliance with the laws of the State of Illinois.

The premises and any adjacent area, including any side- walks, streets and alleys that touch or are immediately adjacent to the premises shall be kept free from liquor bottles, cans, food wrappings, broken glass and other refuse originating in the licensee's premises. If for any reason the premises or adjacent areas are damaged or are in a state of disrepair such that the Liquor Commissioner deems it unsafe, unsanitary or in violation of any applicable building code, environmental or nuisance ordinance or statute of Vermilion County or the State of Illinois, the Commissioner may revoke or suspend the license of the licensee. The Commissioner shall, prior to such suspension or revocation provide written notice to the licensee of any such violation under this section and notice to remove the cause of such violation within three days. If the licensee fails to remove the cause of the violation within such time then the Commissioner may suspend or revoke the license of the licensee, or take any other action necessary to enforce this section.

Section 2. Rest Room

No license shall be issued unless the premises wherein such business is to be conducted has available in the building for which the license is to be issued, for the use of patrons of such business, two separate rest rooms, one for men and one for women, which both shall at all times have operable toilets, wash basins or lavatories with hot and cold running water and sanitary conditions.

Section 3. Employees

Employees of liquor establishments which have been issued a License under this ordinance shall be at least 18 years of age. All employees serving or handling food in any establishment shall be qualified under the applicable State of Illinois laws regarding the handling of food and beverages.

Section 4. Location Restrictions

No license shall be issued for the sale of any alcoholic beverages within 100 feet of any church, school, hospital, home for aged or indigent person, or veterans, their wives or children, or any military stations. Each place of business licensed under this Ordinance which is located within the jurisdiction of a local zoning ordinance shall comply with the provisions of such ordinance.

Section 5. Closing Hours

The closing hours of all establishments licensed under this Ordinance except Class G Temporary Licenses shall be from 2:30 A.M. to 7:00 A.M. every day of the week including Saturday, Sundays, and holidays.

Hours stated shall mean Central Standard Time or Central Daylight Savings Time, whichever is being observed in Vermilion County.

No sale, dispensing or distribution of alcoholic beverages in any form shall be made in any licensed establishment during said closing hours, and no patron shall be permitted to enter such licensed establishment during closing hours. Patrons shall be allowed to remain in or on the premises for a period of one-half hour (30 minutes) after the designated closing time.

Section 6. Display of License

Every licensee shall cause his or her license or licenses to be framed and hung in plain view in a conspicuous place on the licensed premises.

ARTICLE XII

Commission Recommendations, Re-eligibility

Section 1. Commission Recommendations

The Liquor Control Commission may, by a majority vote at convened meeting, recommend the issuance or suspension or revocation of any license applied for or issued under the terms of this Ordinance or on the basis of any provisions of the applicable State liquor laws pertaining to the sale of alcoholic beverages. In the case of a tie vote of the members at a convened meeting, the Chairman of the Liquor Control Commission shall vote to break the tie. All such recommendations shall be transmitted by the Chair- man of the Liquor Control Commission for final action.

Section 2. Re-eligibility

When a licensee shall have his or her license revoked for any cause, said license shall not be eligible to apply for re- issuance or for a new license for the period of twelve (12) months after the date of revocation. License suspensions shall be for the term so stated by the Liquor Control Commissioner and such license shall be considered in effect the day following the term of such suspension.

ARTICLE XIII

Limitation on Sales, Warning to Minors, Complaints, Enforcement, Violations, Disturbance Reports

Section 1. Limitation on Sales

No licensee shall sell, give or deliver alcoholic beverages to any person under the age provided by the laws of the State of Illinois for purchasing and possessing alcoholic beverages, or to any intoxicated or disorderly person, or to any person known to be a habitual drunkard.

Section 2. Warning to Minors

Every licensee shall display in plain view in a conspicuous place on the licensed premises a printed notice which shall read substantially as follows:

WARNING TO MINORS

A penalty of not less than \$100 nor more than \$500 or imprisonment in a penal institution other than a penitentiary for not more than 30 days, or both if you purchase, accept as a gift, or have in your possession alcoholic liquor or misrepresent your age for the purpose of purchasing or obtaining alcoholic liquor.

The sale of intoxicating liquor to any minor person, the gift of intoxicating liquor to any minor person, and the purchase of intoxicating liquor by, for, or on behalf of any minor person within Vermilion County is hereby prohibited.

SECTION 4: Minor on Premises. No minor shall be permitted, during business hours, in any place or establishment where the sale of intoxicating liquor for consumption on the premises is permitted; provided, that where the principal business of any establishment is something other than the sale of intoxicating liquor, this provision shall not apply to that portion of such premises not used for the sale or serving of intoxicating liquor if that portion of the premises used for the sale of or serving of intoxicating liquor is confined to a separate room. Provided however, that ~~where the principal business of any establishment is something other than the sale of intoxicating liquor or the providing of amusement,~~ this provision shall not prohibit the entering of any minor into ~~such~~ any licensed establishment if he is accompanied by his parent or legal guardian, regardless of whether the area of sale is separate by a wall. Any person under twenty-one (21) years of age shall not purchase, possess, or consume alcoholic liquor nor accept a gift of alcoholic liquor. Nothing herein shall apply to a minor 18 years or older who is employed by the licensed establishment. ~~This section shall not apply to the following:~~

- ~~i. Bowling alleys;~~
- ~~ii. An establishment functioning as a restaurant.~~

~~Minors are prohibited from service or sales except as herein provided:~~

(a) In the licensed premises of a licensee, no person under the age of nineteen (18) years of age shall handle alcoholic liquor in a container that has the original packaging or seal broken, tend bar, pour or mix any alcoholic liquor or sell any packaged alcoholic liquor. For the purpose of this section, "sell" shall mean taking orders for the sale of alcoholic liquor, serving or delivering alcoholic liquor, taking money for the purchase of alcoholic liquor or ringing such a sale on a cash register.

(b) No licensee shall employ any person in violation of this section.

If a licensee or his agents or employees believe or have reason to believe that a sale or delivery of alcoholic liquor is prohibited because of the age of the recipient, he shall before making such a sale or delivery, demand presentation of some form of positive identification, containing proof of age, issued by a public officer in the performance of his official duties. No person shall transfer, alter, or deface such an identification card; use the identification card of another, carry or use a false or forged identification card; or obtain an identification card by means of false information. No person shall purchase, accept delivery, or have possession of alcoholic liquor in violation of this section. This consumption of alcoholic liquor by any person to whom the sale, gift, or delivery of alcoholic liquor is prohibited by law because of age is in violation of this section. Whoever violates any provisions of this section shall be punished by a fine of not less than twenty-five dollars nor more than one hundred dollars for each such offense.

Any person under the age of twenty-one years, who, for the purpose of buying, accepting, or receiving alcoholic liquor from licensee, represents that he is twenty-one years of age or over, shall be fined not more than fifty dollars or be imprisoned for not less than ten days nor more than one year, or both.

Section 3. Complaints

Any citizen or person shall have the right to file a complaint with the Liquor Control Commissioner stating that any licensed establishment or licensee, under the jurisdiction of the Ordinance or the rules and regulations pursuant hereto. Such complaint shall be in writing in the form prescribed by the Liquor Control Commission and shall be signed and sworn to by the party or parties making such complaint. The complaint shall state all particular provisions, rules or regulations believed to have been violated and shall state the facts in detail upon which the belief is based. If the Liquor Control Commissioner is satisfied, after a thorough investigation of the facts, that there has been a violation of any of the provisions of this Ordinance and that such charges have been proven by a preponderance of the evidence, then the Liquor Control Commissioner may issue an order suspending or revoking the license of such licensee.

Section 4. Enforcement

The Liquor Control Commissioner shall have the authority to enter or to authorize any law or health enforcement officers to enter at any time upon the premises licensed hereinunder to determine whether any of the provisions of this Ordinance or any rules of the State of Illinois liquor laws have been or are being violated, and at such time to examine said premises of said license in connection herewith.

The Liquor Control Commissioner or Sheriff shall issue a proper identification card for anyone who shall be deemed to be authorized to make inspections or site visits in connection with this Ordinance. The Sheriff of Vermilion County, Illinois, is directed to enforce the provisions of this Ordinance and to notify the Liquor Control Commissioner of all violations of this Ordinance within 24 hours of any such violations.

Section 5. Violations

If the owner of the licensed premises or any person from whom the licensee derives the right to possession of such premises, or the agent of such owner or persons shall knowingly permit the licensee to use said licensed premises in violation of the terms of this Ordinance, said owner, agent or other person shall be deemed guilty of any violation of this Ordinance to the same extent as said licensee and be subject to the same punishment.

Every act or omission constituting a violation of any of the provisions of this Ordinance made with the authorization, knowledge or approval of the licensee, expressed or implied, shall be deemed the act of the licensee, and said licensee shall be punishable in the same manner as if said act or omission had been done or omitted by him person- ally.

Whenever any licensee shall be convicted of any violation of this Ordinance, the license of said licensee may be revoked by the Liquor Control Commissioner. In addition to the suspension, the local liquor control commissioner may levy a fine on the licensee for such violations. The fine imposed shall not exceed \$1000 for a first violation within a 12-month period, \$1,500 for a second violation within a 12-month period, and \$2,500 for a third or subsequent violation within a 12-month period. Each day on which a violation continues shall constitute a separate violation. Not more than \$15,000 in fines under this Section may be imposed against any licensee during the period of his license. Proceeds from such fines shall be paid into the general corporate fund of the county.

Whenever any officer, director, manager or other employee in a position of authority of a licensee under this Ordinance shall be convicted of any violation of this Ordinance while engaged in the course of his employment or while upon the premises described by said license, the license of the licensee may be revoked by the Liquor Control Commissioner.

Section 6. Disturbance Report

Any disturbance in or at any licensed establishment, which shall also include parking area, involving the calling of the police or ambulance, or personal injury on any altercations, must be reported to the Liquor Control Commissioner by the License holder on forms provided by the Commissioner within five (5) days of said incident.

ARTICLE XIV

Suspensions and Revocations

Section 1. Suspensions and Revocations

In addition to the violations of any provisions of any Articles or Sections of this Ordinance, the following shall be considered as grounds for imposition of a fine, suspensions or revocations of any license issued under the provisions of this Ordinance.

- (a) Any violation of any law of the State of Illinois.
- (b) Falsification of any information submitted on or with an application for license.
- ~~(c) Payment by the licensee of any federal tax imposed on gambling or gambling equipment under the United States Code.~~ Failure to pay any fee, tax or other monetary obligation to the County.
- ~~(d) Maintaining or operating a dram shop on any premises registered as a place of business when activities are carried on which make the person or persons involved subject to any tax or wagering.~~ Permitting or suffering fighting, disorderly conduct, possession or use of weapons, or any disturbance that threatens a breach of the peace or represents a danger to the public safety.
- (e) Permitting gambling of any kind to be conducted on the premises where the licensee carries on his business unless the licensee has purchased a class K license. This Section shall not apply to State operated gambling, commonly referred to "Lotto".
- (f) Any violation of the terms of Article XI having to do with closing hours.
- (g) No license or employee or bartender of such licensee shall knowingly suffer to be done or commit any act of prostitution, of soliciting for a prostitute, of human trafficking, of pandering, of keeping a place of prostitution, of patronizing a prostitute, or of pimping as defined by statute on or in the licensed premises; and no person shall be entitled to receive a liquor license who has been convicted of any of the foregoing crimes and misdemeanors opposing decency or morality; and the conviction of any licensee in any court having jurisdiction thereof shall be subject to the penalty herein provided in addition to any penalties otherwise provided by law, and the license issued to any such licensee so convicted shall be revoked, as herein provided.

ARTICLE XV

Procedures for Revocation or Issuance of Fine

Section 1. Procedures for Revocation or Issuance of Fine

The proceedings to revoke any license issued under this Ordinance shall be as set forth in 235 ILCS 5/7-5 or its successor of the Illinois Compiled Statutes, and the rules and regulations adopted in accordance with such statute, and such rules and regulations are hereby specifically incorporated by reference as part of this Ordinance. The Liquor Control Commissioner shall make available the hearing procedures to any and all parties of a revocation hearing. Such procedures may be published as an appendix to this ordinance.

Upon taking any action to suspend or revoke any license for cause, the Liquor Control Commissioner shall notify the licensee in writing and shall notify the County Treasurer, State's Attorney and Sheriff within 48 hours by providing a copy of such notification or an updated copy of the official List of Licensees and licenses issued as stated in Article X, Section 1 herein.

ARTICLE XVI

Partial Invalidity, Savings Clause, Conflicts

Section 1. Partial Invalidity

The provisions of the Articles and Sections of this Ordinance shall be deemed to be separable and the invalidity of any portion of this Ordinance shall not affect the validity of the remainder.

Section 2. Savings Clause

This Ordinance shall not be construed to repeal any former Ordinance or Resolution of the Vermilion County Board or its predecessor, the County Board of Supervisors, whether expressly repealed or not as to any liability created under such former regulations or as prior ordinance or resolution or any claims arising before this Ordinance takes effect, save only that the proceedings hereafter shall conform so far as practicable to this Ordinance and any future amendments.

PROCEDURES FOR NEW APPLICATIONS

1. Applications for new licenses are available from and are to be submitted to:

Liquor Control Commissioner

Vermilion County Administrative Building

201 N Vermilion

Danville, Illinois 61832

Phone: (217) 554-6000

2. ~~The completed application must be accompanied by a \$25 filing fee payable to "Vermilion County, Illinois." Payment must be made by money order, cashier's check or a bankdraft.~~
3. Upon receipt of the application and the required records check, the Site Review Committee of the Liquor Control Commission will schedule a site visit. The owner or operator should be available at the time of the site review to answer any questions pertaining to the application or operation of the business.
4. The Liquor Control Commission will schedule the application for hearing at a meeting at which the Site Review Committee will make their report. The Liquor Control Commission will, in turn, make their recommendation to the Liquor Control Commission.
5. The Liquor Control Commissioner will approve or disapprove the license application and notify the applicant accordingly.

6. Upon notification that the license has been approved, the applicant shall submit the license fee to the office of the Vermilion County Liquor Control Commissioner. The license fee payment must be made by money order, cashier's check or a bank draft payable to "Vermilion County, Illinois".

Upon receipt of the license fee, the license will be issued to the applicant.

PROCEDURE FOR LICENSE RENEWALS

1. On or about October 10th of each year, current license holders will receive (by mail) an "Application for Liquor License Renewal". The renewal application must be submitted by November 10 to:

Liquor Control Commissioner

Courthouse Annex - Room 310

6 N Vermilion

Danville, Illinois 61832

Phone: (217) 554-6000

2. ~~The completed application must be accompanied by a \$25 filing fee payable to "Vermilion County, Illinois". Payment must be made by money order, cashier's check or bank draft.~~
3. Upon receipt of the application, the Site Review Committee of the Liquor Control Commission will schedule a site visit. The owner or operator should be available at the time of the site visit to answer any questions pertaining to the application or operation of the business.
4. The Liquor Control Commission will schedule the application for hearing at a meeting at which the Site Review Committee will make their report. The Liquor Control Commission will, in turn, make their recommendation to the Liquor Control Commissioner.
5. The Liquor Control Commissioner will approve or disapprove the license application and notify the applicant accordingly.

6. Upon notification that the license has been approved, the applicant shall submit the license fee to the office of the Vermilion County Liquor Control Commissioner. The license fee payment must be made by money order, cashier's check or bank draft payable to "Vermilion County, Illinois".

Upon receipt of the license fee, the license will be issued to the applicant.

GENERAL INFORMATION FOR LICENSES

1. Vermilion County liquor licenses are issued for each calendar year and are, thus, in effect from January 1 through 12:00 midnight, December 31. License renewal applications are to be submitted to the Liquor Control Commissioner by November 10th.

2. Employees of an establishment issued a license shall be at least 18 years of age. (Article XI, Section 3)

3. All licensed establishments must be closed from 2:30

A.M. to 7:00 A.M. every day of the week including holidays and weekends. Patrons may remain in or on the premises for 30 minutes after the respective closing hour. No alcoholic beverages shall be sold, dispensed or distributed during closing hours.

4. The County license shall be displayed in a conspicuous place. (Article XI, Section 6).

5. Licensees shall not sell, give or deliver alcoholic beverages to any person under age (as provided by Illinois law), or to any intoxicated or disorderly person, or to any person known to be a habitual drunkard. (Article XIII, Section 1).

6. Licensees shall display a printed notice "WARNING TO MINORS" as required in Article XIII, Section 2.

7. The Vermilion County Liquor Control Commissioner and the Vermilion County Sheriff shall enforce the Liquor Ordinance.

8. Licensees must report any disturbance at an establishment, including parking area, involving the calling of police, ambulance, or personal injury to the Liquor Control Commissioner within 5 days on forms provided by the Liquor Control Commissioner. (Article XIII, Section 6).

9. After a County Liquor License is obtained, the license holder must obtain the following:

(a) Sales Tax Number

Department of Revenue

101 West Jefferson

Springfield, Illinois 62706 (b) State Retail License - \$175

State Liquor Control Commissioner

222 S. College

Springfield, Illinois 62704

Phone (217) 782-2135

(c) Federal tax stamp - \$250 (June to June)

Further information may be obtained by calling or writing to the State Liquor Control Commissioner at the above stated address.