

VILLAGE OF BRADLEY

ORDINANCE NO. O-4-21-1

AN ORDINANCE AMENDING CHAPTER 4 (ALCOHOLIC BEVERAGES), ARTICLE III
(LICENSES) OF THE BRADLEY VILLAGE CODE

ADOPTED BY THE
BOARD OF TRUSTEES OF THE
VILLAGE OF BRADLEY

THIS 26th DAY OF April, 2021

Published in pamphlet form by the authority of the Board of Trustees of the Village of Bradley,
Kankakee County, Illinois this 26th day of April, 2021.

AN ORDINANCE AMENDING CHAPTER 4 (ALCOHOLIC BEVERAGES), ARTICLE III (LICENSES) OF THE BRADLEY VILLAGE CODE

WHEREAS, the Corporate Authorities of the Village of Bradley, Kankakee County, Illinois, have the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs and protect the public health, safety, and welfare of its citizens; and

WHEREAS, pursuant to Section 4-1 of the Illinois Liquor Control Act (235 ILCS 5/4-1), the Corporate Authorities of the Village are authorized “to determine the number, kind and classification of licenses, for sale at retail of alcoholic liquor not inconsistent with [the] Act and the amount of the local licensee fees to be paid for the various kinds of licenses to be issued in their political subdivision . . . ; to regulate or prohibit the presence of persons under the age of 21 on the premises of licensed retail establishments of various kinds and classifications where alcoholic liquor is drawn, poured, mixed or otherwise served for consumption on the premises; to prohibit any minor from drawing, pouring, or mixing any alcoholic liquor as an employee of any retail licensee; and to prohibit any minor from at any time attending any bar and from drawing, pouring or mixing any alcoholic liquor in any licensed retail premises; and to establish such further regulations and restrictions upon the issuance of and operations under local licenses not inconsistent with law as the public good and convenience may require; and to provide penalties for the violation of regulations and restrictions . . . relative to operation under local licenses”; and

WHEREAS, the Corporate Authorities of the Village previously exercise the foregoing authority by enacting Chapter 4 (Alcoholic Beverages) of the Bradley Village Code; and

WHEREAS, the Corporate Authorities of the Village have determined that it is necessary, expedient, and in the best interests of the Village and its citizens to amend said Chapter 4 (Alcoholic Beverages) as set forth in this Ordinance.

NOW THEREFORE, BE IT ORDAINED BY THE CORPORATE AUTHORITIES OF THE VILLAGE OF BRADLEY, KANKAKEE COUNTY, ILLINOIS, PURSUANT TO ITS STATUTORY AUTHORITY, AS FOLLOWS:

SECTION 1. The Corporate Authorities hereby find that all of the recitals contained in the preamble to this Ordinance are true, correct, and complete and are hereby incorporated by reference hereto and made a part hereof.

SECTION 2. That Chapter 4 (Alcoholic Beverages), Article III (Licenses), Division 1 (In General), Section 4-73 (Term; Expiration Date) is hereby amended to read as follows:

Sec. 4-73. - Term; expiration date.

All retail alcoholic beverage licenses shall be issued upon an annual basis and shall expire at 12:00 midnight on May 31, following their issuance.

SECTION 3. That Chapter 4 (Alcoholic Beverages), Article III (Licenses), Division 1 (In General), Section 4-74 (Renewals) is hereby amended to read as follows:

Sec. 4-74. - Renewals.

- (a) All applicants for the renewal of existing alcoholic liquor licenses shall submit their complete applications on or before May 20 of each year, provided that the Local Liquor Control Commissioner may extend the time for filing renewal applications on a case-by-case basis if (i) the applicant in question files a written request for such extension on or before May 20 and (ii) the Local Liquor Control Commissioner determines, in his sole discretion, that good cause exists to grant the extension. Failure to timely submit a renewal application as set forth above shall result in any late-filed application being treated as an initial license application.
- (b) No retail alcoholic beverage license shall be refused to any licensee in good standing so long as they timely submit their renewal application as required by this section, provided (i) that said license remains available and (ii) that said licensee is and remains eligible to receive said license.

SECTION 4. That Chapter 4 (Alcoholic Beverages), Article III (Licenses), Division 1 (In General), Section 4-80 (Issuance of new license in case of death of licensee) is hereby amended to read as follows:

Sec. 4-80. - Issuance of new license in case of death of licensee.

In the event that any licensee dies, the Local Liquor Control Commissioner may, in his sole discretion, issue a new license to the former licensee's heirs or legatees. In the event that a new license is issued pursuant to this Section, the new licensee shall pay the appropriate license fee, but the fee shall be prorated based upon the unexpired term of the previous license. Any license issued pursuant to this Section shall terminate on the May 31st next following its issuance. No license shall be issued pursuant to this section unless and until the heir(s) and/or legatee(s) have filed an Application with all required supporting documents and proofs, nor shall any license be issued if the heir(s) and/or legatee(s) are not otherwise eligible to hold a license under this Chapter.

SECTION 5. That the term of all existing Village liquor licenses issued during and for the May 1, 2020, to April 30, 2021, license cycle are hereby extended until May 31, 2021, so that they will expire and may be renewed consistent with the provisions of the Village's code that are modified by operation of this Ordinance.

SECTION 6. In the event that any provision or provisions, portion or portions, or clause or clauses of this Ordinance shall be declared to be invalid or unenforceable by a Court of competent jurisdiction, such adjudication shall in no way affect or impair the validity or enforceability of any of the remaining provisions, portions, or clauses of this Ordinance that may be given effect without such invalid or unenforceable provision or provisions, portion or portions, or clause or clauses.

SECTION 7. That all ordinances, resolutions, motions, or parts thereof, conflicting with any of the provisions of this Ordinance, are hereby repealed to the extent of the conflict.

SECTION 8. That the Village Clerk is hereby directed to publish this Ordinance in pamphlet form.

SECTION 9. That this Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

PASSED by the Board of Trustees on a roll call vote on the 26th day of April, 2021.

TRUSTEES:

ROBERT REDMOND	Aye - <u>X</u>	Nay - <u> </u>	Absent - <u> </u>
MICHAEL WATSON	Aye - <u>X</u>	Nay - <u> </u>	Absent - <u> </u>
RYAN LEBRAN	Aye - <u>X</u>	Nay - <u> </u>	Absent - <u> </u>
BRIAN BILLINGSLEY	Aye - <u>X</u>	Nay - <u> </u>	Absent - <u> </u>
DARREN WESTPHAL	Aye - <u>X</u>	Nay - <u> </u>	Absent - <u> </u>
BRIAN TIERI	Aye - <u>X</u>	Nay - <u> </u>	Absent - <u> </u>

ACTING VILLAGE PRESIDENT:

MICHAEL WATSON Non-Voting - X.

TOTALS: Aye - 6 Nay - 0 Absent - 0

ATTEST:

Julie Tambling
 JULIE TAMBLING, VILLAGE CLERK

APPROVED this 26th day of April, 2021.

Michael Watson
 MICHAEL WATSON, ACTING VILLAGE PRESIDENT

ATTEST:

Julie Tambling
 JULIE TAMBLING, VILLAGE CLERK

STATE OF ILLINOIS)
) §§
COUNTY OF KANKAKEE)

I, Julie Tambling, Village Clerk of the Village of Bradley, County of Kankakee and State of Illinois, DO HEREBY CERTIFY that the attached is a true, perfect, and complete copy of Ordinance number 04-21, "AN ORDINANCE AMENDING CHAPTER 4 (ALCOHOLIC BEVERAGES), ARTICLE III (LICENSES) OF THE BRADLEY VILLAGE CODE," which was adopted by the Village Corporate Authorities at a meeting held on the 26th day of April, 2021.

IN WITNESS WHEREOF, I have hereunto set my hand in the Village of Bradley, County of Kankakee and State of Illinois, on this 26th day of April, 2021.

Julie Tambling

JULIE TAMBLING, VILLAGE CLERK

(SEAL)



