

**ORDINANCE NO. 849**

**AN ORDINANCE TO AMEND SECTION 21-2-6 OF ORDINANCE NO. 1 ENTITLED "REVISED CODE OF ORDINANCES OF 1974", ENACTED ON THE 15TH DAY OF JULY, 1974.**

**BE IT ORDAINED BY THE PRESIDENT AND VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF COBDEN, UNION COUNTY, ILLINOIS, THAT:**

**SECTION 1.** Section 21-2-6 of Ordinance No. 1 entitled "Revised Code of Ordinances of 1974" is amended to read as follows:

**21-2-6 CLASSIFICATION – LIMITS.** Liquor licenses shall be divided into the following classes:

**(A) Class “A” Licenses – Taverns.** Class “A” licenses, which shall authorize the retail sale on the premises of specified alcoholic liquor for consumption on the premises as well as other retail sales of liquor which are open to the public. The semi-annual fee for such license shall be Five Hundred Dollars (\$500.00). No more than **one (1) license** shall be issued at any time.

**(B) Class “B” Licenses – Liquor Stores.** Class “B” licenses, which shall permit only the retail sale of alcoholic liquor in sealed packages, but not for consumption on the premises where sold. The semi-annual fee for such license shall be Four Hundred Dollars (\$400.00). No more than **one (1) license** shall be issued at any time.

**(C) Class “C” Licenses by the Day: Civic Organizations.** Upon application, the Mayor is authorized to issue a license to any civic, religious or charitable not-for-profit organization that keeps or desires to keep any place selling or offering for sale, or in any manner dealing in any alcoholic liquor. Each limited license shall be issued for specified dates, which shall be noted on the license. The fee for such license shall be the sum of One\_Dollar (\$1.00) per day.

- (1) Prior to issuance, such organization shall provide evidence of Dram Shop insurance as required by law and this Chapter governing the sale or giving away of alcoholic liquors.
- (2) No such license shall be transferable.
- (3) No Class “C” licenses shall be issued for any business or Licensee who currently holds a Class “E” license.

As Local Liquor Commissioner, the Mayor shall have and is hereby given the same right to revoke and/or suspend any license issued hereunder as he now or hereafter may have in the matter of other licenses for the sale of alcoholic liquors. (See 235 ILCS Sec. 5/4/1)

- (D) Class “D” License for Restaurant Lounge.** Class “D” licenses shall authorize:
- (1) The retail package sale of beer and wine;
  - (2) The retail sale of beer and wine for consumption on the premises; and
  - (3) The sale of alcoholic liquor, including spirits, for consumption on the Licensee’s premises, both in conjunction with the sale of a meal and separately from the sale of a meal, provided that a substantial portion of the use of Licensee’s premises shall be and remain for the sale of meals,

with the sale/purchase of a meal to be available during all hours of operation.

The semi-annual fee for such license shall be Four Hundred Fifty Dollars (\$450.00). No more than **three (3)** of such licenses shall be issued at any time.

(E) **Class “E” License for Public Accommodations.** Class “E” licenses shall authorize:

- (1) The consumption of spirits, liquor and/or alcoholic beverages on the Licensee’s premises, provided that said spirits, liquor or alcoholic beverages which are present and/or consumed on the Licensee’s business premises (as designated by the license issued under this section), are in the original package, not sold, offered for sale, or provided in return for any donation or any monetary contribution of any kind, are either: 1) brought there by the consuming party for personal use; or, 2) are provided by the person or entity who has rented or is otherwise using the Licensee’s business premises to hold an event, gathering or other function.
- (2) No spirits, liquor and/or alcoholic beverages can be sold, offered for sale, gifted, or provided in return for any donation or any monetary contribution of any kind, by the Licensee or his/her agents, on the business premises licensed under this section.
- (3) Any consumption of alcoholic liquor at a place of public accommodation which is not licensed hereunder or pursuant to the Illinois Liquor Control Act of 1934 and/or the Ordinances of the Village Board of Trustees is hereby expressly prohibited.
- (4) The possession or consumption of any spirits, liquor and/or alcoholic beverages on the Licensee’s business premises by any person under the age of 21 years is prohibited.
- (5) Consumption of any spirits, liquor or alcoholic beverages at a place of public accommodation may only occur between the hours of 6:00 a.m. and 12:00 a.m. (midnight), Monday through Thursday; between the hours of 6:00 a.m. and 1:00 a.m. on Friday/Saturday and Saturday/Sunday; and between the hours of 12:00 p.m. (noon) and 12:00 a.m. (midnight) on Sunday.
- (6) The Licensee shall not permit any invitee to remain within the place of public accommodation (the premises licensed hereunder) for longer than one-half (1/2) hour after the previously mentioned closing times.
- (7) The times referred to above shall mean Daylight Savings Time when the same is in effect in the Village, and upon the cessation of Daylight Savings Time, shall mean Central Standard Time.
- (8) All Class E Licensees, their agents and those who use the place of public accommodation licensed herein are strictly prohibited from operating any outdoor dining facilities or any beer gardens on the licensed premises.
- (9) All Class E Licensees, their agents and those who use the place of public accommodation licensed herein are strictly prohibited from providing or engaging in any outdoor entertainment such as karaoke, bands, etc., on the licensed premises.
- (10) No license shall be issued hereunder unless the applicant shall file with the

application a certificate by an insurance company authorized to do business in the State of Illinois, certifying that the applicant has not less than the minimum coverage of Dram Shop Insurance as set forth in Section 21-1-9 of the Revised Code of Ordinances for both the specific business premises licensed hereunder, as well as those who will provide spirits, liquor or alcoholic beverages while using the same, in accordance with Village Ordinances and the laws of the State of Illinois.

The semi-annual fee for such license shall be Two Hundred Fifty Dollars (\$250.00). No more than **one (1) license** shall be issued at any time.

**SECTION 2.** That all ordinances and parts of ordinance in conflict herewith are expressly repealed.

**SECTION 3.** This ordinance shall be in full force and effect upon its passage, approval, and adoption as provided by law.

**SECTION 4.** This ordinance shall be published in pamphlet form by the Village Clerk.

**PASSED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF COBDEN, UNION COUNTY, ILLINOIS, ON THE 21<sup>st</sup> DAY OF FEBRUARY, 2011.**

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Molly Beckley  
Village President

ATTEST:

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Karen M. Winzenburger  
Village Clerk

#### RECORD OF VOTE

Ayes: 5 – Brumleve, Eddington, Gomez, Maze, Swedlund  
Nays: 0 – None  
Absent: 1 – Stewart