

**ORDINANCES EFFECTING CHAPTER 13**  
**ALCOHOLIC LIQUOR DEALERS**

<b><u>ORDINANCE</u></b>		<b><u>DATE PASSED</u></b>
003	Providing for Liquor Control	12.14.65
137	Service Bar - Time of Closing - Class "G"	03.12.69
215	Fees and Bond	06.02.70
286	Design of Premises	07.28.71
287	Number of Class "B"	07.28.71
289	Retail Sale	08.11.71
302	Amended Class "A", "B" & "F"	09.15.71
324	License Required	03.29.72
73-046	Class "B" (4)	07.11.73
73-049	New Class "F-2" (Private Clubs)	07.25.73
73-063	Class "A" (2) - Waiver of Fee	09.05.73
73-067	Opening Time and Design of Premises	09.19.73
73-082	Repealed Election Day Restrictions	11.28.73
73-086	Record of Licenses	12.05.73
74-034	Repealed Section 13-308	02.19.74
74-057	Fees and Pro-rating Fees	05.14.74
74-065	Increasing "B" to Six (6)	06.04.74
74-100	Adding Class "C" (Beer & Wine)	09.10.74
74-110	Repealing Ordinance 74-100	09.24.74
74-111	Adding Class "C" (Beer & Wine Only); Decreasing "B" to Five (5)	09.24.74
74-122	Increasing "B" to Six (6)	11.12.74
74-130	License Cannot be Transferred	12.03.74
74-137	New Class "D" (Liquor & Food)	12.17.74
75-004	Decreasing Class "A" to 1	01.14.75
75-026	Adding "C-1" and Increasing "C" & "D" to Two (2)	04.08.75
75-059	Increasing "D" to Three (3)	06.24.75

**ORDINANCES EFFECTING CHAPTER 13**  
**ALCOHOLIC LIQUOR DEALERS**

<b><u>ORDINANCE</u></b>		<b><u>DATE PASSED</u></b>
75-076	Increasing "B" to Seven (7) and "D" to Four (4), Decreasing "C" to One (1)	09.30.75
76-008	Increasing "B" to Eight (8)	01.27.76
76-031	Decreasing "B" to Seven (7) and Increasing "D" to Five (5)	03.23.76
76-060	Increasing "C" to Two (2)	06.15.76
76-066	Increasing "C" to Three (3)	06.22.76
76-067	Adopting a New Chapter 13	06.29.76
76-081	Increasing "B" to Eight (8)	07.27.76
76-092	Decreasing "D" to Four (4)	08.17.76
76-120	Increasing "C-1" to Two (2)	11.16.76
76-121	Decreasing "C" to Two (2) & Increasing "D" to Five (5)	11.23.76
76-131	Decreasing "D" to Four (4)	12.07.76
77-007	Increasing "A" to Two (2)	02.15.77
77-031	Increasing "D" to Five (5)	05.03.77
77-060	Decreasing "D" to Four (4)	09.06.77
77-076	Decreasing "D" to Three (3) - Time for Pasta	11.01.77
77-080	Increasing "C-1" to Three (3)	11.29.77
77-088	Complete New Chapter 13	12.27.77
78-009	Decreasing "B" to Seven (7)	05.02.78
78-010	Increasing "B" to Eight (8)	05.02.78
78-011	Decreasing "D" to Two (2) - Abbey & Increasing "D" to Three (3) - La Margarita	05.09.78
78-015	Pro-rating Fees	07.11.78
78-028	Increasing "B" to Nine (9)	09.05.78
78-038	Decreasing "C" to One (1) - Waitkoss Co.	10.31.78
78-039	Increasing "C" to Two (2) - Pizza Hut	10.31.78
78-056	Decreasing "C-1" to Two (2) - Wine Haus	11.28.78

**ORDINANCES EFFECTING CHAPTER 13**  
**ALCOHOLIC LIQUOR DEALERS**

<b><u>ORDINANCE</u></b>		<b><u>DATE PASSED</u></b>
78-069	Decreasing "B" to Eight (8) & Increasing "C-1" to Three (3) - Totura's Finer Foods	12.19.78
79-001	Decreasing "B" to Seven (7) - Muhamad Mustafa	01.09.79
79-007	Increasing "B" to Eight (8) - Satellite Enterprises	02.06.79
79-014	Decreasing "D" from Three (3) to Two (2) - La Margarita	03.06.79
79-015	New Classification Class "D-1" - La Margarita	03.06.79
79-031	Decreasing "C-1" to Two (2) - Totura's	05.22.79
79-037	Increasing "C" to Three (3) - Old Chicago	06.12.79
79-073	Increasing "B" to Nine (9) - Camelot Finer Foods	11.20.79
79-085	Drinking Age Raised to 21	12.18.79
80-021	Decreasing "B" to Eight (8) - Jewel	03.11.80
80-028	Change in Operating Hours	05.20.80
80-036	Decreasing "D" to One (1) - Clementine's Pub	07.15.80
80-037	Increasing "D" from One (1) to Two (2) - Clementine's	07.15.80
80-039	Decreasing "A" to One (1) - Barone's	07.29.80
80-040	Increasing "A" to Two (2) - Barone's	07.29.80
80-045	Decreasing "B" to Seven (7) - Foremost Liquors	08.26.80
80-046	Increasing "B" to Eight (8) - Foremost	08.26.80
80-066	Increasing "B" to Nine (9) - Day 'N Nite	11.18.80
81-002	Decreasing "C" to Two (2) - Old Chicago Towne Partners	01.27.81
81-003	Increasing "C" to Three (3) - Mama G's	01.27.81
81-010	Decreasing "B" to Eight (8) - The Still	03.24.81
81-011	Increasing "B" to Nine (9) - The Still (new owners)	03.24.81
81-016	Population for Issuance of Additional Licenses Increased to 39,000	05.26.81
81-017	Increase "D-1" to Two (2) - Eickelman & Assoc.	05.26.81
81-019	New Classification "C-2" (Chez Arthur Inc.) & Change Hours	06.09.81
81-022	New Classification "F-3" (Bolingbrook Park District) &	

**ORDINANCES EFFECTING CHAPTER 13**  
**ALCOHOLIC LIQUOR DEALERS**

<b><u>ORDINANCE</u></b>		<b><u>DATE PASSED</u></b>
	Change in Bond Requirement	07.14.81
81-025	Increasing "D-1" to Three (3) - Restaurant, (James R. Elliott & Lloyd Tuttle)	07.14.81
81-026	Amending with Respect to Operating Hours	07.14.81
81-037	Decreasing "B" to Eight (8) - Camelot Finer Foods	10.27.81
81-038	Decreasing "D" to One (1) - Old Chicago Beer Garden	10.27.81
81-044	Decreasing "C-2" to Zero (0) - Chez Arthur, Inc.	01.10.81
81-055	Increasing "C" to Four (4) - Little Italian Restaurant	12.15.81
82-004	Decreasing "B" to Seven (7) - Foremost Liquors	02.05.82
82-012	Decreasing "B" to Six (6) - A & P	03.23.82
82-020	Decreasing "D" to Zero (0) - Clementine's Pub	04.27.82
82-021	Increasing "D-1" to One (1) - Clementine's Pub - new owners)	04.27.82
82-039	Amending Chapter 13 "Alcoholic Liquor Dealers" in its entirety & naming it "Alcoholic Liquor Dealers"	07.27.82
82-045	Decreasing "D-1" to Two (2) - Touch of Class	08.10.82
82-050	Increasing "B" to Seven (7) - Thrif-T-Mart	09.14.82
82-051	Increasing "D-1" to Three (3) - Clementine's Pub	09.14.82
82-057	Increasing "B" to Eight (8) - Foremost Liquors	09.28.82
82-058	Increasing "C" to Five (5) - Family Tree Restaurant	09.28.82
82-059	Decreasing "D" to Zero (0) - Clementine's Pub	10.12.82
82-061	Increasing "D-1" to Four (4) - Shamus O'Kelly's	10.26.82
82-065	Decreasing "B" to Seven (7) - The Still	11.09.82
82-066	Increasing "B" to Eight (8) - The Still - new owners	11.09.82
82-067	Decreasing "B" to Seven (7) - Day-N-Nite	11.09.82
82-068	Increasing "B" to Eight (8) - Day-N-Nite Food Marts	11.09.82
82-073	Amending Chapter 13 with Respect to Fees	12.14.82
83-001	Decreasing "A" to One (1) - Barones	01.11.83

**ORDINANCES EFFECTING CHAPTER 13**  
**ALCOHOLIC LIQUOR DEALERS**

<b><u>ORDINANCE</u></b>		<b><u>DATE PASSED</u></b>
83-002	Decreasing "C" to Four (4) - Mama G's	01.11.83
83-003	Amending Article 3, Adding New Sect. 13-315 "Conduct Prohibited	01.11.83
83-006	Decreasing "B" from Eight (8) to Seven (7) - Thrif-T Mart	02.08.83
83-010	Increasing "C-1" from 2 to 3 Great Scot Supermarket	03.22.83
83-014	Decreasing "D-1" from Four (4) to Three (3) - LaMargarita	04.19.83
83-015	Decreasing "D-1" from Three (3) to Two (2) - Shamus O'Kellys	04.19.83
83-022	<u>*DEFEATED*</u> Increasing "C" from Four (4) to Five (5) (Wizards, Inc., dba Bittersweets)	05.24.83
83-044	Decreasing "C" from Four (4) to Three (3) - Little Italian Restaurant	09.27.83
83-045	Increasing "D" from Zero (0) to One (1) - Little Italian Restaurant	09.27.83
84-004	Decreasing "C" from Three (3) to Two (2) - Family Tree Restaurant	01.10.84
84-014	<u>DEFEATED</u> to Increase "C-1" from Three (3) to Four (4) - White Hen Pantry, 245 Schmidt Road	04.30.84
84-024	Amending Art. 3 - Consumption of Alcoholic Liquor in Public Places	06.12.84
84-030	Decreasing "B" from Seven (7) to Six (6) - Foremost Liquors	08.14.84
84-031	Increasing "B" from Six (6) to Seven (7) - Foremost Liquors	08.14.84
84-043	Increasing "D" from One (1) to Two (2) - Aurelio's Is Pizza	09.11.84
84-051	Increasing "C" from Two (2) to Three (3) - Family Square	10.23.84
84-066	Elimination of "D-1", Thereby Increasing "D" to Four (4)	12.11.84
85-023	Decreasing "C-1" from Three (3) to Two (2) - Great Scot Supermarket	02.26.85
85-034	Decreasing "C-1" from Two (2) to One (1) - Eagle Discount Store #258	06.25.85
85-049	Increasing "B" from Seven (7) to Eight (8) - Dominick's	08.27.85
85-060	Increasing "D" from Two (2) to Three (3) - Golden Chopsticks	10.08.85
86-025	Decreasing "B" from Eight (8) to Seven (7) - Day 'N Nite	05.27.86
86-026	Increasing "B" from Seven (7) to Eight (8) - Day 'N Nite	05.27.86
86-028	Decreasing "D" from Five (5) to Four (4) - Skillets Cafe	06.10.86
86-029	Increasing "A" from One (1) to Two (2) - RV Moose Lodge 2177	06.10.86

**ORDINANCES EFFECTING CHAPTER 13**  
**ALCOHOLIC LIQUOR DEALERS**

<b><u>ORDINANCE</u></b>		<b><u>DATE PASSED</u></b>
86-035	Increasing "D" from Four (4) to Five (5) - Rondabob/Beam Reach	06.24.86
86-036	Increasing "C" from Three (3) to Four (4) - Smokey's Pizza	06.24.86
86-040	Decreasing "A" from Two (2) to One (1) - RV Moose Lodge 2177	07.22.86
86-042	Decreasing "C" from Four (4) to Three (3) - Smokey's Pizza	08.12.86
87-001	Decreasing "D" from Five (5) to Three (3) - Clementine's Pub	01.13.87
87-002	Increasing "A" from One (1) to Two (2) - Clementine's Pub	01.13.87
87-003	Decreasing "B" from Eight (8) to Seven (7) - Day 'N Nite	01.13.87
87-004	Increasing "B" from Seven (7) to Eight (8) - Day 'N Nite	01.13.87
87-005	Increasing "B" from Eight (8) to Nine (9) - Day 'N Nite, Schmidt	01.13.87
87-006	Decreasing "B" from Nine (9) to Eight (8) - The Still	01.13.87
87-058	Amending "A" -Adding A-1 & A-2 - Two Rivers Sports Bar	08.12.87
87-074	Increasing "C" from Three (3) to Four (4) - Rocky Rococo	10.13.87
87-078	Increasing "A" from Two (2) to Three (3) - Briar House	10.27.87
87-079	Amending Art. 2, Sections 208 and 210 re Evidence of Insurance	10.27.87
88-033	Decreasing "A" from Three (3) to Two (2) - Briar House	05.25.88
88-034	Increase "A" from Two (2) to Three (3) - Panama Connection	05.25.88
88-061	Increase "C" from Four (4) to Five (5) - Ying Lee Restaurant	08.23.88
88-063	Increasing "C" from Five (5) to Six (6) - Bono's	09.13.88
88-076	Increasing "C" from Six (6) to Seven (7) - Omar's Bar-B-Q Inn	10.11.88
88-091	Decreasing "B" from Eight (8) to Seven (7) - Day 'N Nite, Naperville	12.13.88
88-092	Increasing "B" from Seven (7) to Eight (8) - Consumers Liquor Stores	12.13.88
89-012	Decreasing "C" from Seven (7) to Six (6) - Omar's Bar-B-Que Inn	01.24.89
89-013	Amending Number of Licenses to be Issued & Premises in Violation of Building and/or Fire Codes	01.24.89
89-014	Salary of Liquor Control Commissioner	01.24.89
89-015	Liquor Contests Prohibited and Separate Sales Area	01.24.89
89-016	Reduced Rates Prohibited	02.14.89

**ORDINANCES EFFECTING CHAPTER 13**  
**ALCOHOLIC LIQUOR DEALERS**

<b><u>ORDINANCE</u></b>		<b><u>DATE PASSED</u></b>
89-023	Possession of Alcohol by Minors	04.11.89
89-071	Decreasing "C" from Six (6) to Five (5) - Rocky Rococo's	07.25.89
89-072	Increasing "C" from Five (5) to Six (6) - Pizza Hut	07.25.89
89-107	Amending Fines for Municipal Code Violations	10.24.89
89-109	Amending Section 13-318 re Happy Hours	11.14.89
90-013	Decreasing C from Six (6) to Five (5) - Ying Lee Restaurant	02.13.90
90-014	Decreasing B from Eight (8) to Seven (7) - J & K Liquors	02.13.90
90-015	Increasing C-1 from Two (2) to Three (3) - Bono's	02.13.90
90-028	Increasing A from Three (3) to Four (4) - For Pete's Sake	03.13.90
90-029	Decreasing D from Three (3) to Two (2) - Mrs. L's Restaurant	03.27.90
90-030	Increasing D from Two (2) to Three (3) - Mrs. T's Pizza	03.27.90
90-076	Decreasing C from Four (4) to Three (3) & C-1 from Three (3) to Two (2) - Bono's	05.22.90
90-077	Increasing C from Three (3) to Four (4) & C-1 from Two (2) to Three (3) - Bono's	05.22.90
90-094	Decreasing B from Seven (7) to Six (6) - Mario's Liquors	07.24.90
90-095	Increasing B from Six (6) to Seven (7) - Hayes Foremost	07.24.90
91-044	Application Fee, Renewals and Fees	05.14.91
91-166	Decreasing Fee for Class B	11.12.91
92-005	Add F-4 Liquor License Classification	01.14.92
92-013	License Renewal Requirements	01.28.92
92-023	Increasing C from Four (4) to Five (5) - Montana Charlie's	03.10.92
92-047	Increasing A from Four (4) to Five (5) - Crickets and Cue	05.12.92
92-065	Increasing B from Seven (7) to Eight (8) - Eagle	06.23.92
92-072	Increasing C from Five (5) to Six (6) - El Burrito Loco	07.14.92
92-113	Transfer of Liquor License	10.27.92
92-150	Decreasing B from Eight (8) to Seven (7) - Day 'N Nite	11.24.92

**ORDINANCES EFFECTING CHAPTER 13**  
**ALCOHOLIC LIQUOR DEALERS**

<b><u>ORDINANCE</u></b>		<b><u>DATE PASSED</u></b>
92-151	Increasing B from Seven (7) to Eight (8) - Day 'N Nite	11.24.92
92-159	Decreasing A-1 from One (1) to Zero (0) - Two Rivers Sports Bar	11.24.92
92-160	Increasing A-1 from Zero (0) to One (1) - Two Rivers Sports Bar	11.24.92
92-161	Decreasing A-2 from One (1) to Zero (0) - Two Rivers Sports Bar	11.24.92
92-162	Increasing A-2 from Zero (0) to One (1) - Two Rivers Sports Bar	11.24.92
93-004	Decreasing C-1 from Three (3) to One (1) - Two Rivers Sports Bar & 7-Eleven	01.05.93
94-007	Increasing C-1 from One (1) to Two (2) - Hometown Pantry	01.11.94
94-031	Decreasing B from Eight (8) to Seven (7) - Walgreens	03.22.94
94-051	Increasing A-1 from One (1) to Two (2) - East Side Mario's	05.10.94
94-061	Decreasing B from Seven (7) to Six (6) - Day 'N Nite	05.24.94
94-062	Increasing B from Six (6) to Seven (7) - Day 'N Nite	05.24.94
94-086	Decreasing D from Three (3) to Two (2) - Aurelio's	07.26.94
94-113	Increasing D from Two (2) to Three (3) - Chili's Grill and Bar	10.25.94
94-121	Serving Liquor by Persons Under 21 Years of Age	11.15.94
94-129	Decreasing C from Six (6) to Five (5) - Bono's	11.29.94
94-130	Decreasing C-1 from Two (2) to One (1) - Bono's	11.29.94
94-131	Increasing C from Five (5) to Six (6) - Bono's	11.29.94
94-132	Increasing C-1 from One (1) to Two (2) - Bono's	11.29.94
95-010	Increasing A-1 from Two (2) to Three (3) - Boughton Inn	01.24.95
95-037	Prohibited Sale, Gift or Delivery of Alcoholic Liquor	03.14.95
95-122	Increasing D from Three (3) to Four (4) - Taste of the Orient	07.11.95
95-190	Increasing D from Four (4) to Five (5) - Salsa & Tortillas	12.19.95
95-199	Decreasing A from Five (5) to Four (4) - Mrs. T's	12.19.95
95-200	Increasing A-1 from Three (3) to Four (4) - Mrs. T's	12.19.95
96-015	Deleting Separate Sales Area, Adding D-1, Amending D & A-1	02.13.96

**ORDINANCES EFFECTING CHAPTER 13**  
**ALCOHOLIC LIQUOR DEALERS**

<b><u>ORDINANCE</u></b>		<b><u>DATE PASSED</u></b>
96-044	Amending Fees for A, A-1, A-2	04.23.96
96-053	Increasing B from Seven (7) to Eight (8) - Dashi Food & Liquors	05.14.96
96-063	Decreasing B from Eight (8) to Seven (7) - Day 'N Night	05.28.96
96-064	Increasing B from Seven (7) to Eight (8) - Day 'N Night	05.28.96
96-075	Increasing D from Six (6) to Seven (7) - Maurie's Table	06.25.96
96-077	Increasing B from Eight (8) to Nine (9) - Osco Drugs	07.09.96
96-156	Decreasing D from Seven (7) to Six (6) - Taste of the Orient	12.10.96
96-157	Increasing C from Six (6) to Seven (7) - Taste of the Orient	12.10.96
97-010	Decreasing C from Six (6) to Five (5) - Bono's	02.12.97
97-024	Increasing C from Five (5) to Six (6) - Bono's	04.08.97
97-052	Decreasing C-1 from One (1) to Zero (0) - Hometown Pantry	06.24.97
97-053	Increasing C-1 from Zero (0) to One (1) - Convenient Food Mart	06.24.97
97-069	Increasing A from Four (4) to Five (5) - Cheddar's Casual Café	08.08.97
97-076	Increasing C-1 from One (1) to Two (2) - Big KMart	08-26-97
97-090	Decreasing A from Five (5) to Four (4) – For Pete's Sake	10.14.97
97-097	Decreasing A from Four (4) to Three (3) - Panama Connection	11.11.97
97-098	Increasing A from Three (3) to Four (4) - Panama Connection	11.11.97
97-120	Decreasing C from Six (6) to Five (5) - Bono's	12.23.97
97-121	Increasing C from Five (5) to Six (6) - Bono's	12.23.97
98-013	Increasing A-1 from Three (3) to Four (4) - Holiday Inn	02.03.98
98-045	Decreasing B from Nine (9) to Eight (8) - Consumers Food & Liquors	04.28.98
98-046	Increasing B from Eight (8) to Nine (9) - Stop 24 Food & Liquor	04.28.98
98-062	Decreasing A from Four (4) to Three (3) - Pete's	06.09.98
98-063	Decreasing B from Nine (9) to Eight (8) - Day 'N Nite	06.09.98
98-064	Increasing B from Eight (8) to Nine (9) - Day 'N Nite	06.09.98
98-111	Increasing A-1 from Four (4) to Five (5) - Bash	09.08.98

**ORDINANCES EFFECTING CHAPTER 13**  
**ALCOHOLIC LIQUOR DEALERS**

<b><u>ORDINANCE</u></b>		<b><u>DATE PASSED</u></b>
98-123	Decreasing C from Six (6) to Five (5) - Bono's	10.13.98
98-124	Increasing C from Five (5) to Six (6) - Bono's	10.13.98
98-130	Decreasing D from Six (6) to Five (5) - Applebees	10.27.98
98-131	Increasing D from Five (5) to Six (6) - Applebees	10.27.98
98-143	Decreasing D from Six (6) to Five (5) - Maurie's Table	12.15.98
98-144	Increasing D from Five (5) to Six (6) - Mr. Absolute Pizza & Pub	12.15.98
99-028	Decreasing A-1 from Five (5) to Four (4) - 431 Corp. dba Bash	03.23.99
99-029	Increasing A-1 from Four (4) to Five (5) - 431 Corp. dba Bash	03.23.99
99-043	Amending Population Requirements for Number of Licenses	04.27.99
99-046	Decreasing "D" from Six (6) to Five (5) - Salsa Y Tortilla	04.27.99
99-047	Increasing "D" from Five (5) to Six (6) - Salsa Y Tortilla	04.27.99
99-076	Increasing "B" from Nine (9) to Ten (10) - Meijer, Inc.	07.13.99
99-102	Decreasing "B" from Ten (10) to Nine (9) - Day 'N Nite	08.24.99
99-103	Increasing "B" from Nine (9) to Ten (10) - Day 'N Nite	08.24.99
99-124	Decreasing "A-1" from Four (4) to Three (3) - B.A.S.H.	10.12.99
99-125	Increasing "A-1" from Three (3) to Four (4) - Tailgaters	10.12.99
99-134	Decreasing "D" from Six (6) to Five (5) - Mr. Absolute Pizza & Pub	10.26.99
99-150	Decreasing "C-1" from Two (2) to One (1) - Convenience Food Mart	12.14.99
99-151	Increasing "C-1" from One (1) to Two (2) - Hometown Pantry	12.14.99
99-157	Amending Closing Hours for Establishments Holding Liquor Licenses	11.14.99
00-014	Decreasing B from Ten (10) to Nine (9) - Eagle	01.18.00
00-015	Increasing B from Nine (9) to Ten (10) - Cub Foods	01.18.00
00-023	Increasing D from Five (5) to Six (6) - Plato's Pizza	02.08.00
00-046	Increasing D from Six (6) to Seven (7) - Bourbon Street Cafe	03.28.00
00-047	Increasing D-1 from One (1) to Two (2) - Bourbon Street Café	03.28.00
00-078	Decreasing C from Six (6) to Five (5) - Montana Charlie's	04.25.00

**ORDINANCES EFFECTING CHAPTER 13**  
**ALCOHOLIC LIQUOR DEALERS**

<b><u>ORDINANCE</u></b>		<b><u>DATE PASSED</u></b>
00-079	Increasing C from Five (5) to Six (6) - Montana Charlie's	04.25.00
00-090	Decreasing B from Ten (10) to Nine (9) - Mi Clar Liquors	06.13.00
00-091	Increasing B from Nine (9) to Ten (10) – Stop 24 Liquors	06.13.00
00-125	Amending Hours for Class C-1 Liquor Licenses	07.25.00
00-130	Increasing D from Seven (7) to Eight (8) - Charlie's Restaurant	08.08.00
00-131	Increasing D-1 from Two (2) to Three (3) - Charlie's Restaurant	08.08.00
00-136	Amending Chap 13 re Administration of the Executive Dept.	08.22.00
00-164	Increasing A-1 from Four (4) to Five (5) - T.G.I. Friday's, Inc.	11.14.00
00-181	Decreasing D-1 from Three (3) to Two (2) - Charlie's Restaurant	12.19.00
01-04	Decreasing A-1 from Five (5) to Four (4) - Tailgaters/431 Corp.	01.23.01
01-05	Increasing A-1 from Four (4) to Five (5) - Tailgaters/Bobbydee, Inc.	01.23.01
01-59	Decreasing "C" from Six (6) to Five (5) - Bono's	04.10.01
01-60	Increasing "D" from Eight (8) to Nine (9) - Bono's	04.10.01
01-61	Increasing "D" from Nine (9) to Ten (10) - Bennigan's	04.10.01
01-72	Amending Fees, Taxes and Fines	04.24.01
01-73	Imposing a Tax on the Retail Sale of Liquor	04.24.01
01-79	Increasing "C" from Five (5) to Six (6) - El Authentico Burrito	05.09.01
01-88	Amend "D" from Ten (10) to Eleven (11) - Olive Garden	06.12.01
01-89	Amend "D-1" from Two (2) to Three (3) - Olive Garden	06.12.01
01-90	Amend "D" from Eleven (11) to Twelve (12)- Red Lobster	06.12.01
01-91	Amend re Serving Alcoholic Liquor	06.12.01
01-109	Decreasing B from Ten ( 10) to Nine (9) - Stop 24 Food & Liquors	07.24.01
01-110	Increasing B from Nine (9) to Ten (10) - Stop 24 Liquors	07.24.01
01-111	Increasing C from Six (6) to Seven (7) - Mindy's	07.24.01

**ORDINANCES EFFECTING CHAPTER 13**  
**ALCOHOLIC LIQUOR DEALERS**

<b><u>ORDINANCE</u></b>	<b><u>DATE PASSED</u></b>
Scrivener's error: Corrections in total number of licenses granted were made in Section 13-207 to reflect correct number of current licenses in paragraphs: a) Class A           (5) b) Class A-1       (6) f) Class C-1       (2)	08.13.01
01-190       Decreasing D from Twelve (12) to Eleven (11) – Bourbon Street Café	11.27.01
01-191       Decreasing D-1 from Three (3) to Two (2) - Bourbon Street Café	11.27.01
01-192       Decreasing A-1 from Six (6) to Five (5) - Two Rivers Sports Bar	11.27.01
01-193       Decreasing A-2 from One (1) to Zero (0) - Two Rivers Sports Bar	11.27.01
01-194       Decreasing B from Ten (10) to Nine (9) - Cub Foods	11.27.01
02-009       Increasing B from Nine (9) to Ten (10) - Meijer #215 (East)	02.26.02
02-010       Increasing C from Seven (7) to Eight (8) - Noodles & Company	02.26.02
02-012       Amending to Establish New Class D-2	02.26.02
02-013       Increasing D-2 to One (1) – Remington Blues	02.26.02
02-031       Amending Class F-3	03.26.02
02-032       Increasing F-3 from One (1) to Two (2) - Bolingbrook Golf Club	03.26.02
02-040       Increasing D-1 from Two (2) to Three (3) - Remington Blues	04.23.02
02-046       Decreasing D from Eleven (11) to Ten (10) - Bono's	04.23.02
02-047       Increasing D-2 from One (1) to Two (2) - Bono's	04.23.02
02-055       Increasing D-1 from Three (3) to Four (4) – Xando Cosi, Inc.	05.28.02
02-056       Increasing D-2 from Two (2) to Three (3) - Xando Cosi, Inc.	05.28.02
02-066       Decreasing C-1 from Two (2) to One (1) - Big K-Mart	06.25.02
02-067       Establishing a New Class F-5 Liquor License Classification	06.25.02
02-088       Decreasing C from Eight (8) to Seven (7) - El Authentico Burrito	07.23.02
02-097       Decreasing B from Ten (10) to Nine (9) - Dominick's	08.13.02
02-124       Decreasing D-1 from Four (4) to Three (3) - Remington Blues	09.24.02
02-125       Decreasing D-2 from Three (3) to Two (2) - Remington Blues	09.24.02
02-138       Decreasing D from Ten (10) to Nine (9) - Charlie's Restaurant	10.22.02

**ORDINANCES EFFECTING CHAPTER 13**  
**ALCOHOLIC LIQUOR DEALERS**

<b><u>ORDINANCE</u></b>		<b><u>DATE PASSED</u></b>
02-139	Increasing D from Nine (9) to Ten (10) - Charlie's Restaurant	10.22.02
02-159	Decreasing A-1 from Five (5) to Four (4) - Holiday Inn	12.17.02
02-160	Increasing A from Five (5) to Six (6) - Holiday Inn	12.17.02
02-172	Increasing D-2 from Two (2) to Three (3) - Santa Fe, Inc.	12.17.02
03-044	Amending Tax on Privilege of Purchasing Alcoholic Liquor	04.22.03
03-056	Decreasing D-1 from Three (3) to Two (2) & D-2 from Three (3) to Two (2) – Xando Cosi, Inc.	05.13.03
03-065	Increasing C from Seven (7) to Eight (8) & C-2 from Zero (0) to One (1) – Patio Restaurant	05.27.03
03-097	Amending to Establish a New Class D-3 Classification	07.22.03
03-098	Decreasing D from Ten (10) to Nine (9) - Plato's Pizza (Conroy)	07.22.03
03-099	Increasing D-3 from Zero (0) to One (1) - Plato's Pizza (Esquivéz)	07.22.03
03-115	Amending to Establish a New Class C-3 Classification	08.26.03
03-144	Increasing D-2 from Two (2) to Three (3) - The 46 Zone	10.28.03
03-157	Increasing D-1 from Two (2) to Three (3) & D-2 from Three (3) to Four (4) - Buffalo Wild Wings	11.18.03
04-009	Decreasing D from Nine (9) to Eight (8) - Charlie's Restaurant	01.13.04
04-027	Decreasing A-1 from Four (4) to Three (3) - Tailgaters, Bobbydee	03.09.04
04-028	Increasing A from Six (6) to Seven (7) - Tailgaters/Robert Zalewski	03.09.04
04-089	Increasing D from Eight (8) to Nine (9) & D-1 from Three (3) to Four (4) - Chipotle Mexican Grill, Inc.	07.13.04
04-090	Increasing C from Eight (8) to Nine (9) - Mongolian China Buffet	07.13.04
04-102	Increasing D from Nine (9) to Ten (10) & D-1 from Four (4) to Five (5) - Joe's Crab Shack	08.10.04
04-103	Decreasing C from Nine (9) to Eight (8) - Mindy's	08.10.04
04-107	Increasing B from Nine (9) to Ten (10) - Food 4 Less	08.24.04
04-108	Decreasing A-1 from Four (4) to Three (3) - Boughton Inn	08.24.04
04-122	Increasing D-1 from Five (5) to Six (6) & D-2 from Four (4) to Five (5) - Red Robin	09.28.04

**ORDINANCES EFFECTING CHAPTER 13**  
**ALCOHOLIC LIQUOR DEALERS**

<b><u>ORDINANCE</u></b>		<b><u>DATE PASSED</u></b>
04-127	Administration of the Executive Dept.	09.28.04
04-134	Revised Class D-3 License Classification	10.12.04
05-012	Decreasing D-3 from One (1) to Zero (0) - Plato's Pizza	01.25.05
05-026	Establish a New Class C-4 Liquor License (Winestyles, Inc.)	03.08.05
05-057	Increasing C from Eight (8) to Nine (9) - Charlies' Restaurant	05.20.05
05-079	Prohibit Hosting of Minors Consuming Alcohol	07.12.05
05-089	New Class F-6 (Hotel/Mini and Service Bars)	08.09.05
05-131	Decreasing C from Nine (9) to Eight (8) - Mongolian China Buffet	11.22.05
06-003	Decreasing C from Eight (8) to Seven (7) - Charlie's Restaurant	01.11.06
06-031	Amending Class C-1 License	03.14.06
06-045	Establish a New Class F-7 (Beer & Wine Tasting/Golf Course)	04.25.06
06-074	Decreasing A from Seven (7) to Six (6) - Crickets & Cue II	07.11.06
06-116	Decreasing B from Ten (10) to Nine (9) - Day 'N Nite/N. Schmidt	10.24.06
06-117	Increasing B from Nine (9) to Ten (10) - Day 'N Nite/W. Boughton	10.24.06
06-133	New Class C-5 (Springhill Suites)	12.19.06
07-003	Increasing D from Ten (10) to Eleven(11) & D-1 from Six (6) to Seven (7)	01.09.07
07-011	Revise the Number of Liquor Licenses Available in Each Category and Establish a New Class D-4 Liquor License Classification (Gordon Biersch Brewery Restaurant)	01.23.07
07-012	Decreasing D from Eleven (11) to Ten (10) & D-1 from Seven (7) to Six (6) - Joe's Crab Shack	01.23.07
07-015	Increasing C-2 from One (1) to Two (2) - Noodles & Company	02.13.07
07-022	Increasing D-1 from Six (6) to Seven (7) - Gordon Biersch Brewery	02.27.07
07-023	Increasing D from Ten (10) to Eleven (11) & D-1 from Seven (7) to Eight (8) - BD's Mongolian Grill	02.27.07
07-032	Increase D-1 from Eight (8) to Nine (9) & D-2 from Five (5) to Six (6) - Bass Pro Outdoor World LLC	03.27.07
07-036	Increase C-4 from One (1) to Two (2) - Macy's	04.10.07

**ORDINANCES EFFECTING CHAPTER 13**  
**ALCOHOLIC LIQUOR DEALERS**

<b><u>ORDINANCE</u></b>		<b><u>DATE PASSED</u></b>
07-039	Increase C from Seven (7) to Eight (8) & C-2 from Two (2) to Three (3) - Go Roma Italian Kitchen	04.24.07
07-040	Increase D from Eleven (11) to Twelve (12) & D-1 from Nine (9) to Ten (10) - Ted's Montana Grill	04.24.07
07-041	Increase C-4 from Two (2) to Three (3) - Just Ducky	04.24.07
07-046	Amending Fees (Chap. 8, 13, 26 & 33)	04.24.07
07-057	Decrease C-3 from One (1) to Zero (0) - Mi Pueblo Market	05.08.07
07-058	Increase C-3 from Zero (0) to One (1) - Super Mercado Nuevo Rivera	05.08.07
07-063	Sealing Open Wine Bottles	05.22.07
07-097	Increasing D from Twelve (12) to Thirteen (13) & D-1 from Ten (10) to Eleven (11) - Auld Dubliner Chicago	08.28.07
07-108	Increasing D-1 from Eleven (11) to Twelve (12) & D-2 from Six (6) to Seven (7) - Famous Dave's	09.25.07
07-109	Increasing D from Thirteen (13) to Fourteen (14) & D-1 from Twelve (12) to Thirteen (13) - Woodlands Grill & Gathering Place	09.25.07
07-114	Decreasing D from Fourteen (14) to Thirteen (13) - Chili's	10.09.07
07-115	Increasing D from Thirteen (13) to Fourteen (14) - Chili's	10.09.07
07-116	Decreasing D-2 from Seven (7) to Six (6) - Buffalo Wild Wings	10.09.07
07-117	Increasing D from Fourteen (14) to Fifteen (15) - Buffalo Wild Wings	10.09.07
07-129	Increasing D from Fifteen (15) to Sixteen (16) - Home Run Inn	11.20.07
08-010	Decreasing A from Six (6) to Five (5) - Panama Connection	02.26.08
08-029	Increasing A from Five (5) to Six (6) - La Hacienda	04.08.08
08-030	Increasing C from Eight (8) to Nine (9) - Bok Choy	04.08.08
08-031	Decreasing D-2 from Six (6) to Five (5) - Bono's	04.08.08
08-032	Increasing D-2 from Five (5) to Six (6) - Bono's	04.08.08
08-037	Tax on Purchasing Alcoholic Liquor	04.22.08
08-040	Decreasing A from Six (6) to Five (5) - La Hacienda	04.22.08
08-041	Increasing D from Sixteen (16) to Seventeen (17) and D-1 from	

**ORDINANCES EFFECTING CHAPTER 13**  
**ALCOHOLIC LIQUOR DEALERS**

<b><u>ORDINANCE</u></b>		<b><u>DATE PASSED</u></b>
	Thirteen (13) to Fourteen (14) - La Hacienda	04.22.08
08-054	Amending Hours for Class B Establishments	05.27.08
08-063	Decreasing C-4 from Three (3) to Two (2) - Macy's	06.24.08
08-074	Decreasing A from Five (5) to Four (4) - Cheddar's	07.08.08
08-087	Increasing D from Seventeen (17) to Eighteen (18) – Longhorn Steakhouse	08.26.08
08-088	Increasing C-1 from One (1) to Two (2) – Aldi's (351 Brookview)	08.26.08
08-089	Increasing C-1 from Two (2) to Three (3) – Aldi's (1310 Lily Cache)	08.26.08
08-106	Decreasing D from Eighteen (18) to Seventeen (17) - Bennigan's	10.28.08
08-107	Decreasing D from Seventeen (17) to Sixteen (16) - Applebee's	10.28.08
08-108	Increasing D from Sixteen (16) to Seventeen (17) - Cheddar's	10.28.08
08-128	Decreasing D-1 from Fourteen (14) to Thirteen (13) - Woodland's	12.16.08
08-129	Decreasing D-2 from Six (6) to Five (5) - The 46 Zone/Grybas	12.16.08
08-130	Increasing D-2 from Five (5) to Six (6) - The 46 Zone/Vat, LLC	12.16.08
<b><u>NOTE:</u></b> Class D license for Woodland's changed to Greco's Bar & Grille for 2009 year without board action (same manager as owner)		
09-006	Decreasing C-4 from Two (2) to One (1) - Just Ducky	02.10.09
09-019	Decreasing C-4 from One (1) to Zero (0) - Winestyles	03.24.09
09-020	Decreasing B from Ten (10) to Nine (9) - Osco #3110 (E. Boughton)	03.24.09
09-036	Decreasing D from Seventeen (17) to Sixteen (16) - Greco's (Woodlands)	05.26.09
09-040	New Class D-5 (Theater/Restaurant)	06.23.09
09-041	Increase D from Sixteen (16) to Seventeen (17) & D-1 from Thirteen (13) to Fourteen (14) - (Francesca's)	06.23.09
09-042	Increase D from Seventeen (17) to Eighteen (18) & D-1 from Fourteen (14) to Fifteen (15) - (Aloft Bolingbrook)	06.23.09
09-050	Decreasing D-2 from six (6) to five (5) - The 46 Zone	07.14.09
09-051	Increasing D-2 from Five (5) to Six (6) & D-1 from Fifteen (15) to Sixteen (16) - Gonzo's Tap & Grille (C&J Tap, Inc.)	07.14.09

**ORDINANCES EFFECTING CHAPTER 13**  
**ALCOHOLIC LIQUOR DEALERS**

<b><u>ORDINANCE</u></b>		<b><u>DATE PASSED</u></b>
09-054	Increasing C-4 from Zero (0) to One (1) - Winestyles (Vintage Creations, Inc.)	07.22.09
Motion	To Award Class D-5 License to Village Roadshow/Gold Class Cinemas	08.25.09
09-062	Increasing Class D-2 from Six (6) to Seven (7) - Cattleman's Steak House & Saloon	09.08.09
09-066	Amending Fees for Liquor Licenses	09.22.09
09-067	Amending Class C from Nine (9) to Ten (10) - Home Plate/Vespo	09.22.09
09-070	Amending Class F and F-1 Definitions and Penalties for Purchase or Possession of Alcoholic Liquor by a Minor	10.13.09
10-003	Decreasing Class C from Ten (10) to Nine (9) - Portillo's	02.09.10
10-019	Decreasing Class D from Eighteen (18) to Seventeen (17) & Class D-1 from Sixteen (16) to Fifteen (15) - Bar Louis Bolingbrook, Inc.	04.13.10
10-020	Increasing Class D from Seventeen (17) to Eighteen (18) & Class D-1 from Fifteen (15) to Sixteen (16) - (Bar Louie) BL Restaurant Operations, LLC	04.13.10
10-029	Amend Chapters 9, 13, 25 & 27 with Respect to Fees for Licenses and Inspections	05.11.10
10-042	Decreasing D-1 from 16-15 & D-2 from 7-6 - Gonzo's Tap & Grille	06.22.10
10-043	Increasing D-1 from 15-16 & D-2 from 6-7 - Greco's American Grille	06.22.10

## CHAPTER 13 - ALCOHOLIC LIQUOR DEALERS

	<u>Page</u>	
<b><u>ARTICLE 1</u></b>	<b><u>GENERAL PROVISIONS</u></b>	
Sec. 13-101	DEFINITIONS AND INCORPORATION OF STATE STATUTE BY REFERENCE	13-1
13-102	LOCAL LIQUOR CONTROL COMMISSIONER	13-1
<b><u>ARTICLE 2</u></b>	<b><u>RETAIL LIQUOR DEALERS LICENSE</u></b>	
Sec. 13-201	LICENSE REQUIRED	13-2
13-202	APPLICATION	13-2
13-203	RESTRICTION ON LICENSES GRANTED	13-3
13-204	TERM	13-4
13-205	EXAMINATION OF APPLICANT FOR LOCAL LICENSE	13-4
13-206	CLASSIFICATION AND FEES	13-4
13-207	NUMBER OF LICENSES	13-7
13-208	INSURANCE REQUIRED	13-9
13-209	FEES	13-10
13-210	BOND	13-10
13-211	RENEWAL OF LICENSE	13-10
13-212	REVOCATION, SUSPENSION OF LICENSE	13-11
13-213	RECORD AND NOTICE OF LICENSES ISSUED OR REVOKED	13-11
13-214	DISPLAY	13-11
<b><u>ARTICLE 3</u></b>	<b><u>RESTRICTIONS</u></b>	
Sec. 13-301	TRANSFER OF LICENSE	13-12
13-302	CHANGE OF LOCATION	13-12
13-303	PEDDLING	13-12
13-304	SANITARY CONDITIONS	13-12
13-305	EMPLOYEES	13-12
13-306	PROXIMITY OF LOCATION	13-12
13-307	HOURS	13-13
13-308	UNOBSTRUCTED VIEW OF LICENSED PREMISES	13-14
13-309	SALE, GIFT OR DELIVERY OF LIQUOR TO MINORS	13-14
13-310	PARENTAL RESPONSIBILITY	13-15
13-310.1	SOCIAL HOSTING	13-15
13-311	RESPONSIBILITY OF THE OWNER OR PROPRIETOR OF PREMISES	13-16
13-312	EVIDENCE OF AGE OF PERSON ATTEMPTING TO PURCHASE OR RECEIVE ALCOHOLIC LIQUOR	13-16
13-313	SALE TO INTOXICATED PERSONS - HABITUAL DRUNKARDS	13-16
13-314	GAMBLING	13-16
13-315	CONDUCT PROHIBITED	13-16
13-316	INSPECTIONS	13-17
13-317	CONSUMPTION OF ALCOHOLIC LIQUOR IN PUBLIC PLACES PROHIBITED	13-17
13-318	HAPPY HOURS PROHIBITED	13-17
13-319	REDUCED RATES PROHIBITED	13-18
13-320	TRANSPORTING ALCOHOLIC LIQUOR IN VEHICLES	13-18
13-321	PENALTY	13-19
13-322	CONFLICT	13-19
<b><u>ARTICLE 4</u></b>	<b><u>TAX ON THE SALE OF ALCOHOLIC LIQUOR</u></b>	
Sec. 13-401	DEFINITIONS	13-20
13-402	IMPOSITION OF TAX	13-20
13-403	LIABILITY FOR PAYMENT	13-20
13-404	COLLECTION OF TAX	13-20
13-405	RULES AND REGULATIONS	13-21
13-406	FILING OF RETURN	13-21

## CHAPTER 13 - ALCOHOLIC LIQUOR DEALERS

	<u>Page</u>	
13-407	FAILURE TO PAY, COLLECT OR REMIT TAX	13-21
13-408	RECORDS	13-21
13-409	EXEMPTIONS	13-21
13-410	SUSPENSION OR REVOCATION OF LICENSE FOR FAILURE TO COMPLY; HEARING	13-21
13-411	DISPOSITION OF PROCEEDS OF TAX	13-22
13-412	PENALTY	13-22

## CHAPTER 13 - ALCOHOLIC LIQUOR DEALERS

### ARTICLE 1 - GENERAL PROVISIONS

**Section 13-101. DEFINITIONS AND INCORPORATION OF STATE STATUTE BY REFERENCE.** All words and phrases used in this chapter which are defined in the act of the General Assembly of the State of Illinois entitled "An Act Relating to Alcoholic Liquors" approved January 31, 1934 as now or hereafter amended, shall have the meaning given to said words in that act, and all regulations, restrictions and requirements of said act relating in any manner to the sale of alcoholic liquors at retail shall be taken as a part of this chapter as fully and completely as though the same were set forth herein.

**Section 13-102. LOCAL LIQUOR CONTROL COMMISSIONER.**  
(Ordinance 04-127, 09.28.04) The Mayor is hereby authorized and designated to be the Local Liquor Control Commissioner and shall be charged with the administration of the applicable provisions of the Illinois Liquor Control Act and the provisions of this Chapter 13, as well as such ordinances and resolutions relating to alcoholic liquor as may be enacted. The Local Liquor Control Commissioner may establish rules and regulations herewith to aid in the administration of this Chapter 13 and to effectuate the purposes established herein.

The Mayor may appoint a person or persons, or any committee or other agency, to assist him in the exercise of the powers and the performance of the duties provided for Local Liquor Control Commissioner.

The annual salary of the Liquor Control Commissioner shall be as follows:

- (1) April 13, 2005 through April 12, 2006: \$15,000.00
- (2) Beginning of April 13, 2006 and on each April 13 thereafter, through and including April 12, 2009, the annual salary of the Liquor Control Commissioner shall be increased by 3%, as a cost of living allowance, from the prior year's annual salary.

## **ARTICLE 2 - RETAIL LIQUOR DEALERS LICENSE**

**Section 13-201. LICENSE 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, or to operate in violation of the terms of such license or the provisions of this Chapter.

**Section 13-202. APPLICATION.** The Local Liquor Control Commissioner, or such persons as may be designated by him, shall grant retail liquor dealers' licenses in accordance with the provisions of the laws of the State of Illinois and the provisions of this Chapter. Any person requiring a license under this Chapter shall make written application for a retail liquor dealer's license to the Local Liquor Control Commissioner and shall file said application with the Village Clerk who shall provide a blank form for that purpose, signed by the applicant, if an individual, or by two duly authorized partners, if the applicant be a partnership, or by a duly authorized agent if a club or corporation, verified by oath or affidavit, and shall contain the following information:

- (a) The name, age, date of birth, address, and telephone number of the manager or agent who conducts the business and the applicant in the case of an individual; and in the case of a co-partnership, the persons entitled to share in the profits thereof; and in the case of a corporation for profit or of a club, the date of incorporation the objects for which it was organized and the names and addresses of the officers and directors and any stockholder owning in the aggregate more than five percent (5%) of the stock (if said stockholder should be a corporation, then disclosure of the stockholders of that corporation as specified herein should be made) and any and all information which may be reasonably requested by the Local Liquor Control Commissioner in order to determine whether the applicant, manager and other individuals, persons, officers, directors or shareholders named herein properly qualify under the terms of this article.
- (b) The citizenship of the applicant and his place of birth; and if a naturalized citizen, the name and place of his naturalization.
- (c) The character of business of the applicant; and in the case of a corporation the objects for which it was formed.
- (d) The length of time that said applicant has been in business of that character; and in the case of a corporation the date on which its charter was issued.
- (e) The location and description of the premises or place of business which is to be operated under such license.
- (f) The amount and nature of goods, wares and merchandise on hand at the time application is made.
- (g) A statement as to whether applicant has made similar application for another similar license on premises other than described in this application, and the disposition of such application.
- (h) A statement that applicant has never been convicted of a felony and is not disqualified to receive a license by reason of any matter or thing contained in this chapter or the ordinances of this Village or the laws of this State.
- (i) A statement as to whether a previous license issued by any state, or subdivision thereof, or by the federal government, has been revoked, and the reason therefore.
- (j) A statement that the applicant will not violate any of the laws of the State of Illinois, or of the United States, or any ordinance of the Village in the conduct of his place of business.

(k) Evidence that the applicant has in force and effect the insurance required by statute.

**Section 13-203. RESTRICTION ON LICENSES GRANTED.** No retail liquor dealer's license shall be issued to:

- (a) A person who is not of good character and reputation in the community.
- (b) A person who is not a citizen of the United States.
- (c) A person who has been convicted of a felony under the laws of the State of Illinois.
- (d) A person who has been convicted of being the keeper or is keeping a house of ill fame.
- (e) A person who has been convicted of pandering or other crime or misdemeanor opposed to decency and morality.
- (f) A person whose license issued under this chapter has been revoked for cause.
- (g) A person who at the time of application for renewal of any license issued hereunder would not be eligible for such license upon a first application.
- (h) A co-partnership unless all of the members of such co-partnership shall be qualified to obtain a license.
- (i) A corporation if any officer, manager or director thereof, or any stockholder or stockholders owning in the 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 Village.
- (j) A corporation, unless it is incorporated in Illinois or unless it is a foreign corporation which is qualified under the Illinois Business Corporation Act to transact business in Illinois.
- (k) A person whose place of business is conducted by a manager or agent unless said manager or agent possesses the same qualifications required of the licensee.
- (l) A person who has been convicted of a violation of any federal or state law concerning the manufacture, possession or sale of alcoholic liquor, or who has forfeited his bond to appear in court to answer charges for any such violation.
- (m) A person who does not own the premises for which a license is sought, or does not have a lease thereon for the full period for which the license is to be issued.
- (n) Any law-enforcing public official, any mayor, alderman, member of a city council or commission, any President of the Village Board of Trustees, any member of the Village Board of Trustees, or any president or member of a county board; and no such official shall be interested in any way, either directly or indirectly, in the manufacture or distribution of alcoholic liquor.
- (o) Any person, association or corporation not eligible for a state retail liquor dealer's license.
- (p) A person who is not a beneficial owner of the business to be operated by the license.
- (q) Any premises which are in violation of any of the applicable codes of the Village, including

but not limited to the Building and Fire Prevention Codes. (Ordinance 89-013, 01.24.89)

**Section 13-204. TERM.** Each retail liquor dealer's license issued hereunder shall terminate and expire on the 31st day of December following the issuance thereof; provided, however, that "Class "F" and "Class "F-1" licenses, as hereinafter designated, shall be valid only for a five (5) day period; and provided that a license may be terminated in accordance with the provisions of this Chapter 13, and further that if licensee shall cease to operate the business for which the license is granted, said license may be terminated forthwith.

**Section 13-205. EXAMINATION OF APPLICANT FOR LOCAL LICENSE.** The Local Liquor Control Commissioner shall have the right to examine or cause to be examined, under oath, any applicant for a local license or for a renewal thereof, or any licenses upon whom notice or revocation or suspension has been served as provided by statute, and to examine or cause to be examined the books and records of any such applicant or licensee; to hear testimony and take proof for his information in the performance of his duties, and for such purpose to issue subpoenas which shall be effective in any part of this State. For the purpose of obtaining any of the information desired by the Local Liquor Control Commissioner under this Chapter, he may authorize his agent to act on his behalf, as provided by statute.

**Section 13-206. CLASSIFICATION AND FEES.** A nonrefundable fee of \$300.00 shall apply to each initial application for Class A, A-1, B, C, C-1, C-3, C-4, C-5, D, D-2, D-3, D-4, D-5 and F-6 licenses. Liquor licenses shall be and are hereby divided into the following classes with the respective annual fees as indicated: (Ordinance 09-040, 06.23.09)

The initial license fee shall be prorated on a monthly basis if the term of the initial license is for less than one year. (Ordinance 10-029, 05.11.10)

**CLASS "A" LICENSES,** which shall authorize the retail sale on the premises specified of alcoholic liquor only for consumption on the premises. The annual fee for such license shall be \$4,000.00. (Ordinance 09-066, 09.22.09)

**CLASS "A-1" LICENSES,** which shall authorize the retail sale on the premises specified of alcoholic liquor only for consumption on the premises and which shall authorize late closing on Friday and Saturday nights as set forth in Section 13-307 herein. The annual fee for such license shall be \$5,000.00. (Ordinance 09-066, 09.22.09)

**CLASS "A-2" LICENSES,** which shall be issued only in addition to and in conjunction with a Class A or Class A-1 license and which shall authorize the retail sale of alcoholic liquor on the premises in an outside beer garden for consumption on the premises of the beer garden only. The annual fee for such license shall be \$1,500.00. (Ordinance 01-072, 04.24.01)

**CLASS "B" LICENSES,** which shall authorize the retail sale of alcoholic liquor, but not for consumption on the premises where sold. The annual fee for such license shall be \$3,500.00. (Ordinance 09-066, 09.22.09)

**CLASS "C" LICENSES,** which shall authorize the retail sale of beer and wine only for consumption on premises. The annual fee for such license shall be \$1,800.00. (Ordinance 07-046, 04.24.07)

**CLASS "C-1" LICENSES,** which shall authorize the retail sale of beer and wine only for consumption off the premises. The floor area of the portion of the establishment devoted to the sale of beer and wine shall not exceed 15 percent of the total floor area of the retail sales space in such establishment. The annual fee for such license shall be \$1,800.00. (Ordinance 09-066, 09.22.09)

**CLASS "C-2" LICENSES**, which shall be issued only in addition to and in conjunction with a Class C license and which shall authorize the retail sale of beer and wine only for consumption on the premises of an outdoor cafe where sold and only as a service which is incidental to or accessory to the principal use of the premises for purveying of food. Establishments holding Class "C-2" licenses shall have reduced hours of operation as outlined in Section 13-307 of this Chapter 13 and shall be open only from April 1 through September 30. The annual fee for such license shall be \$1,000.00, which fee shall be in addition to the fee paid for a Class C license.

**CLASS "C-3" LICENSES**, which shall authorize the retail sale of imported beer and imported wine only for consumption off the licensed premises where sold. As used herein, the terms "imported beer" and "imported wine" mean beer or wine produced by companies whose manufacturing facilities are primarily located outside the United States, i.e., at least 51% of the manufacturing capacity of the producing company is located outside the United States. The annual fee for such license shall be \$1,500.00. (Ordinance 03-115, 09.09.03)

**CLASS "C-4" LICENSES**, which shall authorize the sale of wine in a wine shop only for consumption off premises, except that wine tasting shall be allowed during authorized hours under the conditions set forth hereinafter. Not more than seven (7) ounces of wine may be served to any one person for consumption on the premises during any one daily license period and such seven (7) ounces shall be comprised of not less than seven (7) different wines, and no glass shall contain more than one ounce of wine. A price may be set for such tasting. Sales tax shall be collected and paid on all revenue realized from wine tasting. Customer seating shall not be provided or permitted. The annual fee for such license shall be one thousand five hundred dollars (\$1,500). (Ordinance 07-046, 04.24.07)

**CLASS "C-5" LICENSES**, which shall authorize the retail sale of beer and wine for consumption either on the licensed premises or on hotel premises which are immediately adjacent to the licensed premises. The floor area of the portion of the licensed establishment devoted to the sale of beer and wine shall not exceed 25 percent of the total floor area of the retail sales space in such establishment, and no sale of beer or wine shall occur between the hours of 10:00 p.m. and 8:00 a.m. on Sunday through Thursday and between the hours of 11:00 p.m. and 8:00 a.m. on Friday and Saturday. The annual fee for such license shall be \$750.00. (Ordinance 06-133, 12.19.06)

**CLASS "D" LICENSES**, which shall authorize the retail sale of alcoholic beverages only for consumption on the premises where sold and only as a service which is incidental or accessory to the principal use of the premises as a restaurant. The annual fee for such license shall be \$3,500.00. (Ordinance 09-066, 09.22.09)

**CLASS "D-1" LICENSES**, which shall be issued only in addition to and in conjunction with a Class D license and which shall authorize the retail sale of alcoholic liquor for consumption on the premises of an outdoor cafe where sold and only as a service which is incidental to or accessory to the principal use of the premises as a restaurant. The annual fee for such license shall be \$1,250.00. (Ordinance 96-015, 02.13.96)

**CLASS "D-2" LICENSES**, which shall authorize the retail sale in certain specified restaurants of alcoholic liquor only for consumption on the licensed premises where sold. No such license may be granted to or retained by any establishment (a) in which the facilities for food preparation and service are not primarily those of a restaurant and (b) in which not less than 60% of the gross sales receipts are attributable to the sale of food on the licensed premises. Alcoholic liquor may be sold in a restaurant holding a Class D-2 license only during the period when patrons of the licensee are offered a complete meal. The annual fee for such license shall be \$3,500.00. (Ordinance 09-066, 09.22.09)

**CLASS "D-3" LICENSES**, which shall authorize the retail sale in certain specified restaurants of alcoholic liquor only for consumption on the licensed premises where sold. No such license may be granted to or retained by any establishment (a) in which the facilities for food preparation and service are not primarily those of a restaurant and (b) in which not less than 60% of the gross sales receipts are attributable to the sale of food on the licensed premises, and (c) in which any signs advertising alcoholic beverages or the sale of alcoholic beverages are visible on the outside of the building in which the establishment is located. Alcoholic liquor may be sold in a restaurant holding a class D-3 license only during the period when patrons of the licensee are offered a complete meal. There shall be no live music in an establishment holding a class D-3 license, nor shall a disk jockey play recorded music in such establishment. The annual fee for such license shall be \$3,000.00. (Ordinance 04-134, 10.12.04)

**CLASS "D-4" LICENSES**, which shall authorize the retail sale of alcoholic liquor for consumption on the licensed premises as an adjunct to meals served. The licensee shall also be permitted to maintain facilities on premises for the manufacture of beer, to make sales of the beer manufactured on the premises to importing distributors, distributors and to non-licensees for use and consumption, to store the manufactured beer upon the premises, and to sell and offer beer for sale at retail from the licensed premises for consumption either on or off the premises; provided, however, that such licensee shall not sell for off-premises consumption more than fifty thousand (50,000) gallons per year. The licensee shall obtain and maintain in good standing a State of Illinois brew pub license as authorized under 235 ILCS 5/5-1(n). In addition to all records required to be kept by the terms and conditions of the state brew pub license, licensee shall maintain accurate records as to the total gallonage of beer manufactured on premises and the total gallonage of beer manufactured on the premises and sold for consumption off the premises. That portion of the licensed premises dedicated to the brewing of beer shall be segregated from the remainder of the premises and shall not be generally accessible to the public. The annual fee for such license shall be \$4,500.00. (Ordinance 07-011, 01.23.07)

**CLASS "D-5" LICENSES**. which 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 purveying of food for 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. The annual fee for such license shall be \$3,000.00. (Ordinance 09-040, 06.23.09)

**CLASS "F" LICENSES**. There may be a special license issued for the sale of beer only, on a daily fee basis of \$10.00 per day not to exceed five (5) days, for picnics, carnivals and outings conducted by an educational, fraternal, political, civic, religious or not-for-profit organization that does not have a current Illinois Retailer's Liquor License. Said sale and possession thereof shall be in accordance with other provisions and restrictions of this chapter. (Ordinance 09-070, 10.13.09)

**CLASS "F-1" LICENSES**. There may be a special license issued for the sale of alcoholic liquor, on a daily fee basis of \$10.00 per day not to exceed five (5) days, for special events conducted by an educational, fraternal, political, civic, religious or not-for-profit organization that does not have a current Illinois Retailer's Liquor License, provided that such sale takes place within a permanent structure on specified premises, and further provided that no more than two (2) such special licenses shall be issued to any one (1) such organization during the period of one (1) calendar year. (Ordinance 09-070, 10.13.09)

**CLASS "F-2" LICENSES**. There may be a special license issued for the sale of alcoholic beverages in clubhouses owned and operated by homeowner's associations, which shall authorize the retail sale of alcoholic liquor only for consumption on the premises where sold. The annual fee for such license shall be \$250.00.

**CLASS "F-3" LICENSES**, which shall authorize the retail sale of alcoholic beverages only for consumption on the premises where sold, which premises are a golf course owned and operated by a governmental body. There shall be no fee for such license. (Ordinance 02-031, 03.26.02)

**CLASS "F-4" LICENSES**. There may be a special license issued for the sale of alcoholic liquor only for consumption on the premises where sold and only when served accessory to the principal use of the premises for a banquet in a building owned and operated by a township. The number of such banquets during which alcoholic liquor may be served shall be limited to eight (8) banquets per month, provided that said number may be increased during any month upon written approval of the Liquor Commissioner. The annual fee for such license shall be \$3,000.00. (Ordinance 09-066, 09.22.09)

**CLASS "F-5" LICENSES**, which shall authorize the retail sale of alcoholic beverages only for consumption on the premises where sold, in the immediate vicinity of the Performing Arts Center operated by the Village. There shall be no fee for such license. (Ordinance 02-067, 06.25.02)

**CLASS "F-6" LICENSES**, which shall authorize the retail sale of prepackaged individual servings of alcoholic beverages only for consumption in a guest room or individual servings of alcoholic beverages only for consumption in a designated hospitality area of a hotel, which hospitality area has been approved by the Liquor Commissioner, and which alcoholic beverages shall be dispensed only from a mini-bar or served by a hotel employee from a cooler or service bar located in such hotel guest room or hospitality area. The term "hotel" shall mean a business as defined in Article 16 of Chapter 8 of this Code. The annual fee for such license shall be one thousand dollars (\$1,000.00). (Ordinance 05-089, 08.09.05)

**CLASS "F-7" LICENSES**, which shall authorize the retail sale of beer and wine only, containing twenty percent (20%) or less alcohol by volume, only in conjunction with beer and wine tasting special events to be held on the premises of a public golf course, as specified on the license. No more than twelve one-day beer or wine tasting events shall be conducted on the premises during any calendar year. The annual fee for such license shall be five hundred dollars (\$500.00). (Ordinance 06-045, 04.25.06)

**Section 13-207. NUMBER OF LICENSES.**

- (a) The total number of all Class "A" licenses issued and in force at any one time shall not exceed four (4) such licenses, unless and until the population of the Village shall reach 75,000 inhabitants. Thereafter, not more than one (1) additional Class "A" license shall be issued and in force at any time for each additional 4,500 inhabitants. (Ordinance 08-074, 07.08.08)
- (b) The total number of all Class "A-1" licenses issued and in force at any one time shall not exceed two (2) such licenses, unless and until the population of the village shall reach 75,000 inhabitants. Thereafter, not more than one (1) additional Class "A-1" license shall be issued and in force at any time for each additional 4,500 inhabitants. (Ordinance 04-108, 08.24.04)
- (c) The total number of all Class "A-2" licenses issued and in force at any one time shall not exceed zero (0) such licenses, unless and until the population of the Village shall reach 75,000 inhabitants. Thereafter, not more than one (1) additional Class "A-2" license shall be issued and in force at any time for each additional 4,500 inhabitants. (Ordinance 02-031, 03.26.02 & Ordinance 07-011, 01.23.07)
- (d) The total number of all Class "B" licenses issued and in force at any one time shall not exceed nine (9) such licenses, unless and until the population of the Village shall reach 75,000 inhabitants. Thereafter, not more than one (1) additional Class "B" license shall be issued and in force at any time for each additional 4,500 inhabitants.

(Ordinance 09-020, 03.24.09)

- (e) The total number of all Class "C" licenses issued and in force at any one time shall not exceed nine (9) such licenses, unless and until the population of the Village shall reach 75,000 inhabitants. Thereafter, not more than one (1) additional Class "C" license shall be issued and in force at any time for each additional 4,500 inhabitants. (Ordinance 10-003, 02.09.10)
- (f) The total number of all Class "C-1" licenses issued and in force at any one time shall not exceed three (3) such license, unless and until the population of the Village shall reach 75,000 inhabitants. Thereafter, not more than one (1) additional Class "C-1" license shall be issued and in force at any time for each additional 4,500 inhabitants. (Ordinance 08-089, 08.26.08).
- (g) The total number of all Class "C-2" licenses issued and in force at any one time shall not exceed three (3) such licenses, unless and until the population of the Village shall reach 75,000 inhabitants. Thereafter, not more than one (1) additional Class "C-2" license shall be issued and in force at any time for each additional 4,500 inhabitants. (Ordinance 07-039, 04.24.07)
- (h) The total number of all Class "C-3" licenses issued and in force at any one time shall not exceed one (1) such license, unless and until the population of the Village shall reach 75,000 inhabitants. Thereafter, not more than one (1) additional Class "C-3" license shall be issued and in force at any time for each additional 4,500 inhabitants. (Ordinance 07-057 & 07-058, 05.08.07)
- (i) The total number of all Class "C-4" licenses issued and in force at any one time shall not exceed one (1) such license, unless and until the population of the Village shall reach 75,000 inhabitants. Thereafter, not more than one (1) additional Class "C-4" license shall be issued and in force at any time for each additional 4,500 inhabitants. (Ordinance 09-054, 07.28.09)
- (j) The total number of all Class "C-5" licenses issued and in force at any one time shall not exceed one (1) such license, unless and until the population of the Village shall reach 75,000 inhabitants. Thereafter, not more than one (1) additional Class "C-5" license shall be issued and in force at any time for each additional 4,500 inhabitants. (Ordinance 06-133, 12.19.06 & Ordinance 07-011, 01.23.07)
- (k) The total number of all Class "D" licenses issued and in force at any one time shall not exceed eighteen (18) such licenses, unless and until the population of the Village shall reach 75,000 inhabitants. Thereafter, not more than one (1) additional Class "D" license shall be issued and in force at any time for each additional 4,500 inhabitants. (Ordinances 10-019 & 10-020, 04.13.10)
- (l) The total number of all Class "D-1" licenses issued and in force at any one time shall not exceed sixteen (16) such licenses, unless and until the population of the Village shall reach 75,000 inhabitants. Thereafter, not more than one (1) additional Class "D-1" license shall be issued and in force at any time for each additional 4,500 inhabitants. (Ordinances 10-042 & 10-043, 06.22.10)
- (m) The total number of all Class "D-2" licenses issued and in force at any one time shall not exceed seven (7) such licenses, unless and until the population of the Village shall reach 75,000 inhabitants. Thereafter, not more than one (1) additional Class "D-2" license shall be issued and in force at any time for each additional 4,500 inhabitants. (Ordinance 10-042 & 10-043, 06.22.10)
- (n) The total number of all Class "D-3" licenses issued and in force at any one time shall

not exceed zero (0) such license, unless and until the population of the Village shall reach 75,000 inhabitants. Thereafter, not more than one (1) additional Class "D-3" license shall be issued and in force at any time for each additional 4,500 inhabitants. (Ordinance 05-012, 01.25.05 & Ordinance 07-011, 01.23.07)

- (o) The total number of all Class "D-4" licenses issued and in force at any one time shall not exceed one (1) such license, unless and until the population of the Village shall reach 75,000 inhabitants. Thereafter, not more than one (1) additional Class "D-4" license shall be issued and in force at any time for each additional 4,500 inhabitants. (Ordinance 07-011, 01.23.07)
- (p) The total number of all Class "D-5" licenses issued and in force at any one time shall not exceed one (1) such license, unless and until the population of the Village shall reach 75,000 inhabitants. Thereafter, not more than one (1) additional Class "D-5" license shall be issued and in force at any time for each additional 4,500 inhabitants. (Ordinance 04-040, 06.23.09 & Motion 08.25.09)
- (q) The total number of all Class "F" licenses issued and in force at any one time shall not exceed two (2) such licenses.
- (r) The total number of all Class "F-1" licenses issued and in force at any one time shall not exceed two (2) such licenses.
- (s) The total number of all Class "F-2" licenses issued and in force at any one time shall not exceed one (1) such licenses.
- (t) The total number of all Class "F-3" licenses issued and in force at any one time shall not exceed two (2) such licenses, unless and until the population of the Village shall reach 75,000 inhabitants. Thereafter, not more than one (1) additional Class "F-3" license shall be issued and in force at any time for each additional 4,500 inhabitants. (Ordinance 02-032, 03.26.02 & Ordinance 07-011, 01.23.07)
- (u) The total number of all Class "F-4" licenses issued and in force at any one time shall not exceed one (1) such license. (Ordinance 02-031, 03.26.02)
- (v) The total number of Class "F-5" licenses issued and in force at any one time shall not exceed one (1) such license. (Ordinance 02-067, 06.25.02)
- (w) The total number of Class "F-6" licenses issued and in force at any one time shall not exceed one (1) such license, unless and until the population of the Village shall reach 75,000 inhabitants. Thereafter, not more than one (1) additional Class "F-6" license shall be issued and in force at any time for each additional 4,500 inhabitants. (Ordinance 05-089, 08.09.05 & Ordinance 07-011, 01.23.07)
- (x) The total number of all Class "F-7" licenses issued and in force at any one time shall not exceed one (1) such license, unless and until the population of the Village shall reach 75,000 inhabitants. Thereafter, not more than one (1) additional Class "F-7" license shall be issued and in force at any one time for each additional 4,500 inhabitants. (Ordinance 06-045, 04.25.06 & Ordinance 07-011, 01.23.07)

**Section 13-208. INSURANCE REQUIRED.** No license shall be issued hereunder unless the applicant shall file with his application a certificate by an insurance company authorized to do business in the State of Illinois certifying that the applicant has in force and in effect the insurance required by statute. Said certificate of insurance shall be effective through December 31 of the year in which the license is issued. Each licensee whose license is subsequently renewed shall, before January 1 of each year, submit a certificate of insurance evidencing that the licensee's insurance will

be in full force and effect from January 1 through December 31 of that year. (Ordinance 87-079, 10.27.87)

**Section 13-209. FEES.** The annual fee for each license classification under this Chapter 13 is listed in Section 13-206 of this Chapter. All fees shall be paid to the Local Liquor Control Commissioner at the time application is made and shall be forthwith turned over to the Director of Finance. In the event the license applied for is denied, the fee shall be returned to the applicant; if the license is granted, the fee shall be deposited in the General Corporate Fund or in such other fund as shall have been designated by the Board of Trustees by proper action. If the applicant withdraws his request for a retail liquor license prior to the issuance thereof, the fees paid by the applicant, minus a twenty percent (20%) administrative charge, shall be returned to the applicant. If the applicant requests that his license be terminated after the issuance or if same is terminated pursuant to the terms of this Chapter 13, applicant shall forfeit all fees.

The full annual fee shall be charged for licenses issued on or before January 31st of each year. Beginning with February 1st and for each month thereafter, an applicant shall pay the regulatory fee pro-rated monthly for the unexpired term of the regulatory year. For purposes of determining the pro-rated regulatory fee, the Local Liquor Control Commissioner shall set the fee at the time application for a liquor license is made. (Ordinance 82-073, 12.14.82)

**Section 13-210. BOND.** At the time application is made, the applicant shall furnish a surety bond in the amount of \$1,000.00 to the Village of Bolingbrook. The condition of such bond shall be that there shall be no violation by the principal, or his agents or employees, of any of the terms of this Chapter 13, or of any ordinances, rules or regulations now in force or which may hereafter be in force in the said Village, affecting the operation of the business for which a license has been issued pursuant to this chapter. All renewable bonds shall be for a period from January 1 through December 31 of each year. (Ordinance 87-079, 10.27.87)

The bond requirement hereby established shall be waived as to any applicant for a Class "F", Class "F-1" or Class "F-3" license upon presentation of proof of dram shop insurance satisfactory to the Local Liquor Control Commissioner.

**Section 13-211. RENEWAL OF LICENSE.** Any licensee may renew his license at the expiration thereof, provided he is then qualified to receive a license and further provided that the premises for which the license is sought complies with the Village Building and Fire Prevention Codes, as now existing or hereafter amended. The renewal privileges herein provided for shall not be construed as a vested right which shall in any case prevent the Local Liquor Control Commissioner from decreasing the number of licenses to be issued within his jurisdiction. Applicant shall pay all fees required at the time said renewal application is made. All applications for renewal shall be submitted not later than December 15 of each year. Such applications shall be made and proceed in the same manner provided for in Section 13-202 of this Chapter. The annual fee to be paid shall be paid on or before December 15 of the year preceding the year for which such license is issued. There shall be a penalty of ten percent (10%) of the annual fee assessed for late payment of the annual fee. No retailer's license shall be renewed if the Department of Revenue has reported to the Illinois Liquor Control Commission that such retailer is delinquent in filing any required tax returns or paying any amounts owed to the State of Illinois until the applicant is issued a certificate by the Department of Revenue stating that all delinquent returns on amounts owed have been paid by guaranteed remittance or the payment agreement to pay all amounts owed has been accepted by the Department. No retailer's license issued by the local Liquor Control Commissioner shall be renewed unless the applicant provides documentation that any tax owed to the Village by the applicant has been satisfied by payment in the form of a cashier's check, certified check, money order or cash. The Local Liquor Control Commissioner shall not renew a license unless all the foregoing conditions have been satisfied by the applicant. (Ordinance 92-013, 01.28.92)

**Section 13-212. REVOCATION, SUSPENSION OF LICENSE.** The Local Liquor Control Commissioner may suspend for any period up to thirty (30) days or revoke any retail liquor dealer's license for any violation of the provisions of this Chapter or for any violation of any state law pertaining to the sale of alcoholic liquor or for any violation of such other Village ordinances and resolutions relating to alcoholic liquor as may be enacted or for any violation of the Village Building and/or Fire Prevention Codes, as now existing or hereafter amended, or for any violation of the rules and regulations promulgated by the Local Liquor Control Commissioner as provided for herein. Notice of hearings regarding such suspension or revocation shall be sent to the Chief of Police, Village Administrator and the President and Board of Trustees. In the event an appeal is taken from an order of the Local Liquor Control Commissioner, the appeal shall be limited to a review of the official record of the proceedings of the Local Liquor Control Commissioner, said provision being provided for herein by the Village of Bolingbrook under the exercise of its home rule powers pursuant to authority set forth within the Illinois Liquor Control Act. (Ordinance 89-013, 01.24.89)

**Section 13-213. RECORD AND NOTICE OF LICENSES ISSUED OR REVOKED.** The Village Clerk shall keep, or cause to be kept, a complete record of all such licenses issued by her and shall furnish the Village Administrator, Chief of Police, Director of Finance and the President and Board of Trustees with a copy thereof; upon the issuance of any new license, or the revocation of any old license, the Village Clerk shall give written notice of such action to each of these officers within forty-eight (48) hours of such action.

**Section 13-214. DISPLAY.** Every licensee shall cause his license to be framed and displayed in plain view in a conspicuous place on the licensed premises.

## **ARTICLE 3 - RESTRICTIONS**

### **Section 13-301. TRANSFER OF LICENSE.**

(a) A retail liquor dealer's license shall be a purely personal privilege, good for a period not to exceed one (1) year after issuance (unless sooner revoked or terminated as herein provided) and shall not constitute property; nor shall it be subject to attachment, garnishment, or execution; nor shall it be alienable or transferable, voluntarily or involuntarily, or subject to being encumbered or hypothecated.

(b) Such license shall cease and terminate upon the death of the licensee and shall not descend by the laws of the state or interstate succession; provided, however, that the executor or administrator of the estate 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 or the sale or manufacture of alcoholic liquor under the order of a court of competent jurisdiction, 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 in no event for a period longer than six (6) months after the death, bankruptcy or insolvency of such licensee.

(c) In the event that there is a change of 49% or less with respect to the original shareholders' ownership interest in a corporate licensee, a transfer shall not be deemed to have occurred. Any attempted transfer of a greater percentage of the original shareholders' interest shall be deemed a transfer prohibited by this Section. (Ordinance 92-113, 10.27.92)

**Section 13-302. CHANGE OF LOCATION.** A license issued hereunder shall permit the sale of alcoholic liquor only in the premises described in the application and license. Such location may be changed only when and upon written authorization to make such change shall be issued by the Local Liquor Control Commissioner. No change of location shall be permitted unless the proposed new location complies with the provisions and regulations of this Chapter. Notice of any change of location shall be sent to the Chief of Police, Village Administrator, and the President and Board of Trustees.

**Section 13-303. PEDDLING.** It shall be unlawful to peddle alcoholic liquor in the Village.

**Section 13-304. SANITARY CONDITIONS.** All premises used for the retail sale of alcoholic liquor, or for the storage of such liquor for such sale, shall be kept in a clean and sanitary condition and shall be kept in full compliance with the ordinance regulating the condition of premises used for the storage or sale of food for human consumption.

**Section 13-305. EMPLOYEES.** It shall be unlawful to employ in any premises used for the retail sale of alcoholic liquor any person who is afflicted with, or who is a carrier of, any contagious, infectious or venereal disease; and it shall be unlawful for any person who is afflicted with a carrier of any such disease to work in or about any premises or to engage in any way in the handling, preparation of or distribution of such liquor.

**Section 13-306. PROXIMITY OF LOCATION.** No license shall be issued for the sale at retail of any alcoholic liquor within 100 feet of any church, school or hospital, any home for aged or indigent persons or for veterans, their wives and children, or any military or naval station; PROVIDED THAT this prohibition shall not apply to hotels offering restaurant service, or to regularly organized clubs, or to restaurants, food shops or other places where sale of alcoholic liquors is not the principal business carried on, if such place of business so exempted shall have been established for such purposes prior to the taking effect of this Chapter 13. No person shall hereafter engage in business as a retailer of any alcoholic liquor within 100 feet of any undertaking establishment or mortuary.

**Section 13-307. HOURS.** (Ordinance 03-097, 07.22.03)

(a) It shall be unlawful to sell or offer for sale at retail any alcoholic liquor in the Village between the hours of 2:00 A.M. and 8:00 A.M., except for the following:

- (1) In establishments holding Class "A-1" licenses it shall be lawful to sell or offer for sale at retail any alcoholic liquor only between the hours of 8:00 a.m. and 2:00 a.m. Sunday through Thursday and between the hours of 8:00 a.m. and 3:00 a.m. on Friday and Saturday (late closing Friday and Saturday nights).
- (2) In establishments holding Class "B" licenses, it shall be lawful to sell or offer for sale at retail any alcoholic liquor only between the hours of 8:00 a.m. and 12:00 midnight. (Ordinance 08-054, 05.27.08)
- (3) In establishments holding Class "C-1" licenses it shall be lawful to sell or offer for sale at retail any beer or wine only between the hours of 8:00 a.m. and 11:00 p.m. (Ordinance 06-031, 03.14.06)
- (4) In establishments holding Class "D-3" licenses it shall be lawful to sell or offer for sale at retail any alcoholic liquor only between the hours of 8:00 a.m. and 10:00 p.m., Sunday through Thursday, and between the hours of 8:00 a.m. and 11:00 p.m. Friday and Saturday.
- (5) In establishments holding Class "D-4" licenses, it shall be lawful to sell or offer for sale at retail alcoholic liquor, including beer brewed on the premises, only between the hours of 9:00 a.m. until 11:00 p.m. on Sundays through Thursdays and from 9:00 a.m. until 2:00 a.m. on Fridays and Saturdays. (Ordinance 07-011, 01.23.07)
- (6) In establishments holding Class "C-3" licenses, it shall be lawful to sell or offer for sale at retail any beer or wine only between the hours of 9:00 a.m. and 10:00 p.m. (Ordinance 03-115, 09.09.03)
- (7) In establishments holding Class "C-4" licenses, it shall be lawful to sell or offer for sale or at retail or serve for tasting any wine only between the hours of 10:00 a.m. and 9:00 p.m. (Ordinance 05-026, 03.08.05)
- (8) In guest rooms of hotels having a Class "F-6" license. (Ordinance 05-089, 08.09.05)

(b) All customers must be off the premises of the licensee between the hours of 2:30 a.m. and 8:00 a.m., except:

- (1) In establishments holding Class "A-1" licenses all customers must be off the premises of the licensee between the hours of 2:30 a.m. and 8:00 a.m., Monday through Friday, and between the hours of 3:30 a.m. and 8:00 a.m. on Saturday and Sunday; and
- (2) In establishments holding Class "C-2" licenses all customers must be off the premises of the licensee between the hours of 11:30 p.m. and 1:00 a.m.; and
- (3) In establishments holding Class "D-3" licenses all customers must be off the premises of the licensee between the hours of 10:30 p.m. and 8:00 a.m.

Sunday through Thursday, and between the hours of 11:30 p.m. and 8:00 a.m., Friday and Saturday.

It shall be unlawful to admit the public to any premises in or on which alcoholic liquor is sold at retail during the hours within which the sale of liquor is prohibited; provided, however, except with respect to Class "D-3" licensed premises, in the case of restaurants, clubs and hotels, such establishments may be kept open during such hours but no alcoholic liquor may be sold to or consumed by the public during such hours.

(c) All opening and closing times shall be in accordance with the prevailing local time.

(d) A restaurant with a Class "D", "D-1", "D-2", "D-3" or "C-2" liquor license shall sell or serve alcoholic liquor only during hours of food service and for thirty (30) minutes thereafter. (Ordinance 03-097, 07.22.03)

(e) The penalty for violation of this Section 13-307 shall be One Hundred Dollars (\$100.00), and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues. (Ordinance 89-107, 10.24.89)

**Section 13-308. UNOBSTRUCTED VIEW OF LICENSED PREMISES.** (Changed in it's entirety by Ordinance 09-040, 06.23.09) In premises upon which the sale of alcoholic liquor for consumption upon the premises is licensed (other than as a restaurant, hotel, club or cinema/theater entertainment venue), no screen, blind, curtain, partition, article or object shall be permitted in the windows or upon the doors of such licensed premises, nor inside such premises, which shall prevent a clear view into the interior of such licensed premises from the street, road or sidewalk at all times, and no booth, screen, partition or other obstruction, nor any arrangement of lights or lighting, shall be permitted in or about the interior of such premises which prevents a full view of the entire interior of such premises from the street, road or sidewalk, and said premises must be so located that there shall be a full view of the entire interior of such premises from the street, road or sidewalk. Except as provided hereinabove, all rooms where liquor is sold for consumption upon premises shall be lighted continuously during business hours by natural light or in part by artificial white light so that all parts of the interior of the premises shall be clearly visible. In case the view into any such licensed premises required by the foregoing provisions shall be willfully obscured by the licensee, or by him willfully suffered to be obscured, or in any manner obstructed, then such licensee shall be subject to license revocation in the manner herein provided. In order to enforce the provisions of this Section, the Local Liquor Control Commissioner shall have the right to require the filing with him of plans, drawings and photographs showing the clearance of the view as above required.

The penalty for violation of this Section 13-308 shall be Fifty Dollars (\$50.00), and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

**Section 13-309. PROHIBITED SALE, GIFT OR DELIVERY OF ALCOHOLIC LIQUOR TO MINORS.** (Ordinance 95-037, 03.14.95)

(A) No licensee of a liquor license of the Village of Bolingbrook, nor any officer, associate, member, representative, agent or employee of such licensee shall sell, give or deliver alcoholic liquor to any person under the age of 21 years.

(B) In every tavern or other place in the Village where alcoholic liquor is sold, there shall be displayed at all times, in a prominent place, a printed card, which card shall read substantially as follows: (Ordinance 09-070, 10.13.09)

## WARNING TO MINORS

You are subject to a fine under the Liquor Control Ordinance of the Village of Bolingbrook if you purchase alcoholic liquor or misrepresent your age for the purpose of purchasing or obtaining alcoholic liquor.

(C) It shall be unlawful for any holder of a retail liquor dealer's license, or his or her agent or employee to suffer or permit any person under the age of twenty-one (21) years to be or remain in any room or compartment adjoining or adjacent to or situated in the room or placed where such licensed premises are located; provided this subsection shall not apply to any such person who is accompanied by his or her parent or guardian or to any licensed premises which derives its principal business from the sale of services or commodities other than alcoholic liquor.

(D) It shall be unlawful for any holder of a retail liquor dealer's license, or his or her agent or employee, to suffer or permit any person under the age of 21 years to draw, pour, mix or serve any alcoholic liquor in any licensed retail premises. Notwithstanding the foregoing, in any licensed retail premises which is used primarily as a restaurant and which receives sixty percent (60%) or more of its gross sales revenues from the sale of food for consumption on the premises, persons aged eighteen (18) years and older may serve alcoholic beverages to customers in pursuance of their employment. (Ordinance 01-091, 06.12.01)

(E) For the purpose of preventing the violation of this section, any licensee or his agent or employee may refuse to sell or serve alcoholic beverages to any person who is unable to produce adequate written evidence of identity and of the fact that he or she is over the age of 21 years. Adequate written evidence of age and identity of the person is a document, issued by the federal, state, county or village government, or a 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, or an identification card issued to a member of the Armed Forces. Proof that the defendant licensee, or his employee or agent, demanded and was shown and reasonably relied upon such written evidence in any transaction forbidden by this section is competent evidence and may be considered in any criminal prosecution therefor or in any proceedings for the suspension or revocation of any license based thereon.

(F) The penalty for violation of any provision of this Section 13-309 shall be not less than Two Hundred Dollars (\$200.00) nor more than Two Thousand Dollars (\$2,000.00) for each violation, and each day on which a violation continues shall constitute a separate violation.

(G) In addition to all other fines or penalties, the Local Liquor Control Commissioner may suspend or revoke the retail liquor dealer's license for any violation of the above provisions of this Section.

(H) The purchase and possession of alcoholic liquor is subject to the provisions and penalties provided in Article 19 of the Municipal Code. (Ordinance 95-037, 03.14.95)

**Section 13-310. PARENTAL RESPONSIBILITY.** It shall be unlawful for any parent or guardian to knowingly permit any minor child of which he or she may be the parent or guardian to violate any provision of this Chapter.

**Section 13-310.1. SOCIAL HOSTING.** (Added in its entirety by Ordinance 05-079, 07.12.05)

(A) It shall be unlawful for any person to knowingly authorize, enable or permit minors under the age of 21 years, who are invitees of the person or of the person's child or ward ("minor

invitees"), to possess or to consume any alcoholic liquor in the person's residence or on any land, building, structure or room, including a hotel or motel room, occupied or procured by such person (the "host premises").

(B) Nothing in the Section shall be construed to prohibit the giving of alcoholic liquor to a minor under the age of 21 years in the performance of a religious ceremony or service.

(C) Any person who shall be convicted of violating any provision of this Section shall be fined not less than Two Hundred Dollars (\$200.00) nor more than Five Hundred Dollars (\$500.00), and each minor invitee, who is permitted to possess or consume alcoholic liquor on the host premises, shall be deemed a separate offense.

**Section 13-311. RESPONSIBILITY OF THE OWNER OR PROPRIETOR OF PREMISES.**

It shall be unlawful for any owner or proprietor of any premises located within the Village to knowingly allow any person under the age of twenty-one (21) years to remain on such premises while in the possession of alcoholic liquor or while consuming alcoholic liquors in violation of Section 13-309 of this Chapter.

**Section 13-312. EVIDENCE OF AGE OF PERSON ATTEMPTING TO PURCHASE OR RECEIVE ALCOHOLIC LIQUOR.**

(A) If a licensee or his agent or employee believes, has reason to believe or should have reason to believe that a sale or delivery of alcoholic liquor is prohibited because the prospective recipient is underage, then he shall, before making such sale or delivery, demand presentation of at least two (2) separate forms of positive identification each containing proof of age, each issued by a public officer in the performance of his official duties and one of those forms of identification must contain a picture of the holder thereof. A traffic citation shall not be accepted as identification of age.

(B) No person shall transfer, alter or deface an identification card issued by a federal, state, county or municipal government or subdivision or agency thereof, use the identification card of another, carry or use a false or forged identification card, or obtain an identification card by means of false identification.

(C) No person shall purchase, accept delivery or have possession of alcoholic liquor by the use of an altered, forged or defaced identification card or by the use of an identification card of another person.

(D) No person shall misrepresent his or her age for the purpose of purchasing or obtaining alcoholic liquor in any place in the Village where alcoholic liquor is sold at retail.

**Section 13-313. SALE TO INTOXICATED PERSONS-HABITUAL DRUNKARDS.** It shall be unlawful for any holder of a retail liquor dealer's license to sell, deliver or give any alcoholic liquor to any intoxicated person or to any person known to him to be a habitual drunkard, spendthrift, insane, mentally ill, mentally deficient, or in need of mental treatment.

**Section 13-314. GAMBLING.** It shall be unlawful to permit any gambling on any premises licensed to sell alcoholic liquor.

**Section 13-315. CONDUCT PROHIBITED.** (Ordinance 83-003, 01.11.83)  
The following kinds of conduct on premises in the Village of Bolingbrook licensed to sell alcoholic liquor are prohibited:

(a) The performance of acts, or simulated acts, of sexual intercourse, masturbation, sodomy, bestiality, oral copulation, flagellation or any sexual acts which are prohibited by law.

- (b) The actual or simulated touching, caressing or fondling on the breast, buttocks, anus or genitals.
- (c) The actual or simulated displaying of the breasts, pubic hair, anus, vulva or genitals.
- (d) The permitting by a licensee of any person to remain in or upon the licensed premises who exposes to public view any portion of his or her genitals or anus.

**Section 13-316. INSPECTIONS.** It shall be unlawful to refuse to grant admittance to the premises at any time upon the verbal request of the Local Liquor Control Commissioner, or any police officer or health officer authorized by him, of the Village, for the purpose of determining whether or not the Illinois Liquor Control Act or the provisions of this Chapter are being violated.

**Section 13-317. CONSUMPTION OF ALCOHOLIC LIQUOR IN PUBLIC PLACES PROHIBITED.** It shall be unlawful for any person to consume or offer for consumption any alcoholic liquor or to have in one's possession or control any alcoholic liquor, unless carried in the original sealed container, in any public place within the Village of Bolingbrook. For purposes of this Section, a "public place" shall be any public street, public highway, public sidewalk, parking area, or any other place to which the general public has access and a right to resort for business, entertainment or other lawful purposes. Such consumption or possession in a public place shall, however, be lawful within premises licensed under the provisions of this Chapter 13 or during a group function, a license for which has been obtained under the provisions of this Chapter 13. (Ordinance 84-024, 06.12.84)

**Section 13-318. HAPPY HOURS PROHIBITED.** (Ordinance 89-109, 11.14.89)

- (A) All retail licensees shall maintain a schedule of prices charged for all drinks of alcoholic liquor to be served and consumed on the licensed premises or in any room or part thereof. Whenever a hotel or multi-use establishment which holds a valid retailer's license operates on its premises more than one establishment at which drinks of alcoholic liquor are sold at retail, the hotel or multi-use establishment shall maintain at each such establishment a separate schedule of the prices charged for such drinks at that establishment.
- (B) No retail licensee or employee or agent of such licensee shall:
  - (1) Serve two (2) or more drinks of alcoholic liquor at one time to one person for consumption by that one person except selling or delivering wine by the bottle or carafe;
  - (2) Sell, offer or serve to any person an unlimited number of drinks of alcoholic liquor during any set period of time for a fixed price, except at private functions not open to the general public;
  - (3) Sell, offer to sell or serve any drink of alcoholic liquor to any person on any one date at a reduced price other than that charged other purchasers of drinks on that day where such reduced price is a promotion to encourage consumption of alcoholic liquor, except as authorized in Subsection C (7) hereof;
  - (4) Increase the volume of alcoholic liquor contained in one drink of alcoholic liquor without increasing proportionately the price regularly charged for that drink on that day; or
  - (5) Encourage or permit on the licensed premises any game or contest which involves drinking alcoholic liquor or the awarding of drinks of alcoholic liquor as prizes for such game or contest on the licensed premises; or

- (6) Advertise or promote in any way, whether on or off the licensed premises, any of the practices prohibited under Subsections B (1) through B (5) hereof.
- (C) Nothing contained in Subsection B hereof shall be construed to prohibit a licensee from:
- (1) Offering free food or entertainment at any time;
  - (2) Including drinks of alcoholic liquor as part of a meal package;
  - (3) Including drinks of alcoholic liquor as part of a hotel package;
  - (4) Negotiating drinks of alcoholic liquor as part of a contract between a hotel or multi-use establishment and another group for the holding of any function, meeting, convention or trade show;
  - (5) Providing room service to persons renting rooms at a hotel;
  - (6) Selling pitchers (or the equivalent, including but not limited to buckets), carafes, or bottles of alcoholic liquor which are customarily sold in such manner and delivered to two (2) or more persons at one time; or
  - (7) Increasing prices of drinks of alcoholic liquor in lieu of, in whole or in part, a cover charge to offset the cost of special entertainment not regularly scheduled.
- (D) A violation of this Section shall be grounds for suspension or revocation of the retailer's license in addition to any other penalties otherwise provided for.

**Section 13-319. REDUCED RATES PROHIBITED.** It shall be unlawful for any licensee hereunder to sell alcoholic liquor, made generally available to all patrons of a liquor establishment, during any part of a day at a cost which is less than that charged for the same volume and liquor during the remainder of the day. (Ordinance No. 89-016, 02.14.89)

**Section 13-320. TRANSPORTING ALCOHOLIC LIQUOR IN VEHICLES.** (Added in its entirety by Ordinance 07-063, 05.22.07)

- (A) Except as provided in Subsection (B) hereof, no person shall transport, carry, possess or have any alcoholic liquor in the passenger area of any motor vehicle, except in the original package and with the seal unbroken.
- (B) Notwithstanding any other provision of this Chapter, a restaurant licensed to sell alcoholic liquor in the Village may permit a patron to remove one unsealed and partially consumed bottle of wine for off-premises consumption, provided that the patron has purchased a meal and consumed a portion of the bottle of wine with the meal on the restaurant premises. A partially consumed bottle of wine that is to be removed from the premises pursuant to this Section shall be securely sealed by the licensee or an agent of the licensee prior to removal from the premises and placed in a transparent one-time-use tamper-proof bag. The licensee or agent of the licensee shall provide a dated receipt for the bottle of wine to the patron. Wine that is resealed in accordance with the provisions of this Section and not tampered with shall not be deemed an unsealed container for the purposes of Section 11-502 of the Illinois Vehicle Code (625 ILCS 5/11-502) or any comparable provision of the Municipal Code. (Ordinance 07-063, 05.22.07)

**Section 13-321. PENALTY.** Except where a fine is otherwise expressly provided for, any

person, firm or corporation who shall be convicted of violating any provision of this Chapter shall be fined not less than Fifty Dollars (\$50.00) nor more than Five Hundred Dollars (\$500.00) for each offense, in addition to any other sanctions and remedies provided by law, and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues. (Ordinance 89-107, 10.24.89)

**Section 13-322. CONFLICT.** All ordinances or parts of ordinances in conflict herewith be, and the same are hereby, repealed.

## **ARTICLE 4 -- TAX ON THE SALE OF ALCOHOLIC BEVERAGES**

(Amended in its entirety by Ordinance 01-073, 04-24-01)

### **Section 13-401. DEFINITIONS.**

For the purposes of this Article, whenever any of the following words, terms or definitions are used herein, they shall have the meaning ascribed to them in this Section:

(A) "Alcoholic liquor" shall have the meaning ascribed to it in the State of Illinois Liquor Control Act (235 ILCS 5/1-1 *et seq.*).

(B) "Liquor establishment" shall mean any premises required to obtain a retail liquor license pursuant to this Chapter and any premises which may sell alcoholic liquor at retail without a Village license.

(C) "Owner" shall mean any person or persons having a sufficient proprietary interest in conducting the operation of a liquor establishment so as to entitle such a person or persons to all or a portion of the net receipts thereof.

(D) "Person" means any natural person, receiver, administrator, executor, conservator, assignee, trust in perpetuity, trust, estate, firm, co-partnership, joint venture, club, company, business trust, domestic or foreign corporation, association, syndicate, society or any group of individuals acting as a unit, whether mutual, cooperative, fraternal nonprofit, or otherwise; whenever the term "person" is used in any clause prescribing and imposing a penalty, the term as applied to associations shall mean that the owners or part owners thereof and, as applied to corporations, the officers thereof.

(E) "Sale at retail" means any transfer of the ownership of alcoholic liquor to a purchaser for the purposes of use or consumption and shall include any transfer to a purchaser for use or consumption by any other person to whom such purchaser may transfer the alcoholic liquor without a valuable consideration.

**Section 13-402. IMPOSITION OF TAX.** There is hereby levied and imposed upon the privilege of purchasing alcoholic liquor at any liquor establishment in the Village a tax of six percent (6%) of the purchase price, exclusive of any other tax charged for such alcoholic liquor. (Ordinance 08-037, 04.22.08)

### **Section 13-403. LIABILITY FOR PAYMENT.**

(A) The ultimate incidence of and liability for payment of said tax shall be borne by the person who seeks the privilege of purchasing alcoholic liquor at retail at any liquor establishment, said person hereinafter referred to as "consumer."

(B) The tax herein levied shall be paid in addition to any and all other taxes and charges. It shall be the duty of the owner, manager or operator of every liquor establishment to secure said tax from the consumer of a liquor establishment and remit to the Village said tax under the rules and regulations prescribed by the Local Liquor Control Commissioner and as otherwise provided in this Article.

**Section 13-404. COLLECTION OF TAX.** Every person required to collect the tax levied by this Article shall secure said tax from the consumer at the time he collects payment for the sale of alcoholic liquor at retail. The amount due under the tax provided in this Article shall be separately stated on the invoice receipt or other statement or memorandum of the payment given to the consumer at the time of payment, unless the person required to collect the tax does not have a cash register that separately states such tax. In any event, the person required to collect the tax shall

keep records that clearly support total liquor sales and liquor taxes due hereunder. (Ordinance 01-073, 04.24.01)

**Section 13-405. RULES AND REGULATIONS.** The Local Liquor Control Commissioner may promulgate rules and regulations not inconsistent with the provisions of this Article concerning the enforcement and application of this Article. The term "rules and regulations" includes but is not limited to a case-by-case determination whether or not the tax imposed by this Article applies. (Ordinance 01-073, 04.24.01)

**Section 13-406. FILING OF RETURN.** The owner or owners of each liquor establishment within the Village shall file tax returns showing tax receipts received during each monthly period on forms prescribed by the Local Liquor Control Commissioner. The returns shall be due on or before the 25<sup>th</sup> day of the calendar month succeeding the end of the monthly filing period. At the time of filing said returns, the owner shall remit to the Village taxes collected for the period to which the tax return applies. (Ordinance 01-073, 04.24.01)

**Section 13-407. FAILURE TO PAY, COLLECT OR REMIT TAX.** If for any reason any tax is not collected or remitted when due, a penalty at the rate of two percent (2%) per month on the amount of tax which remains unremitted shall be added and collected. Additionally, a one time late filing fee of seven and one half percent (7.5%) may be imposed and collected for any filings remitted after the 25<sup>th</sup> of the month. Whenever any person shall fail to pay, collect or remit any tax as herein provided, the Village Attorney, upon the request of the Local Liquor Control Commissioner, shall bring or cause to be brought up an action to enforce compliance in any court of competent jurisdiction. (Ordinance 01-073, 04.24.01)

**Section 13-408. RECORDS.**

(A) Every owner, manager or operator of a liquor establishment in the Village shall keep books and records which, at a minimum, include a daily sheet showing:

- (1) The amount of taxable receipts within the twenty-four (24) hour period; and
- (2) The actual liquor establishment tax receipts collected for the date in question.

(B) The Local Liquor Control Commissioner or his designee shall at all reasonable times have full access to said books and records.

(C) The financial records of any liquor establishment submitted pursuant to this Article or any rule and regulation promulgated thereunder shall not be available for public inspection in order to protect the owner's right to privacy, except when necessary in any action to enforce collection tax under this Article. (Ordinance 01-073, 04.24.01)

**Section 13-409. EXEMPTIONS.** The tax imposed under this Article shall not apply or be imposed upon a person organized and operated exclusively for charitable, religious or educational purposes to the extent alcoholic liquor is purchased by such person and used solely for the charitable, religious or educational purposes of such person and is not resold for profit.

**Section 13-410. SUSPENSION OR REVOCATION OF LICENSE FOR FAILURE TO COMPLY; HEARING.**

(A) Procedure for persons not holding a Village liquor license: If the Local Liquor Control Commissioner, after notice and a hearing, shall find that any person has willfully avoided collection or remittance of the tax imposed by this Article, he may suspend or revoke all Village licenses held by such person. The owner, manager or operator of the business establishment shall have an

opportunity to be heard, and such hearing shall be held not less than five (5) days after notice of the time and place of the hearing, addressed to the owner, manager or operator, at his last known place of business, has been given by certified mail, return receipt requested or by personal service, of the time and place of the hearing. The suspension or revocation of any license shall not release or discharge the owner, manager or operator of the business establishment from his civil liability for the collection or remittance of the tax nor for prosecution of such offense.

(B) Procedure for persons holding a Village liquor license: If the Local Liquor Control Commissioner, after notice and a hearing, shall find that any person has willfully avoided collection or remittance of the tax imposed by this Article, he may suspend or revoke the retail liquor license held by such person. The notice and hearing procedure shall be as provided hereinabove in Subsection (A). The suspension or revocation of the retail liquor license shall not release or discharge the owner, manager or operator of the liquor establishment from his civil liability for the collection or remittance of the tax nor for prosecution of such offense.

**Section 13-411. DISPOSITION OF PROCEEDS OF TAX.** All proceeds resulting from the imposition of the tax under this Article, including penalties, shall be paid into the treasury of the Village of Bolingbrook and shall be credited to and deposited in the General Corporate Fund of the Village.

**Section 13-412. PENALTY.** In addition to the suspension or revocation of licenses as hereinabove provided, any person found guilty of violating, disobeying, omitting, neglecting, or refusing to comply with or resisting or opposing the enforcement of any of the provisions of this Article, except when otherwise specifically provided, upon conviction thereof, shall be punished by a fine of not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00). Each day of violation shall constitute a separate and distinct offense.