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GENERAL PROVISIONS

§ 112.01 DEFINITIONS.

For the purposes of this chapter the following definitions shall apply unless the context clearly indicates or requires a different meaning.

"ALCOHOL." The product of distillation of any fermented liquid, whether rectified or diluted, whatever may be the origin thereof, and includes synthetic ethyl alcohol. It does not include denatured alcohol or wood alcohol.

"ALCOHOLIC LIQUOR." Includes the four varieties of liquor defined in this section, "ALCOHOL," "SPIRITS," "WINE," and "BEER," and every liquid or solid, patented or not, containing "ALCOHOL," "SPIRITS," or "WINE," or "BEER," and capable of being consumed as a beverage by human beings. The provisions of this chapter shall not apply to alcohol used in the manufacture of denatured alcohol produced in accordance with acts of the Congress of the United States and regulations promulgated thereunder, nor to any liquid or solid containing not more .5% of alcohol by volume. Nor shall the provisions of this chapter apply to flavoring extracts, syrups, or medicinal, mechanical, scientific, culinary, or toilet preparations, or food products unfit for beverage purposes. The provisions of this chapter shall not be construed to exclude or not apply to alcoholic liquor used in the manufacture, preparation, or compounding of such products. None of the provisions of this chapter shall apply to wine intended for use and used by any church or religious organization for sacramental purposes.

"BEER." A beverage obtained by 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, malt beverages, porter, and the like.

"ENTERTAINMENT." The offering or permitting of any amusement feature, including but not limited to music, vaudeville, singing, acting, dancing, or contests, whether by personal performance, or instrumental or mechanical reproduction facilitated by persons present within a licensed premises for the express purpose of providing or assisting in the provision of any of the foregoing. The terms "entertainment" or "live entertainment" as used in this chapter shall not be construed to include radio, television, the use of amusement devices or game machines operated or activated by payment, the provision or use of video gaming terminals licensed and operated in compliance with the provisions of the Video Gaming Act (ILCS Ch. 230, Act 40, §§ 1 et seq.), the provisions of applicable regulations promulgated from time to time by the Illinois Gaming Board, and the applicable provisions of the Village Code of Ordinances, including but not limited to the provisions of this chapter and Chapters 113 and 159 of this Code, or the provision of electronically reproduced music without facilitation or assistance by persons present within the licensed premises expressly for such purpose.

"HOTEL." 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 25 or more rooms are used for the sleeping accommodations of guests and having one or more public dining rooms where meals are served to guests, the sleeping accommodations and dining rooms being conducted in the same building in connection therewith and

appearance of or simulate that area of the human breast below the top of the areola; or appear without a fully opaque covering of that area of the human breast below the top of the areola. (Ord. 2043-89, passed 12-20-89) Penalty, see § 112.99

§ 112.08 HOURS OF SALE.

Hours of sale for all licensed liquor dispensing establishments within the corporate limits of the village shall be 12:00 midnight until 2:00 a.m., and from 7:00 a.m. until 12:00 midnight, except that on Sundays, the hours of sale for all licensed liquor dispensing establishments with the corporate limits of the village, with the exception to those licensees with a Class E license, shall be 12:00 midnight until 2:00 a.m., and from 11:00 a.m. until 12:00 midnight.

('71 Code, Ch. 2 § 1-9) (Ord. 223, passed 1-8-64; Am. Ord. 436, passed 12-18-74; Am. Ord. 476, passed 11-19-75; Am. Ord. 570, passed 10-19-77; Am. Ord. 2026-89, passed 9-20-89; Am. Ord. 2034-89, passed 9-20-89; Am. Ord. 2249-94, passed 1-5-94; Am. Ord. 2475-97, passed 5-7-97; Am. Ord. 2530-98, passed 1-21-98; Am. Ord. 2637-99, passed 3-15-99; Am. Ord. 2703-99, passed 10-6-99) Penalty, see § 112.99 (A)

§ 112.09 CLOSING REGULATIONS.

It shall be unlawful to keep open for business or to admit the public to any premises in or on which alcoholic liquor is sold at retail, during the hours when the sale of liquor is prohibited. However, in the case of restaurants and hotels, such establishments may be kept open during these hours, but no alcoholic liquor may be sold to or consumed by the public during such hours. ('71 Code, Ch. 2 § 1-7) (Ord. 223, passed 1-8-64) Penalty, see § 112.99 (A)

§ 112.10 PUBLIC PROPERTY AND PARK SITES DESIGNATED FOR ALCOHOL SERVICE AND CONSUMPTION.

(A) The Village Board designates the following park sites as permitted locations designated for alcohol service and consumption in connection with events to be held at such park sites, subject to the prior issuance of a permit for the event. Permits may be subject to such conditions as may be from time to time approved by the local liquor control commissioner to promote and ensure compliance with all applicable ordinances of the village and laws of the State of Illinois. Permit applicants shall be required to execute a written agreement accepting such conditions prior to the issuance of the permit. Permits shall be available upon such charges as may be determined from time to time by the Recreation Department, which charges may include the posting of a reasonable security deposit.

(1) Lake Strini Pavilion

(2) O'Hara Woods-Pete Capone Pavilion

(3) Village Park-Nancy Aldridge Memorial Pavilion

(B) In addition to any conditions imposed from time to time by the local liquor control commissioner on the service and consumption of alcoholic beverages at the above-mentioned locations in connection with permits for events at which such service and consumption is contemplated, the service and consumption of

alcoholic beverages at such permit events shall be subject to the following requirements:

(1) No bottles or glass containers are permitted.

(2) Alcohol must be served in plastic cups or cans.

(3) Only beer and wine are permitted to be served or consumed.

(4) The sale of alcohol in exchange for any form of consideration is prohibited.

(5) All posted park rules and otherwise applicable ordinances and laws must be followed.

(6) Alcohol must be contained within the pavilion area of the park for which the permit is issued.

(7) The required security deposit will be forfeited if the grounds are not cleaned properly after the event.

(C) The village further designates the following village-owned locations as eligible locations for the service and consumption of alcoholic beverages pursuant to a Class H Special Event license, subject to all applicable provisions of this chapter and this Code, and further subject to the prior issuance of a permit by the village to use the location in question for the special event. Permits and Class H Special Event licenses may be subject to such conditions as may be from time to time approved by the local liquor control commissioner to promote and ensure compliance with all applicable ordinances of the village and laws of the State of Illinois. Permit and Class H license applicants shall be required to execute a written agreement accepting such conditions prior to the issuance of the permit.

(1) Deer Crossing Park Pavilion

(2) Village Park-Nancy Aldridge Memorial Pavilion

(3) Such location as from time to time designated for the conduct of Romeofest

(D) The village further designates the following village-owned locations as locations from which the village or its authorized agents or contracted parties may serve beverages in connection with events conducted by the village at such locations to invitees of the village for consumption so long as no direct or indirect charge is made for such service, all as permitted by § 112.38:

(1) Deer Crossing Park Pavilion

(2) Romeoville Recreation Center

(3) Village Hall

(4) Village Park-Nancy Aldridge Memorial Pavilion

(5) Romeoville Athletic and Event Center

(E) The village further designates the following village-owned locations as eligible locations for the service and consumption of alcoholic beverages pursuant to a Class H-1 Craft Beer Event license, subject to all applicable

any premises used for retail sale of alcoholic liquor.

(B) A person 18 years of age or older may be employed as a waitress or waiter for the purpose of delivering and selling alcoholic liquor within the licensee's premises.

(C) This section does not apply to persons 16 years of age or older who are employed by a licensee under this chapter who sells alcoholic liquor by package goods only when the employee's activities are restricted to performing duties as a stock person or the equivalent, and who is under the direct supervision and control of the person authorized to sell alcoholic beverages under this chapter. In no event shall the duties of the stock person include the authority to sell alcoholic beverages.
(Ord. 489, passed 5-5-76; Am. Ord. 711, passed 2-6-80) Penalty, see § 112.99 (A)

§ 112.22 APPLICABILITY OF STATE LAW.

No provision contained in this subchapter shall excuse or relieve any licensed retail liquor dealer from the penalties imposed under this chapter or under the statutes of the state in relation to sale of liquor to minors.
(71 Code, Ch. 2 § 1-15) (Ord. 223, passed 1-8-64)

§ 112.23 PROHIBITING THE ENTRY OF NON-AGE PERSONS ON THE PREMISES OF LIQUOR ESTABLISHMENTS.

(A) No licensee or his agents or employees shall allow any person under the age of 21 years unaccompanied by a parent or legal guardian to enter any liquor dispensing establishment or premises unless the licensee shall:

(1) Possess and maintain a valid restaurant license from the village pursuant to Chapter 121 of this Code that is applicable to the liquor dispensing premises, provided, however, that the foregoing shall only apply to establishments or businesses actively, primarily and predominantly intended to be and operated as restaurants, and where the dispensing of liquor is merely incidental thereto, or

(2) Be the owner and/or operator of a multipurpose entertainment, amusement or recreation business located within a building having a total usable area, as determined by village staff, of not less than 30,000 square feet, actively, primarily and predominantly intended and operated as a provider of entertainment, amusement or recreational services, where the dispensing of liquor is merely incidental to the provision of entertainment, amusement or recreational services, and where the establishment of such business and/or the construction of the building housing such business has been approved by the Village Board as a planned unit development under the provisions of the village zoning ordinance. Notwithstanding anything herein to the contrary, in no event shall any licensee allow any person under the age of 21 years to sit, stand or be present at any bar or service bar or other area dedicated primarily and predominantly to the service of liquor.
(Ord. 2143-91, passed 12-18-91; Am. Ord. 05-0265, passed 4-6-05)

§ 112.24 NON-AGE PERSONS MUST BE ACCOMPANIED BY PARENT OR LEGAL GUARDIAN.

No person who has not attained the age of 21 years shall enter or remain in a liquor dispensing establishment unless he/she is accompanied by his/her parent or legal guardian and the parent or legal guardian has attained the age of 21 years. In any case, no person who has not attained the age of 21 years may sit or stand at a bar where liquor is being served.
(Ord. 2143-91, passed 12-18-91)

§ 112.25 CAPACITY OF CONTAINERS REGULATED.

No licensee under this chapter or its agent, servant or employee shall sell or permit to be sold at retail any packaged alcoholic liquor for use or consumption at a locale other than the licensed premises in any container that has a capacity of less than 51 milliliters, is labeled by the manufacturer as containing less than 51 milliliters or that actually contains less than 51 milliliters of alcoholic liquor, unless the same shall only be kept in locations within the licensed premises that are inaccessible to or out of reach of customers or patrons of the licensed premises.
(Ord. 06-0471, passed 11-1-06; Am. Ord. 09-0776, passed 8-5-09)

RETAIL LICENSES

§ 112.30 REQUIRED.

It shall be unlawful to sell or offer for sale at retail in the village any alcoholic liquor without having a retail liquor dealer's license.
(71 Code, Ch. 2 § 2-1) (Ord. 223, passed 1-8-64) Penalty, see § 112.99 (B)

§ 112.31 APPLICATION.

Application for a license required by § 112.30 shall be made to the Local Liquor Commissioner, in writing and signed by the applicant, if an individual, or a duly authorized agent thereof, if a corporation, verified by oath or affidavit presented not less than ten days prior to the date issuance is desired. The application shall contain the following information and statements:

(A) The name, age, and address of the applicant if the applicant is a natural person, the names and addresses of all general partners and all limited partners owning five percent or more of the aggregate limited partnership interests if the applicant is a partnership, or, if the applicant is a corporation, the names and addresses of all directors, officers, and persons owning five percent or more of the shares of stock issued by the corporation as of the date of the application, together with the date of incorporation and a statement of the objects and purposes for which the corporation was incorporated, and, regardless of whether the applicant is a natural person or an entity, a statement of the class of license for which the application is submitted, together with all information required by the ordinances of the village to be furnished in support of an application for that class of license;

(B) The citizenship of the applicant, his place of birth, and if a naturalized citizen, the time and place of his naturalization;

§ 112.33 CLASSES OF LICENSES.

(A) Class A licenses shall authorize the retail sale on the specified premises of alcoholic liquor at retail, and shall permit live entertainment on the premises.

(B) Class B licenses shall authorize the retail sale of alcoholic liquor on the specified premises, but shall not permit live entertainment on the premises. The annual fee for the license shall be \$1,000.

(C) Class C licenses shall authorize the retail sale of alcoholic liquor on specified premises and shall be known as a "Service Bar License." The license shall not permit live entertainment on the premises and alcoholic liquor may only be served by employees at tables on the premises to patrons of the establishment. A Class C license specifically prohibits the operation of a bar or any facility where patrons may directly request service themselves and carry the beverage to their own table. The annual fee for a Class C license shall be \$1,000.

(D) Class D licenses shall authorize the retail sale of beer on the specified premises, but shall not permit live entertainment on the premises. The annual fee for the license shall be \$1,000.

(E) Class E licenses shall authorize the retail package sale of alcoholic liquor for use or consumption at a locale other than the premises from where it was sold. The annual fee for the license shall be \$1,000.

(F) Class F licenses shall authorize golf course banquet facilities to sell alcoholic liquor for consumption on the premises described in the application therefor, and shall permit live entertainment on such premises. The annual fee for the license shall be \$1,000.

(G) Class G licenses shall authorize the licensee to sell alcoholic liquor at retail for consumption on the licensed premises, solely in connection with the operation of a full-service hotel, as defined in Chapter 159 of this Code, containing not less than 25 separate rooms for guest accommodation. At all times during which a Class G licensee shall be lawfully engaged in the sale of alcoholic liquor at retail for consumption on the premises, the Class G licensee shall operate a full service restaurant where meals are ordered from menus and prepared for and served to customers or patrons by staff employed for such purpose by the Class G licensee and not for the purpose of selling or serving alcoholic liquor. No Class G licensee shall be authorized to sell or deliver alcoholic liquor to individual rooms or to place, furnish or sell alcoholic liquor within individual guest rooms in any refrigerator, cooler, bar, chest or like item without a Class G room service endorsement. The annual fee for a Class G license shall be \$1,200.

(H) Class H licenses shall authorize the holders thereof to sell beer or wine, or pre-mixed cocktails served from the manufacturer's original packaging without further mixing or alteration by the licensee, but no other form of alcoholic beverage, at retail for consumption on the premises specified in the application, and shall permit live entertainment on such premises, provided, however, that Class H licenses shall only be issued in conjunction with

the conduct of a special event or events occurring not more frequently than twice during any given calendar year within the village to the person or entity organizing and responsible for the conduct of such special event or events. Class H licenses shall only be available to applicants that are bona fide charitable, religious, fraternal, civic, patriotic or social entities organized under the laws of the State of Illinois, organized for the promotion of a common aim or objective other than the consumption of alcohol and not for pecuniary profit, and that have been so organized for not less than five consecutive years prior to the date on which application for a Class H license is made by the applicant. As used in this chapter, "SPECIAL EVENT" means a picnic, rally, fair, festival, banquet, dance or other like gathering, whether public or private. The duration of a Class H license shall be entirely within the reasonable discretion of the local liquor control commissioner, but in any event shall not exceed five days. Not more than 12 Class H licenses shall be issued during any one calendar year, and not more than one Class H license shall be in force and outstanding at any given time. In the event that two or more otherwise qualified applicants apply for a Class H license for the same period of time, the local liquor control commissioner shall issue the Class H license at issue on the basis of priority of application. Additionally, no applicant may be issued more than two Class H licenses during any single calendar year. In the event that an application seeks a Class H license for a special event to be held on public property of the village, that applicant, in addition to complying with the provisions of this chapter and all other applicable ordinances of the village, shall be required to demonstrate to the local liquor control commissioner that the village has, by a duly enacted ordinance, authorized and approved the retail sale of alcoholic beverages at and from the premises described in the application, and further, that the village has authorized and approved the use of said premises for the retail sale of alcoholic beverages by the applicant in question in connection with the applicant's conduct of the special event described in the application. All applicants seeking a Class H license for a special event to be held on public property of the village shall, as a condition to the validity of the Class H license in question, further be required to execute an acknowledgment of the village conditions applicable to the sale and service of alcoholic beverages on public property in the form prescribed from time to time by the Liquor Commissioner, and to cause all personnel engaged in such sale and service of alcoholic beverages to execute the village's then-current volunteer participation agreement. As a further condition to the issuance of a Class H license, all Class H licensees shall cause a sufficient number of their members, employees, agents or other personnel who are or are to be engaged in the sale or service of alcoholic liquor at retail in connection with the licensee's holding of a Class H license to have successfully completed a T.I.P.S. alcohol training and certification course conducted by the Police Department or a B.A.S.S.E.T. program approved by the Illinois State Liquor Control Commission within a period of one year immediately prior to the date(s) during which alcoholic liquor is proposed to be served pursuant to the Class H license in question. For purposes of the issuance of a Class H license, a "sufficient number" of members, employees, agents

cups, the size of which may be limited at the discretion of the local liquor control commissioner.

(b) Positive identification of all patrons must be checked prior to entry into the licensed premises. Persons not of legal age to purchase or consume alcoholic beverages shall be prohibited from entering the licensed premises.

(c) The sale, delivery or service of craft beer and homemade brewed beverages shall be limited to the licensed premises identified in the license. All beer must stay within the licensed premises at all times. The licensee is responsible for ensuring that patrons do not leave the licensed premises with any alcoholic beverage and/or hand alcoholic beverages to persons outside the licensed premises.

(d) All sales of craft beer must commence after 12:00 p.m. on the day of the event, and stop at or before 11:00 p.m. if sold Friday and Saturday and 10:00 p.m. if sold Sunday through Thursday. These hours may be modified by the local liquor control commissioner as deemed necessary to protect the peace and quiet of the surrounding area.

(e) Licensees are solely responsible for the timely clearance of all patrons from the licensed premises.

(f) All operations by licensees at the licensed premises shall not disturb the lawful use and quiet enjoyment of nearby properties.

(g) Licensees shall maintain the licensed premises in a neat, orderly and safe condition, shall provide such traffic control and sanitation facilities as may be required by the local liquor control commissioner to protect the public health, safety, welfare and morals of the residents of the village, and shall restore the premises after expiration of the license to the prior condition thereof, including the removal of trash, rubbish and garbage in accordance with the Village's Code of Ordinances. Licensees must provide refuse containers at each exit of the licensed premises for garbage and/or unconsumed alcoholic beverages.

(h) The licensed premises shall be entirely contained within a permanent building or structure, or if not within a permanent building or structure, enclosed with a fence, or other barrier approved by the local liquor commissioner, demarcating the area.

(i) Licensees shall be responsible to comply with all other applicable provisions of this chapter and applicable laws of the State of Illinois.

(j) The licensee shall, upon request of the local liquor control commissioner, produce to the village evidence satisfactory to the village of the licensee's relationship to the individual brewers represented at the subject event.

(k) Licensees shall be responsible for the actions of all authorized participants in the craft beer event and shall take reasonable steps to ensure the compliance of such participants with the applicable ordinances of the village and laws of the State of Illinois.

(l) Class I licenses shall only be issued to holders of Class A, B, C, D, E, F, or G licenses who have not been fined or had their licenses suspended during the calendar year in which the Class I license is sought, shall be of one day in duration, and shall permit the holder thereof to sell alcoholic liquor at retail for one additional hour during the day for which the license is issued beyond the hours of retail sale of alcoholic liquor otherwise permitted by the ordinances of the village. Not more than six Class I licenses shall be issued for any given day, and shall be issued on the basis of priority of application between otherwise qualified applicants. Not more than three Class I licenses shall be issued to a single applicant during any given calendar year, and no applicant shall apply for or be issued more than one Class I license for any given day. The fee for each Class J license issued shall be \$25.

(J) Class J liquor licenses shall authorize the retail sale of alcoholic liquor for consumption on the licensed premises, which premises are a cinema or theater entertainment venue, consisting of a single or multi-screen operation in conjunction with the availability and preparation of food (including but not limited to salads, sandwiches, and pizzas) to customer order for immediate consumption on the premises, and further provided that the sale of food and alcoholic beverages shall be accessory to the operation of the premises as a cinema or theater entertainment venue. Alcoholic beverages shall be prepared and served from a service bar area which shall not include seating for patrons adjacent to or in the vicinity of such service bar area. Notwithstanding any contrary provisions of this chapter, alcoholic beverages may only be sold on the premises of a Class J licensee during the hours of 12:00 noon to 12:00 midnight, but not more than 15 minutes prior to the start of the first regularly scheduled movie or film to be shown on the premises during a given day, nor after the conclusion of the last regularly scheduled movie or film to be shown on the premises during a given day. The annual fee for a Class J license shall be \$1,800.

(K) Class K licenses shall authorize the holders thereof to engage only in the retail sale of packaged alcoholic liquor for consumption at a location other than the licensed premises, which packaged alcoholic liquor shall be delivered to the purchaser or intended consumer thereof at a location other than the licensed premises. Under no circumstances whatsoever shall the holder of a Class K license deliver any packaged alcoholic liquor to any purchaser or intended consumer thereof on the location of the licensed premises, or permit the consumption of any alcoholic liquor on the location of the licensed premises. For purposes of the imposition and ultimate distribution of tax revenues levied and collected pursuant to the Retailers' Occupation Tax, ILCS Ch. 35, Act 120, § 1 et seq., all sales of packaged alcoholic liquors made by a Class K licensee from licensed premises shall be deemed to have been made within the village, regardless of the location of the purchaser or ultimate consumer or recipient of such packaged alcoholic liquors. Notwithstanding the fact that a Class K licensee may take orders for the delivery of packaged alcoholic liquors via telephone, internet, or other forms of electronic communication and utilize information provided by these means of communication to verify the age and identity of the purchaser or ultimate

on-premises consumption for promotional or sampling purposes only in conjunction with promotional efforts occurring on the licensed premises occurring not more than three consecutive or nonconsecutive days per month. The sampling shall be attended and supervised by a full-time employee and only in a designated area on the licensed premises, and shall be subject to such further regulation as deemed necessary by the local liquor control commissioner. No portion of beer or wine provided for sampling or tasting purposes shall exceed one ounce in volume of wine, two ounces of premium beer, and no individual person may be provided more than five such tasting or sampling portions during a given calendar day. A Class O license also authorizes the sale of beer and wine-related accessories, gourmet food-related accessories, and gourmet foods such as cold sandwiches, salads, cheeses, appetizers, or other similar or complimentary foods, and drink products. The annual fee for the Class O license shall be \$1,200.

(P) Class P licenses shall authorize the licensee to sell alcoholic liquor at retail for consumption on the licensed premises, where such premises are owned by the licensee and include a full-service kitchen area of not less than 300 square feet, and where the licensee is a bona fide charitable, religious, fraternal, civic, patriotic or social entity organized under the laws of the state, organized for the promotion of a common aim or objective other than the consumption of alcohol and not for pecuniary profit, and has been so organized for not less than five consecutive years prior to the date on which application for a Class P license is made by the applicant. No Class P license shall be issued for any licensee owning proposed licensed premises located within a residential zoning district pursuant to applicable village ordinances, or to any licensee that is a condominium of homeowners' association. Class P licenses shall only authorize such sale at retail of alcoholic liquor to members of the licensee and to invited guests of such members in connection with the conduct of particular events or functions, including but not necessarily limited to banquets, dinners, fundraisers, dances, or festivals, and not on a general or continuous basis, where written notice of the particular event or function at which alcoholic liquor is to be served is provided to the local liquor control commissioner not less than 15 days prior to the date of the event or function in question. Live entertainment shall be permitted on the licensed premises in connection with the conduct of the aforementioned events or functions by the licensee. As a further condition to the issuance of a Class P license, all Class P licensees shall cause a sufficient number of their members, employees, agents or other personnel who are or are to be engaged in the sale or service of alcoholic liquor at retail in connection with the licensee's holding of a Class P license to successfully complete a T.I.P.S. alcohol training and certification course conducted by the Police Department or a B.A.S.S.E.T. program approved by the Illinois State Liquor Control Commission within 90 days of the issuance of any original or renewal license, or within 90 days from the date on which any such members, employees, agents or other personnel become engaged in such sale or service of alcoholic liquor. For purposes of the issuance of a Class P license, a "sufficient number" of members, employees, agents or other personnel of a Class P licensee who have received the training

required by this division (P) shall be not less than one member, employee, agent or other personnel of the Class P licensee for every ten members, employees, agents or other personnel of the Class P licensee (or any fraction thereof) engaged or to be engaged in the service and sale of alcoholic liquor pursuant to the Class P license. Such sufficient number of trained members, employees, agents or other personnel of the Class P licensee shall be present at the licensed premises at all times during which alcoholic liquors are sold and served, and shall supervise the sale and service thereof. The cost or expense of such training shall be borne by the Class P licensee. Documentary proof of compliance with the foregoing requirement shall be maintained by the Class P licensee and shall be produced upon demand to the local liquor control commissioner or his designee. The annual fee for the Class P license shall be \$250.

(Q) Class Q licenses shall authorize a licensee that is a bona fide restaurant to permit its customers to bring beer or wine but no other form of alcoholic liquor into such bona fide restaurant for consumption on the premises of such restaurant incidental and complementary to the service of a meal to be consumed by such customers while seated at a table and served by waitstaff employed by such licensee exclusively for such purpose, and no other establishment that is not a bona fide restaurant as defined herein (including but not limited to an establishment that holds a license issued under the provisions of Chapter 110A or under any successor provisions thereto) shall be eligible to apply for or receive a Class Q license. No person, entity or establishment that is not the holder of a valid Class Q license shall exercise any of the privileges granted to holders of Class Q licenses hereunder. No Class Q licensee shall permit any individual customer or pair of customers to bring into any Class Q licensed premises any amount of beer in excess of 72 ounces of beer in the original manufacturer's sealed package, or any amount of wine in excess of 750 mL of wine in the original manufacturer's sealed package; parties of customers larger than two customers shall be subject to the foregoing limitations, applied to each pair of such customers or fraction thereof. Notwithstanding any contrary provisions of this chapter, no Class Q licensee shall permit any customer to (i) bring any beer or wine into any Class Q licensed premises prior to noon on any day of the week, (ii) enter any Class Q licensed premises with beer or wine after 10:00 p.m. on any day of the week, or (iii) remain within any Class Q licensed premises with any unconsumed beer or wine after 11:00 p.m. on any day of the week. No Class Q licensee shall permit any customers to leave the licensed premises in possession of any opened container of beer or wine, other than an opened and partially consumed bottle of wine that has been resealed with a seal identifying the name and address of the licensee, and in a tamper-proof manner requiring the seal to be broken in order to open the container. The Class Q licensee shall provide each customer leaving its premises with such a partially consumed and resealed bottle of wine with a receipt bearing the date and time of such customer's patronage. Class Q licensees may provide glassware, ice, coolers or ice buckets for such customers, and may open, uncork, serve, pour and store beer or wine brought by such customers but only while such customers remain on the premises in connection with their consumption of a meal on the premises, and for the provision

(B) Classes A, B, and C - Off-Premises Sale Endorsement. An off-premises sale endorsement may be issued to the holder of a Class A, Class B or Class C license to permit the licensee to sell beer and wine in the original package for consumption at a location other than the licensed premises, subject to the following conditions:

(1) No beer or wine may be sold by any licensee pursuant to an off-premises sale endorsement unless (i) in the case of beer, the original package in which such beer is sold consists of at least one single sealed package, container or its functional equivalent containing not less than 12 sealed cans or bottles of beer of not less than 12 ounces volume each, or containing the same or greater total volume in sealed cans, bottles, barrels or kegs none of which shall be less than 12 ounces volume each, or (ii) in the case of premium beer as defined in § 112.33(0), such premium beer is drawn from a tapped barrel or keg of such premium beer maintained by the licensee for on-premises sale and consumption, and dispensed into a container having a capacity of not less than 64 fluid ounces commonly known as a "growler" that is sealed after filling with a seal identifying the name and address of the licensee, and in a tamper-proof manner requiring the seal to be broken in order to open the container, and (iii) in the case of wine, the original package in which such wine is sold consists of at least one single sealed package, container or its functional equivalent containing not less than six sealed bottles of wine of not less than 750 mL each, or containing the same or greater total volume in sealed bottles or other functionally equivalent containers none of which shall be less than 750 mL each.

(2) No beer or wine may be sold by any licensee pursuant to an off-premises sale endorsement on any day between the hours 12:00 a.m. to 2:00 a.m., regardless of whether or not the licensee is otherwise allowed to sell alcoholic beverages pursuant to the terms of its Class A, B or C license. No holder of a Class A, B or C license shall sell any beer or wine for off-premises consumption without first having obtained an off-premises sale endorsement as herein specified. The annual fee for a Class A, B or C off-premises sale endorsement shall be \$100.

(C) Class G Full-Service Hotel Endorsements: Room Service and Mini-Bar Service. A room service endorsement or a mini-bar service endorsement, or both of them, may be issued to the holder of a Class G license. A room service endorsement shall permit the licensee to sell at retail and deliver alcoholic liquor to guests in individual rooms during such hours as alcoholic liquor is otherwise permitted to be sold by the Class G licensee, provided, however, that the Class G licensee must maintain a menu for food service to individual rooms consisting of meals prepared on the premises during all times when alcoholic liquor is being sold and delivered to individual guest rooms pursuant to a room service endorsement. A mini-bar service endorsement shall authorize the licensee to place one locked refrigerator unit not in excess of 4.4 cubic feet in capacity containing alcoholic liquor for sale for consumption on the premises (a "mini-bar") in each individual guest room of the full-service hotel operated by the licensee, and to provide the key for a given unit upon request to a paid guest 21 years of age or older registered to the room in which such unit is located. The annual

fee for a room service endorsement shall be \$200 and the annual fee for a mini-bar endorsement shall be \$200.

(D) Video gaming terminal location endorsements. A video gaming terminal location endorsement may be issued to the holder of a Class A, Class B, Class C, Class D, or Class P license that holds (i) a current and valid license from the State of Illinois and/or the Illinois Gaming Board pursuant to the provisions of the Video Gaming Act (ILCS Ch. 230, Act 40, §§ 1 et seq.) and the provisions of applicable regulations promulgated from time to time by the Illinois Gaming Board permitting the holder to operate one or more video gaming terminals within the licensed premises and (ii) a current and valid special use permit approved by the Village Board of Trustees pursuant to the provisions of Chapter 159 of this Code authorizing the operation of video gaming terminals at the location of the licensed premises. All applicants for a video gaming terminal location endorsement must at all times offer or have available a selection of food and nonalcoholic beverages prepared to customer order on the licensed premises, and for immediate consumption by the customer on such premises. A separate video gaming terminal endorsement shall be required to be issued for each video gaming terminal sought to be operated from within the licensed premises. For purposes of the enforcement of the provisions of this chapter (including but not limited to the taking of any action by the Local Liquor Control Commissioner pursuant to § 112.51), any violation by a licensee holding one or more video gaming terminal location endorsements of any provision of the Video Gaming Act, the regulations promulgated thereunder by the Illinois Gaming Board, or any provision of any village ordinances applicable to the licensee's conduct of business (including but not limited to the provisions of Chapters 113 and 159 of this Code, and the provisions of any special use permit issued to the licensee or with respect to the licensed premises) shall be deemed to be a violation of this chapter. No licensee under this chapter may apply for, receive or hold more than five video gaming terminal endorsements at any time, and no licensee may apply for, receive or hold video gaming terminal endorsements for more than one licensed premises at any given time. The annual fee for each video gaming terminal location endorsement shall be \$100. (Ord. 11-0913, passed 7-6-11; Am. Ord. 12-0978, passed 4-18-12; Am. Ord. 12-1021, passed 12-19-12)

§ 112.34 NUMBER OF LICENSES.

Notwithstanding any contrary provision of this chapter, the total number of licenses of each license classification that shall be available for issuance during any given calendar year shall be as follows:

- Class A - Ten licenses.
- Class B - Seven licenses.
- Class C - Eight licenses.
- Class D - One licenses.
- Class E - Twenty-three licenses.
- Class F - One licenses.
- Class G - Zero license.

pursuant to this chapter and shall furnish the Clerk, Treasurer, and Chief of Police with a copy. On the issuance of any new license or the revocation of any old license, the President shall give written notice of the action to each of the officers within 48 hours of the action. ('71 Code, Ch. 2 § 2-10) (Ord. 223, passed 1-8-64)

§ 112.40 TRANSFERABILITY; PRIVILEGE ONLY.

A retail liquor dealer's license shall be purely a personal privilege, good for one year after issuance, unless sooner revoked as provided in this subchapter. A license shall not constitute property nor shall it be subject to attachment, garnishment, or execution. A license shall not be alienable or transferable, voluntarily or involuntarily, nor shall it be subject to encumbrance or hypothecation. ('71 Code, Ch. 2 § 2-11) (Ord. 223, passed 1-8-64) Penalty, see § 112.99(B)

§ 112.41 RENEWAL.

Any licensee under this subchapter may renew his license when it expires provided, that he is then qualified to receive a license and the premises for which the renewal license is sought are suitable for the purpose. The renewal privilege shall not be construed as a vested right which shall in any case prevent the President from decreasing the number of licenses to be issued within his jurisdiction. ('71 Code, Ch. 2 § 2-12) (Ord. 223, passed 1-8-64)

§ 112.42 TRANSFER OF LOCATION.

A retail liquor dealer's license shall permit the sale of alcoholic liquor only in the premises described in the application and license. The location may be changed only on the written permit to make such change issued by the President. No change of location shall be permitted unless the proposed new location is a proper one for the retail sale of alcoholic liquor under the laws of this state, provisions of this chapter, and other ordinances of the city. ('71 Code, Ch. 2 § 2-13) (Ord. 223, passed 1-8-64) Penalty, see § 112.99(B)

§ 112.43 LICENSE VALID ONLY IN SPECIFIC PREMISES.

It shall be unlawful to sell alcoholic liquor at retail in the village at any other place than in or on the premises described in the license issued. ('71 Code, Ch. 2 § 2-14) (Ord. 223, passed 1-8-64) Penalty, see § 112.99 (B)

§ 112.44 LIMITATIONS ON LOCATIONS OF RETAIL PREMISES.

No license shall be issued under this chapter for the retail sale of any alcoholic liquors within 100 feet of any church, school (other than an institution of higher learning), hospital, home for aged or indigent persons, or for veterans, their spouses or children or any military or naval station, provided, however, that this prohibition shall not apply to hotels offering restaurant service, regularly organized clubs, or to restaurants, food shops or other places where the sale of alcoholic liquors is not

the principal business carried on at the location in question.

('71 Code, Ch. 2 § 2-16) (Ord. 223, passed 1-8-64; Am. Ord. 2530-98, passed 1-21-98; Am. Ord. 2787-00, passed 9-6-00) Penalty, see § 112.99(B)

§ 112.45 REVOCATION.

The President, as Local Liquor Commissioner, may revoke any retail dealer's license for any violation of any provisions of this chapter, for any violation or misrepresentation of any material fact set forth in the application for license, or for violation of any state or federal law pertaining to the sale of alcoholic liquor. Revocation of or failure to obtain a state or federal license shall automatically revoke the village license. ('71 Code, Ch. 2 § 2-15) (Ord. 223, passed 1-8-64)

LOCAL LIQUOR CONTROL COMMISSIONER

§ 112.50 DESIGNATION.

The President of the village shall be the Local Liquor Control Commissioner and he shall have all the authority vested in the Local Liquor Control commissioner by state law and the ordinances of the village. (Ord. 794, passed 8-19-81)

(B) Any person, firm, or corporation that violates any of the provisions of §§ 112.30 through 112.45 may, in lieu of any revocation or suspension of license as provided in § 112.45, be fined by the Local Liquor Control Commissioner no less than \$300 nor more than \$1,000 for each offense. A separate offense shall be deemed committed on each day during or on which a violation occurs or continues. Not more than \$10,000 in fines may be imposed against any licensee during the period of his or her license. Proceeds from any such fines shall be paid into the General Corporate Fund of the village. ('71 Code, Ch. 2 § 2-17) (Ord. 223, passed 1-8-64; Am. Ord. 2410, passed 3-20-96)

§ 112.51 POWERS AND DUTIES.

The Liquor Control Commissioner shall have the following powers and duties.

(A) To grant, suspend, and revoke for cause all licenses issued under this chapter for premises within his jurisdiction.

(B) To enter into and to authorize any law enforcement officer to enter at any time on any premises licensed hereunder to determine whether any of the provisions of S.H.A. Ch. 43 or of this ordinance or any rules and regulations adopted by him or by the State Liquor Control Commissioner have been or are being violated.

(C) To exercise all the powers, functions, and duties which are now or hereafter may be granted to him by S.H.A. Ch. 43, regulations of the State Liquor Control Commission or by this chapter.

(D) To suspend for not more than 30 days or revoke for cause any license issued under this chapter after a hearing for any of the following reasons.