

VILLAGE OF BRADLEY

ORDINANCE NO. O-7-20-7

AN ORDINANCE AMENDING CHAPTERS 4 (ALCOHOLIC BEVERAGES) AND 18 (FEES
AND OTHER CHARGES) OF THE BRADLEY VILLAGE CODE

ADOPTED BY THE
BOARD OF TRUSTEES OF THE
VILLAGE OF BRADLEY

THIS 27th DAY OF July, 2020

Published in pamphlet form by the authority of the Board of Trustees of the Village of Bradley,
Kankakee County, Illinois this 27th day of July, 2020

ORDINANCE NO. O-7-20-7

AN ORDINANCE AMENDING CHAPTERS 4 (ALCOHOLIC BEVERAGES) AND 18 (FEES AND OTHER CHARGES) 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, Section 4-1 of the Illinois Liquor Control Act of 1934 (235 ILCS 5/4-1) (the "Act") grants the Corporate Authorities of the Village the power to determine the number, kind, and classification of local liquor licenses within the Village; and

WHEREAS, the Corporate Authorities of the Village have previously exercised the authority granted by Section 4-1 of the Act, establishing the number, kind, and classifications of all local liquor licenses permitted within the Village; and

WHEREAS, the Corporate Authorities of the Village have determined that it is in the best interests of the Village and its citizens to amend the provisions of its liquor licensing ordinances, along with other related provisions of the Village Code, 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. Chapter 4 (Alcoholic Beverages), Article I (In General), Section 4-1 (Definitions) of the Village Code is hereby amended to read as follows:

Sec. 4-1. - Definitions.

The words and phrases used in this chapter shall have the meanings given to them in the definitions as set forth in the Liquor Control Act of 1934 (235 ILCS 5/1-1 *et seq.*). In addition, the following terms shall have the meanings given unless the context clearly requires otherwise:

VIDEO GAMING CAFE. An establishment for which the primary or major business focus is video gaming and the service of alcohol and food is incidental to the operation of video gaming terminals.

ESCAPE ROOM ESTABLISHMENT. An establishment for which the primary business focus is the operation of a recreational facility in which members of the public

cooperatively discover clues, solve puzzles, and accomplish tasks in one or more rooms in order to progress and accomplish a specific goal in a limited amount of time, which may include but is not limited to escaping from the establishment.

SECTION 3. Chapter 4 (Alcoholic Beverages), Article III (Licenses), Division 1 (In General), Section 4-68 (Classifications and Amounts of Licenses) is hereby amended in part to include the following:

Sec. 4-68. - Classifications and amounts of fees.

Licenses shall be and are hereby divided into classes, with fees for such licenses as follows:

* * *

(3) *Class C license.* A Class C license shall entitle the licensee to sell alcoholic liquors in package quantities where the liquor is sold but not consumed on the premises. It shall be lawful for a Class C licensee to permit the tasting or sampling of alcoholic liquor on the licensed premises, provided that any and all such tasting or sampling shall be (i) incidental to the licensee's sales of alcoholic liquors, (ii) conducted under the supervision of the licensee or a duly authorized agent of the licensee, and (iii) conducted manner calculated to confine any and all tasting/sampling to the licensee's licensed premises. Nothing in this Ordinance permitting tasting/sampling is intended or shall be construed as permitting the drawing, pouring, mixing, or service of alcoholic liquor for consumption on the licensed premises, as those terms are used in Section 5 of the Illinois Video Gaming Act (230 ILCS 40/5); rather, it shall be unlawful for any Class C licensee to permit video gaming upon the licensed premises. This class shall not permit entertainment in the licensed premises. The full amount of the license fee for such Class C license shall be as provided in the village fee schedule in section 18-1.

(4) *Class C1 license.* A Class C1 license shall entitled the licensee to sell alcoholic liquors in their original package, unopened, and not for consumption on the licensed premises. This class shall not permit tasting or sampling on the licensed premises. This class shall not permit entertainment in the licensed premises. The full amount of the license fees for such Class C1 license shall be as provided in the village fee schedule in section 18-1.

* * *

(14) *Class M License.* A class M license shall authorize the retail sale of all kinds of alcoholic liquors for consumption on the licensed premises of an Escape Room Establishment only. A class M licensee is authorized to operate a full-service, indoor bar. The full amount of the fee for such class M license shall be as provided in the village fee schedule in section 18-1.

(15) *Class O License.* A class O license shall authorize the retail sale of all kinds of alcoholic liquors for consumption on the licensed premises of a Video Gaming Café only. This class of license shall not permit entertainment on the licensed premises.

The full amount of the fee for such class M license shall be as provided in the village fee schedule in section 18-1.

SECTION 4. Chapter 4 (Alcoholic Beverages), Article III (Licenses), Division 1 (In General), Section 4-77 (Number of Licenses) is hereby amended to read as follows:

Sec. 4-77. - Number of licenses.

Class	Number of licenses (limits)
Class A licenses	15
Class B licenses	6
Class C licenses	8
Class C1 licenses	8
Class D licenses	1
Class E licenses	3
Class F licenses	0
Class G licenses	1
Class H licenses	0
Class I licenses	0
Class J licenses	0
Class K licenses	0
Class L licenses	4
Class M Licenses	1
Class O Licenses	5

SECTION 5. Chapter 4 (Alcoholic Beverages), Article III (Licenses), Division 2 (Operation and Premises Regulations), Section 4-99 (Gambling at Licensed Premises) is hereby amended to read as follows:

Sec. 4-99. - Gambling at licensed premises.

No gambling devices shall be kept or used for the purpose of gambling, nor shall any gambling be allowed in any place where liquor is sold, kept for sale, offered for sale, at retail, or given away, except that video gaming shall be lawful in licensed establishments to the extent permitted by this Ordinance, the Illinois Video Gaming Act (230 ILCS 40/1, et seq.), as amended, and the rules of the Illinois Video Gaming Board, as amended. The person or persons to whom the retail alcoholic beverage license is issued or the officers of any club, association or corporation, licensed under this chapter shall be subjected, in the event of a violation of this section, to the penalties provided by this chapter and the license issued to the person, persons, club, association or corporation shall be subject to suspension or revocation as provided by this chapter.

SECTION 6. Chapter 18 (Fees and Other Charges), Section 18-1 (Fees) is hereby amended in part to include the following:

Sec. 18-1. - Fees.

Section	Description	Amount (in dollars)
* * *		
<i>Chapter 4—Alcoholic Beverages</i>		
* * *		
4-68	Class C1 — Annually	\$1,200
* * *		
4-68	Class M — Annually	\$1,200
4-68	Class O — Annually	\$1,200
* * *		

SECTION 7. 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 8. 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 9. That the Village Clerk is hereby directed to publish this Ordinance in pamphlet form.

STATE OF ILLINOIS)
)
COUNTY OF KANKAKEE) §§

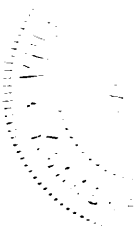
I, Julie Tambling, Village Clerk of the Village of Bradley, County of Kankakee and State of Illinois, DO HEREBY CERTIFY that the attached is a true, perfect, and complete copy of Ordinance number 0-7-20-7, "AN ORDINANCE AMENDING CHAPTERS 4 (ALCOHOLIC BEVERAGES) AND 18 (FEES AND OTHER CHARGES) OF THE BRADLEY VILLAGE CODE," which was adopted by the Village Corporate Authorities at a meeting held on the 22nd day of July, 2020.

IN WITNESS WHEREOF, I have hereunto set my hand in the Village of Bradley, County of Kankakee and State of Illinois, on this 22nd day of July, 2020.



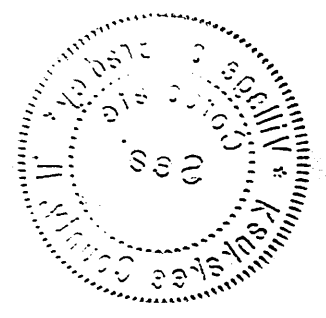
JULIE TAMBLING, VILLAGE CLERK Deputy

(SEAL)



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SECTION 10. 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 27th day of July, 2020.

TRUSTEES:

ROBERT REDMOND	Aye - <input checked="" type="checkbox"/>	Nay - <input type="checkbox"/>	Absent - <input type="checkbox"/>
MICHAEL WATSON	Aye - <input checked="" type="checkbox"/>	Nay - <input type="checkbox"/>	Absent - <input type="checkbox"/>
RYAN LEBRAN	Aye - <input checked="" type="checkbox"/>	Nay - <input type="checkbox"/>	Absent - <input type="checkbox"/>
BRIAN BILLINGSLEY	Aye - <input checked="" type="checkbox"/>	Nay - <input type="checkbox"/>	Absent - <input type="checkbox"/>
DARREN WESTPHAL	Aye - <input checked="" type="checkbox"/>	Nay - <input type="checkbox"/>	Absent - <input type="checkbox"/>
BRIAN TIERI	Aye - <input checked="" type="checkbox"/>	Nay - <input type="checkbox"/>	Absent - <input type="checkbox"/>

ACTING VILLAGE PRESIDENT:

MICHAEL WATSON Non-Voting - X

TOTALS: Aye - Nay - Absent -

ATTEST:



JULIE TAMBLING, VILLAGE CLERK (Deputy)

APPROVED this 27th day of July, 2020.



MICHAEL WATSON, ACTING VILLAGE PRESIDENT

ATTEST:



JULIE TAMBLING, VILLAGE CLERK (Deputy)