

CRAWFORD COUNTY LIQUOR CONTROL ORDINANCE

Drafted by THE CRAWFORD COUNTY BOARD OF CRAWFORD, ILLINOIS

THIS DAY OF , 2019

CRAWFORD COUNTY LIQUOR CONTROL ORDINANCE



1— LEGISLATIVE SECTION PURPOSE

WHEREAS, the Crawford County Board wishes to implement this liquor control ordinance into one comprehensive ordinance, thus clarifying the law with respect to alcoholic beverages in Crawford County.

WHEREAS the health, safety and welfare of the People of Crawford County Illinois shall be protected and temperance in the consumption of alcoholic liquors shall be fostered and promoted, the following has been adopted by the Crawford County Board of Robinson, Illinois.

WHEREAS, the Crawford County Board Chairman who serves as the “Liquor Control Commissioner” for Crawford County, together with the advice and consent of the County Board do believe it to be in the best interest of the County and to promote business and tourism throughout Crawford County.

THEREFORE, BE IT ORDAINED AND ADOPTED AS FOLLOWS: That the County Clerk is hereby authorized to distribute a certified copy of this Ordinance to the County Board, Liquor Control Commission, elected Sheriff and Liquor Commissioner.

Each Applicant will get their license by choosing one form of liquor sales. They may add additional endorsements and their corresponding costs to the original license, but they will only have one license.

When obtaining a Liquor license, you are agreeing to allow law-enforcement, Health Dept, liquor Commissioner of Crawford County, or anybody who represents the public well-being, inside the structure where the sale of Liquor or the manufacture of Liquor are taking place. Any effort to prevent these entities from the performance of their job is grounds for suspension or loss of Liquor License.

If the licensee feels the authority is overstepping the law or interpreting a situation in error. The licensee may appeal their suspension to the Liquor Control Committee. If the Licensee still feels like they have not been represented adequately, they may appeal it to the entire county board. The county board shall be the final say in this decision. The county cannot be charged for loss of sales in this situation, no matter the outcome.

It will be the Licensee’s responsibility to check with the Crawford County Health Department to ensure any type of license or inspections that are required, are complied with.

No One under the age of 21 shall be allowed to serve alcohol. People who do serve alcohol should be Bassett trained and Certified.

All Licensees shall state thereon the fact that it is a retail license for the sale of alcoholic liquor, the name of the licensee, and the address and description of the premises for which it is granted, the date of its issuance, and expiration, and shall be duly attested by the County Clerk.

The initial (first time) liquor license and its endorsements need to be approved by the entire county board. Before a license can be renewed or the initial license issued, the fee of the total license and any endorsements must be paid to the county. Endorsements cannot be added later in the year. They can only be added to a license at the time of renewal or initial application.

If for some reason the liquor committee denies the renewal of an annual Liquor license on April 30, the owner of the establishment or his representative may appeal it to the entire county board. Their decision is final.

It should be remembered that possession of a Liquor License and any endorsements corresponding with that License is a privilege and not a right. That privilege can be revoked at any time by violating the rules in this Ordinance.

SECTION 2 - DEFINITIONS

- (1) Act: The Illinois Liquor Control Act of 1934, as amended (235 ILCS 5/1-1 et seq.).
- (2) Alcoholic Liquor: Any spirits, wine, beer, ale or other liquor, containing more than one half of one per cent of alcohol by volume, which is capable of being consumed as a beverage by a human being.
- (3) Club: 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 liquors, 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, 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 and provided with suitable and adequate kitchen and dining room space and equipment and maintaining a sufficient number of servers and employees for cooking, preparing and servicing food and meals for its members and their guests; provided, that such a club files with the Commissioner at the time of its application for a license under this Ordinance that its affairs and management are conducted by a board of directors, executive committee, or similar body chosen by the directors, executive committee, or similar body chosen by the members at their annual meeting and that no member or 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 liquor to the club or the members of 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 government body out of the general revenue of the club.
- (4) Commissioner: The Chairman of the Board of Crawford County.
- (5) Convenience Store: Any public place kept, used, maintained, advertised and held out to the public as a place at which the primary purpose is to offer gasoline and/or limited groceries and sundries for sale, the retail sale of alcoholic liquors being incidental thereto.
- (6) Liquor Control Committee: Will consist of five (5) members from the County Board so appointed by the Chairman (1) the County Board Chairman (Liquor Commissioner) and the currently Elected Sheriff (1). =. 7 members total.
- (7) Person: Any natural person, firm, partnership, association or corporation.
- (8) Premises: Any permanent physical structure or building from which alcoholic liquors are sold.
- (9) Pre-Packaged Drinks: Pre-packaged drinks shall be any commercially prepared and packaged alcohol mixed with juice and/or other beverage which does not have an alcohol content which exceeds six percent of alcohol by volume. Pre-packaged drinks shall not include beer and wine.
- (10) Restaurant: Any public place kept; used, maintained, advertised and held out to the public as a place where meals are served, and where meals are actually and regularly served, without sleeping accommodations, such space being provided with adequate and sanitary kitchen and dining room equipment and capacity and having employed therein a sufficient number and kind of employees to prepare, cook and serve suitable food for its guests and falls under the inspection of the County Health Department.
- (11) Retailer: A person who sells or offers for sale alcoholic liquor for use or consumption.

(12) Retail Sale: A sale for use of consumption and not for resale in any form.

(13) Sale: Any transfer, exchange, delivery or barter in any manner, or by any means whatsoever, including a transfer of alcoholic liquors by and through a transfer or negotiation or warehouse receipts or certificates, and includes and means all sales made by any person, whether principal, proprietor, agent, servant or employee. The term "sale" includes any license to an importing distributor's license even if both licenses are held by the same person.

(14) State Commission: The Illinois Liquor Control Commission as created in 235 ILCS 5/3-1 and/or otherwise provided for.

(15) Any Liquor found to be laced or infused with Marijuana, illegal drug or unknown man made substance is not covered under a Crawford County Liquor License and may be grounds for criminal action.

SECTION 3. LIQUOR CONTROL COMMISSIONER

The Chairman of the County Board of Crawford County, Illinois, as determined by that body in the manner provided by law, shall be, and he/she is hereby designated as the Liquor Commissioner of said County for the territory outside the limits of any city or incorporated town in said Crawford County, Illinois, and he/she shall be charged with the administration in such jurisdiction of the appropriate provisions of said Act of the General Assembly and of this Ordinance, and for those purposes shall possess the authority and perform the duties imposed on him/her by law with respect to said office. He/she shall have full power to demand immediate surrender of a liquor licenses hereunder, in the manner provided by law should the situation warrant such action. If the Chairman of the County Board is unavailable, then the Vice Chairman of the County Board shall act as the Liquor Control Commissioner.

SECTION 4. LICENSE REQUIRED

No person, firm, partnership, association or corporation shall act as a retailer of alcoholic liquor or engage in a business of selling, offering for sale, or keeping with an intention of selling for use or consumption and not for resale or providing for consumption by the public alcoholic liquors in the territory outside the limits of any city or incorporated town in said Crawford County, Illinois, without first securing and having a valid license issued by the County Board of said County.

No person shall manufacture, bottle, blend, sell, barter, transport, deliver, furnish with or without cost or possess any alcoholic liquor for beverage purposes, except for personal use and as specifically provided for in the Act and/or this Ordinance.

SECTION 5. LICENSE ENDORSEMENT — FEES

The County Board shall have powers to grant liquor licenses with the prior authorization of the Liquor Committee for the selling of retail alcoholic liquor. The Liquor Ordinance shall allow the licensee to sell and offer for retail sale, on the premises specified in such license, alcoholic liquor for use or consumption, but not for resale in any form.

The County has set a cap of six (6) liquor licenses. If one of the current license holders decides not to renew, then the Liquor Commissioner or Elected Sheriff may suspend the Liquor license until another

applicant is chosen who meets the criteria. Any change in the number of licenses will require County Board approval. An applicant for a Liquor License shall have no grounds for grievance if a license is awarded to another applicant.

Class "A" RESTAURANT License/Endorsement: license shall authorize a restaurant to serve alcoholic liquor, beer, wine and pre-packaged drinks as an incidental or accessory part of a food service that serves prepared meals which excludes the serving of snacks. A Class "A" license shall also require a Crawford County Health Department Sanitary Food Inspection. Restaurants may serve alcohol with prepared meals on Sunday (pre-packaged food and snacks do not qualify as meals). Restaurant hours 10 a.m. to 10 p.m.

The fee for a Class "A" Endorsement shall be \$5000 per license and \$500 a year renewal. which may be renewed annually.

Class "B" BAR: License/Endorsement shall authorize a bar to serve alcoholic liquor, beer, wine, and prepackaged drinks for consumption on the premises. In addition to restrictions otherwise provided for under this Ordinance, a holder of a Class "B" Endorsement. The fee for a Class "B" endorsement shall be \$5000 per license and \$500 a year renewal.

Class "B1" Bar License/Endorsement including package liquor sales will be \$5000 per license and \$1000 a year renewal.

Class "C" PACKAGE: License/Endorsement shall authorize retail sale on premise, in unbroken, sealed, packages, of all types of liquor, beer, wine and pre-packaged drinks for consumption off the premises. The fee for a Class "C" license shall be \$2000 per license and \$500 a year renewal.

Class "D" SPECIAL EVENT: Permit may be issued to a Class A or Class E liquor endorsement or a civic or charitable not for profit organization and shall authorize the sale of beer, wine and/or prepackaged drinks on special occasions and for a period of 1 to 3 consecutive days only. The fee for a Class "D" permit shall be \$100.00 and each consecutive event shall go up in \$100 dollar increments per licensee in the same Calendar year. (1st license \$100.00, 2nd \$200.00, 3rd \$300.00, 4th \$400.00 on so on)

Class "E" WINERY License/Endorsement : A winery Endorsement issued by the Crawford County Board shall authorize the sale and offer for retail sale wine in the original package, for consumption on the premises, as well as other retail sales of such wine in the original package, which shall be consumed on or off the premises. A person possessing an Illinois State Wine Maker's license, or Illinois State Wine Manufacture's license, and a Crawford County Winery license may also sell wine in its original package to distributors and retailers in Illinois to the extent authorized by their Illinois State license. A Class "E" Winery endorsement is a onetime \$1000.00 and \$500 a year renewal annually.

(a) A winery license for Crawford County may be issued by the Crawford County Board only to a person, partnership, or corporation engaged or intending to engage in the commercial wine production business within Crawford County, Illinois. A winery license issued by the Crawford County Board shall authorize the manufacture, sale, packaging of bulk wine, and the sale, distribution, storage, and wholesale of all types of wine and wine derived products listed below, whether manufactured by the winery or bought elsewhere, for consumption on or off the winery premises (including buildings and property), but business hours for retail sales shall be restricted to the days and hours detailed hereafter. The aforementioned wine and wine derived products shall include, but not be limited to, such items as:

wine, port, champagne, sherry, wine coolers, wine jelly, brandy wine, wine cider and Sangria. The winery license shall allow on-premises sampling of said wine and wine derived products to consumers of lawful age during permitted retail sales hours.

(b) A Crawford County winery licensee possessing an Illinois State Wine Maker's license may also sell wine to distributors and retailers in Illinois and outside of the State of Illinois to the extent authorized by its Illinois State License and to the extent permitted by federal law. The winery licensee shall have the right to have directional signs placed along public roads that lead to the winery premises, subject to all applicable rules and regulations. The winery licensee shall have the right to be open for business to the public to sell, at retail, for consumption on or off the premises, wine and wine derived products at the Crawford County winery licensee's premises, including buildings and property

(c) An "Off-Site Event" permit shall authorize a licensee to transfer a portion of its wine and wine derived products inventory from its licensed premises to the premises specified in the permit hereby created, and during the times permitted for sales on licensed premises to sell or offer for retail sale or consumption, or offer sampling on the premises specified in the permit hereby created, the transferred wine and wine derived products which shall be consumed on or off the premises. Such permit shall be granted for not more than 3 days at a time. The applicant for the permit hereby created must submit with the application, proof satisfactory to the Crawford County Board that the applicant will provide dram shop liability insurance to the maximum recovery under the Illinois Dram Shop Act.

Class "F" DISTILLERY License/Endorsement : A Distillery endorsement issued by the Crawford County Board shall authorize the sale and offer for retail sale Distilled Liquor in the original package, for consumption on the premises, as well as other retail sales of such wine in the original package, which shall be consumed on or off the premises. A person may possess a Master Distillers certification and a Crawford County Distillery license may also sell distilled alcohol in its original package. A distiller's license consists of brandy, whisky, rum, or arrack. The process is obtained by distillation from wine or other fermented fruit or plant juice. A process authorized by their Illinois State license. A Class "F" Distillery endorsement is an initial payment of 1000.00 and \$500 a year renewal annually.

(a) A Crawford County Distillery licensee shall have the right to have directional signs placed along public roads that lead to the Distillery premises, subject to all applicable rules and regulations. The Distillery licensee shall have the right to be open for business to the public to sell, at retail, for consumption on the premises, products at the Crawford County Distillery licensee's premises, including buildings and property, 7 days per week as previously noted., The Distillery licensee shall also have the right to obtain an "Offsite Event" permit, for up to three days at a time, for up to three times a year. The Distillery licensee shall have the right to obtain an "Off-Site Sampling" permit, as described below, for up to three days at a time, for up to 3 times a year. Any "Off-Site Event" permit or "Off-Site Sampling" permit shall be issued only upon the approval of a majority of the County Board, which may determine the time, place, and hours permitted. The applicant for the permit hereby created must submit with the application proof satisfactory to the Crawford County Board and the applicant will provide dram shop liability insurance to the maximum recovery under the Illinois Dram Shop Act.

At the time application is made to the Liquor Commissioner for an "Off Site Event" permit if approved by the County Board, the applicant shall pay unto the County Clerk for such permit the sum of \$100, One Hundred Dollars per event. The application should be submitted no later than 45 days before the event.

Class "G" BEER and MICRO BREWERY License/Endorsement : A Micro Brewery license or Endorsement issued by the County Board shall authorize the sale and offer for retail sale Beer in the original package, for consumption on the premises, as well as other retail sales of such Beer in the original package, which shall be consumed on or off the premises. A person possessing an Illinois State Beer Maker's license, or Illinois State Beer Manufacture's license, and a Crawford County Micro Brewery license may also sell Beer in its original package to distributors and retailers in Illinois to the extent authorized by their Illinois State license. A Class "G" Micro Brewery license is \$1000.00 and \$500 a year renewal annually.

(a) A Beer or Micro Brewery License /Endorsement for Crawford County may be issued by the Crawford County Board to a person, partnership, or corporation engaged or intending to engage in the commercial Beer production business in Crawford County, Illinois. A Beer or Micro Brewery license or Endorsement issued by the Crawford County Board shall authorize the manufacture, sale, packaging of bulk Beer, and the sale, distribution, storage, and wholesale of all types of Beer and Beer derived products, whether manufactured by the Micro-Brewery or bought elsewhere, for consumption on or off the Micro-Brewery premises (including buildings and property), but business hours for retail sales shall be restricted to the days and hours detailed hereafter. The aforementioned

Beer and Beer derived products shall include, but not be limited to, such items as: Beer. The Micro-Brewery license shall allow on-premises sampling of said Beer and Beer derived products to consumers of lawful age during permitted retail sales hours.

(b) A Crawford County Micro Brewery licensee possessing an Illinois State Beer Maker's license may also sell Beer to distributors and retailers in Illinois and outside of the State of Illinois to the extent authorized by its Illinois State License and to the extent permitted by federal law. Excluding a Beer only establishment, a Micro-Brewery licensee shall have the right to have directional signs placed along public roads that lead to the Micro-Brewery premises, This is for Tourism purposes and does not apply to a Beer only establishment. The Micro-Brewery licensee shall have the right to be open for business to the public to sell, at retail, for consumption on or off the premises, Beer and Beer derived products on the Crawford County Micro Brewery licensee's premises, including buildings and property, 7 days per week, including on Sundays. The Microbrewery licensee shall also have the right to obtain an "Off-Site Event" permit, as described below, for up to three days at a time, for up to three times a year. The Micro-Brewery licensee shall have the right to obtain an "Off-Site Sampling" permit, as described below, for up to three days at a time, for up to 3 times a year. Any "Off-Site Event" permit or "Offsite Sampling" permit shall be issued only upon the approval of the County Board, which may determine the time, place, and hours permitted. Sales of the Licensee shall be permitted at these events providing State, Federal and Health laws are observed. The applicant for the permit hereby created must submit with the application proof satisfactory to the Liquor Commissioner that the applicant will provide dram shop liability insurance to the maximum recovery under the Illinois Dram Shop Act, The Permit will then be voted on by the entire County Board. If approved the applicant shall pay unto the County Clerk for such permit the sum of \$100, One Hundred and 00/100 Dollars per event. The application should be submitted no less than 45 days before the event.

Class "H" CLUBS License: Private clubs, including, but not limited to, golf clubs, as well as other private entities shall have the right to sell, at retail, for consumption on the premises only, to authorized members and guests of said private entities. A Class "H" CLUB license is \$2,000.00 annually.

SECTION 6. PERSONS/ENTITIES INELIGIBLE TO RECEIVE LICENSE

No license of any kind issued by the Crawford County Board shall be issued to:

- (A) (1) A person who is not a resident of the State of Illinois, unless eligible under Section 9 (a).
- (2) A person who is not of good character and reputation in the community in which he/she resides;
- (3) A person who is not a citizen of the United States;
- (4) A person who has been convicted of a felony under any Federal or State law, if the Commissioner determines, after investigation, that such person has not been sufficiently rehabilitated to warrant the public trust. Burden of proof to show sufficient rehabilitation shall be on the applicant;
- (5) A person who has been convicted of being the keeper or is keeping a house of prostitution and/or gambling;
- (6) A person who has been convicted of pandering or other crime or misdemeanor opposed to decency and morality;
- (7) A person whose license issued under this Ordinance or the Act has been revoked for cause;
- (8) A partnership, if any general partner thereof, or limited partner thereof, owning more than five percent (5%) of the aggregate partner interest in such partnership would not be eligible to receive a license hereunder, for any reason other than citizenship and residence within the County of Crawford;
- (9) Corporation, if any officer, manager or director thereof; or any stockholder or stockholders owning in an aggregate more than five percent (5%) of the stock of such corporation, would not be eligible to receive a license hereunder, for any reason other than citizenship and residence within the County of Crawford;
- (10) A corporation unless it is incorporated in Illinois, or unless it is a foreign corporation which is qualified under the "Business Corporation Act of 1983" (805 ILCS 5/101 et seq.);
- (11) A person whose place of business is conducted by a manager or agent unless the manager/agent resides in Crawford County and the manager or agent possess the same qualifications required by the licensee;
- (12) A person who has been convicted of a violation of any Federal or State law concerning manufacture, possession or sale of alcoholic liquor or has forfeited his/her bond to appear in court to answer charges for any such violation; 7
- (13) A person or applicant who neither beneficially owns nor leases for the full license term the premises for which the license is issued;
- (14) Any law enforcing public official, including members of local liquor control commissions, any mayor, alderman, or member of a city council or commission, any president of a village board of trustees, any members of a village board of trustees, or any president or member of a county board, and no such official shall be interested directly in manufacture, sale or distribution of alcoholic liquor, except that license may be granted to such official in relation to premises which are not located within the territory subject to the jurisdiction of that official if the issuance of such license is approved by the State Liquor Control Commission;
- (15) A person who is neither an owner nor a beneficial owner of the business to be operated by the licensee;

- (16) A person who has been convicted of a gambling offense as prescribed by any of subsections (a) (3) through (a) (10) or Section 28-1 of; or as prescribed by Section 28-3 of the "Criminal Code of 1961", approved July 28, 1961, as heretofore or hereafter amended (720 ILCS 5/28-1, 5/28-3), or as prescribed by a statute or replaced by any of the aforesaid statutory provisions;
 - (17) A person to whom a Federal Wagering Stamp has been issued by the Federal Government for the current tax period;
 - (18) A partnership to which a Federal Wagering Stamp has been issued by the Federal Government for the current tax period, or if any of the partners have been issued a Federal Gambling device stamp or Federal Wagering Stamp by the Federal Government for the current tax period;
 - (19) A corporation, if any officer, manager or director thereof; or any stockholder owning in an aggregate more than twenty percent (20%) of such corporation's stock has been issued a Federal Wagering Stamp for the current tax period;
 - (20) Any premises for which a Federal Wagering Stamp has been issued by the Federal Government for the current tax period;
 - (21) Any person or entity not eligible for a State Retail Liquor Dealer's License;
 - (22) Any person or entity indebted for any delinquent real estate or personal property taxes, Retailers Occupation (sales) Taxes, debt or other financial obligation to the County of Crawford;
 - (23) Any person or entity not able to provide a Certificate of Insurance that shows currently in force Liquor Law Liability (Dram Shop) Insurance;
 - (24) For any other reason as outlined in the Act.
- (B). If any of the foregoing grounds for ineligibility for a license is found by a court to be contrary to or not authorized by state law, such ground(s) shall not apply.

SECTION 7. FORM OF LICENSE ISSUED

- (a) An applicant for a retail license shall submit to the liquor control commissioner an application, in writing, under oath and in duplicate, which shall be in the same form and content required to be filed with the Liquor Control Commissioner of the State of Illinois, setting forth, in detail, all information and statements required by Section 1 of Article 7 of said "Act Relating to Alcoholic Liquors".
- (b) One copy of such application shall be filed with the County Clerk of said county, and the other copy shall be retained by the Crawford County Liquor Control Commissioner.
- (c) No applicant for a liquor license shall be eligible to receive the same unless he possesses the qualifications required by law for a state retailer's license; and if it appears from such application, or said Liquor Commissioner shall otherwise ascertain, that the applicant is not a suitable person to conduct such business, he shall reject said application, and order the refund of such license fee to be paid to said applicant, Minus any expenses incurred by the County which refund shall be made by the County Treasurer in the manner provided by law.
- (d) The liquor control commissioner may revoke any license issued by the County Board if he determines that the licensee has violated any of the provisions of said "Act Relating to Alcoholic Liquors", or of this Resolution, or any applicable rule or regulation established or promulgated by the liquor control commissioner not inconsistent with the law.

(e) All proceedings for the revocation of a license shall be before the County Liquor Control Commission and shall be conducted and determined in the manner provided by law. Whenever any license shall have been revoked by said liquor control commissioner, the licensee, his/her agents, servants and employees shall immediately cease or discontinue the conduct of such business in the premises described in said license.

(f) The license renewal date will not change because of a suspension or revocation. If the licensee does not agree with the suspension, they may appeal to the Liquor Committee, and ultimately, the entire County Board in the event of the violation of any of the regulations imposed herein are not addressed. Any lost income due to the suspension of a license cannot be charged to the County under any circumstances, whether the licensee is successful or not.

SECTION 8. DISPLAY OF LICENSE

The licensee shall cause his license and each endorsement issued under the provisions of this Ordinance to be framed and hung in plain view in a conspicuous place on the licensed premises. All licensees shall comply with the State mandated display of warning signs as cited in the Act.

SECTION 9. PRIVILEGE GRANTED BY LICENSE — NATURE AS PROPERTY — EXPIRATION OF LICENSE — NOT LIABLE TO ATTACHMENT, GARNISHMENT OR EXECUTION — TRANSFERABILITY.

A license shall be purely a personal privilege and shall expire April 30th following the date of issuance, unless revoked earlier as provided in this Ordinance, and shall not constitute property, nor

- (a) No license shall subject to attachment, garnishment or execution, nor shall it be alienable or transferable voluntarily or involuntarily and shall not descend by the laws of testate or intestate devolution, but it shall cease upon the death of the licensee. Provided always, that the executor or administrator of any deceased licensee, and the trustee of any insolvent or bankrupt licensee, when such estate consists in part of alcoholic liquor, may continue the business of the sale of said alcoholic liquor under order of the appropriate court, and may exercise the privileges of the 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 therefrom; nor shall any part of such license fee be refunded because of the discontinuance of the business.

SECTION 10. RENEWAL OF LICENSE

(a) All licenses will be renewed on April 30 of each year. Applications for renewal must be submitted to the liquor control commissioner by the 15th day of March of the same year under consideration for the County Board to vote on. All applications and renewals must be submitted 45 days prior to issuance of license and must include on the application all stockholders, their % of holdings in the corporation. All out-of-State corporations must be registered with the Secretary of State prior to applying for an Illinois Liquor License.

If a simple annual renewal is needed and no infractions have taken place over the past year, the liquor committee may approve the renewal.

Any licensee may renew his license at the expiration thereof, provided he/she is qualified to receive a license and the premise for which such renewal license is sought is suitable for such purpose; and

provided further that the renewal privilege herein provided for shall not be construed as a vested right which shall in any case prevent the County Board for Crawford County from decreasing the number of licenses to be issued within County of Crawford.

(b) Any license issued to a corporation for profit shall terminate upon transfer of a majority of ownership of the corporation to another individual.

(c) Whenever a non-corporate licensee under this Ordinance forms a corporation to operate in lieu of said licensee, a new application and fee is required.

(d) Failure to apply for renewal of a liquor license and to accompany such renewal application with the corresponding fee will be considered by the Liquor Committee a decision not to renew.

SECTION 11. SALES

No licensee, nor any officer, associate, member, representative, agent or employee of such licensee shall sell, give or deliver alcoholic liquor to any person under an age of twenty-one (21) years, or to any intoxicated person. No person, after purchasing or otherwise obtaining alcoholic liquor, shall sell, give or deliver such alcoholic liquor to another person under the age of twenty-one (21) years of age, except in the performance of a recognized religious ceremony or service. If a licensee or his agents or employees believe or have reason to believe that a sale or delivery of any alcoholic liquor is prohibited because of the age of a prospective recipient, he/she shall, before making such sale or delivery, demand presentation of written evidence of age and identity of the person in a document issued by a Federal, State, county or municipal government, or subdivision or agency thereof, including, but not limited to a motor vehicle operator's license; a registration certificate issued under the Federal Selective Service Act (50 U.S.C. App. Sec. 451 et seq.), or an identification card issued to a member of the Armed Forces. No person under twenty-one (21) years of age may sell or serve alcoholic liquor.

SECTION 12. SANITARY AND SAFETY CONDITIONS OF PREMISES

Failure to conform to the Crawford County Health Department Ordinance or violation of any county and/or State codes may be considered sufficient cause for revocation or suspension of license.

SECTION 13. DISORDERLY CONDUCT NOT TO BE PERMITTED

No licensee under this Ordinance shall permit any disorderly conduct or disturbance of the peace thereon on the premises listed on the liquor License. Failure to control the conduct of patrons on the property may be considered sufficient cause for revocation or suspension of a license

SECTION 14. RECORDS OF LICENSES ISSUED

The Commissioner shall keep or cause to be kept a record of all such licenses issued by the County Board or Liquor Committee.

SECTION 15. NUMBER OF LICENSE ISSUED

The Crawford County Board has agreed to place a cap on number of licenses issued in Crawford County. That cap is (6) six licenses in the County. Each license may have multiple endorsements for the sale of alcohol.

SECTION 16. OPENING AND CLOSING HOURS

(a) The sale of Liquor under this ordinance is not allowed from 1:00 a.m. to 5:00 a.m. every day of the week. Time referred to herein shall be Central Standard Time, except for that portion of the year when Central Daylight Savings time is in effect, and then, the time referred to herein shall be Central Daylight Time.

(b) During the times when alcoholic liquor may not be sold at retail, the premises for which the license has been issued shall be closed for the sale of alcoholic liquor and such premises shall be totally closed to the public one-half hour thereafter, provided that the premises of restaurants as defined in this Ordinance and in the Act, and the premises of a convenience store, as defined in this Ordinance, may be kept open in addition to the hours referred to in paragraph "a" of this Section for purposes other than the sale of alcoholic liquor.

SECTION 17. REVOCATION OR SUSPENSION OF LOCAL LICENSE

The Liquor Commissioner shall have the authority to suspend or revoke a license issued pursuant to this ordinance under the following circumstances:

(a) If the liquor control commissioner has reason to believe that the continued operation of a particular licensee will immediately threaten the welfare of the community, the liquor control commissioner may order the licensed premises closed for not more than 7 days upon the issuance of a written order stating the reason for the conclusion and without notice or hearing to the licensee. The Liquor Commissioner shall have a hearing before the end of the 7 day suspension for a license suspension to extend beyond 7 days.

Or

b) The licensee shall not sell, give or deliver alcoholic liquor to any minor or to any intoxicated person. The licensee shall not be exonerated because he/she furnished or delivered alcoholic liquor to any minor when accompanied, or at the request of any parent, legal guardian or custodian, and shall not permit any person or persons under the age of 21 years to collect, loiter or remain in said place of business, notwithstanding a restaurant or convenience store location.

Or

(c) The licensee shall not sell or furnish alcoholic liquor for retail sale to any person on credit, or on a pass book, or order on a store, or in exchange for any goods, wares or merchandise, or in payment for any service rendered; or

(d) When requested by the Liquor Commissioner, the licensee fails to provide the necessary costs and expenses of adequate police protection and supervision of the licensed premises if an event on the licensee's property or place of business dictates that a potential safety situation may exist.

or

(e) The licensee fails, refuses, or neglects to permit or authorize the Liquor Commissioner, Health Dept or anyone representing public safety to have access to the licensee's premises. This includes any law enforcement officer to enter at any time upon the premises licensed hereunder to determine whether or not any of the provisions of said "Act Relating to Alcoholic Liquors", or any rules or regulations adopted by the State Liquor Control Commission, or any of the provisions of this Ordinance have been, or are being violated therein and at such time to examine the premises of the licensee in connection therewith.

SECTION 18. PENALTIES

The liquor control commissioner may revoke or suspend any license if it is determined that the licensee has violated any of the provisions of this ordinance or any applicable rules or regulations established by the liquor control commissioner, the Liquor Control Commission, or the State Commission, or any provision of the Liquor Control Act; however, no license shall be suspended or revoked and no licensee shall be fined except after a public hearing by the liquor control commissioner with a 3 day written notice to the licensee and affording the licensee an opportunity to appear and defend, except as provided in Section 17(a) of this ordinance which allows for a 7 day immediate suspension if the welfare of the community is immediately threatened. In lieu of suspension or revocation, the liquor control commissioner may, at his/her discretion, levy a fine on the license for such violation. The first violation shall be \$200.00. The second violation shall be \$500.00. The third violation shall be \$1,000.00. The fines and penalties for violations shall be levied for as long as the establishment holds the liquor license. Fines will be assessed from the first date of known violation or any finding of misconduct or guilt. All fines shall be paid within thirty (30) days from the date that the liquor control commissioner issues the fine. The fine will be paid to the County Clerk's office.

SECTION 19. SEVERABILITY CLAUSE

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of this ordinance.

This Ordinance shall repeal and otherwise supersede all preceding ordinances. ADOPTED AND APPROVED this day of , 2019 at the regular meeting of the Crawford County Board. By its Chairman Attest

David Fulling, County board Chairman

Don Goupil

Jonathon Goff

Koert Bartman

George Bohman

Clint Williamson

Kevin Dart

Kevin Morrison

Jim Keller

Kip Randolph

Fayrene Wright, County Clerk Aye Votes: __

Nay Votes: _____