

VILLAGE OF BRADLEY

ORDINANCE NO. O-4-17-2

AN ORDINANCE AMENDING CHAPTER 4, ARTICLE 3, DIVISION 2 OF THE MUNICIPAL
CODE OF THE VILLAGE OF BRADLEY, KANKAKEE COUNTY, ILLINOIS

ADOPTED BY THE
BOARD OF TRUSTEES OF THE
VILLAGE OF BRADLEY

THIS 24th DAY OF APRIL, 2017

Published in pamphlet form by the authority of the Board of Trustees of the Village of Bradley,
Kankakee County, Illinois this 24th day of APRIL, 2017

ATTEST:

Jeremiah Wickert - Deputy Clerk
MICHAEL J. LAGESSE, VILLAGE CLERK

ORDINANCE NO. O-4-17-2

AN ORDINANCE AMENDING CHAPTER 4, ARTICLE 3, DIVISION 2 OF THE MUNICIPAL
CODE OF THE VILLAGE OF BRADLEY, KANKAKEE COUNTY, ILLINOIS

WHEREAS, the President and Board of Trustees 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, the President and Board of Trustees of the Village of Bradley have previously adopted ordinances regulating the licensure and sale of alcoholic liquor within the Village; and

WHEREAS, pursuant to 235 ILCS 5/4-1, the Board of Trustees of the Village is empowered “to establish such . . . 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

WHEREAS, ensuring that the employees of businesses licensed to sell and serve alcoholic liquor within the Village are properly trained is critical to ensuring the health, safety, and welfare of the public; and

WHEREAS, the Village President and Board of Trustees wish to set out standard employee training requirements which shall apply evenly to all licensees within the Village; and

WHEREAS, the Beverage Alcohol Sellers and Servers Education and Training (“BASSET”) program is the State of Illinois’ responsible beverage seller/server program and is designed to encourage profitable, responsible, and legal alcohol sales and services; and

WHEREAS, it is in the best interest of the citizens of the Village of Bradley, Kankakee County, Illinois, that BASSET training be required for all licensees and employees of licensees that serve alcoholic liquor within the Village.

NOW THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF BRADLEY, KANKAKEE COUNTY, ILLINOIS, PURSUANT TO ITS STATUTORY AUTHORITY, AS FOLLOWS:

SECTION 1. The President and Board of Trustees 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, Article 3, Division 2, Section 4-108 of the Municipal Code of the Village of Bradley is amended to read as follows:

4-108: BASSET Training Required for Alcohol Sellers and Servers:

- (A) For the purpose of this section, the terms "BASSET" and "BASSET program" shall mean and refer to any state-certified beverage alcohol sellers and servers education training program, except that in order to qualify under this section the training program and any associated testing must be administered in person and no online program or test will satisfy any obligation under this section.
- (B) **Training program.** Training is required as specified below:
1. All new liquor managers and all new employees of the holder of any liquor license, issued by the Village, for the sale of alcoholic beverages who mix or serve alcoholic beverages to the public and who are employed by that licensee commencing on or after June 1, 2017, shall be required to complete a BASSET program within 90 days of their employment date. All liquor managers and employees employed by the licensee prior to June 1, 2017, shall complete a BASSET program prior to the Licensee's next application for their annual license renewal.
 2. Verification of completion of a BASSET program shall be filed with the Village Police Department's BASSET coordinator and a copy of the same shall be maintained in the licensee's liquor manager's office. All liquor managers and employees must contact the Village Police Department to advice of their name, the licensed premises upon which they are employed, and their hiring date prior to selling or serving any alcoholic liquor within the Village. Responsibility for the registration of all liquor managers and employees rests with the licensee.
 3. BASSET completion cards are to be carried and exhibited on demand. Every liquor manager or employee who has successfully completed the BASSET training program shall have the BASSET completion card in their immediate possession at all times when serving alcoholic liquor within the village. For the purpose of indicating compliance with this requirement, all liquor managers and employees shall display their BASSET course completion card upon demand of a village police officer or other agent authorized by the liquor control commissioner.
 4. Any failure to display a completion card as required by this section shall be deemed a violation of this chapter. Moreover, any such violation shall be shall be deemed and held to be the act of the licensee, and the licensee shall be punishable in the same manner as if the violation had been committed by the licensee personally.
 5. The liquor control commissioner of the village may, in his sound discretion, extend the time for completion of the training for an additional 90-day period, provided that such an extension shall only be permitted for trainings incident upon an application for renewal of license. Such extensions shall be given on a case-by-case basis and only for good cause shown. Requests for such extension will be in writing and presented to the liquor control commissioner for a minimum of 30 days prior to implementation deadline.
 6. Employees of a licensed premises that are of a "temporary status" (Christmas, summer help, etc.) whose employment does not extend past 90 days from the date of employment are not required to complete the training program. Instead, they shall

be required, for the duration of their employment, to work at all times under the immediate supervision of a person who has completed the BASSET program. Proof of employment hiring date for any such temporary employees shall be exhibited upon demand of a village police officer or other agent authorized by the liquor control commissioner. In addition, "temporary status" sellers and servers must also contact the village police department to advise of their name, the licensed premises on which they are or shall be temporarily employed, and their hiring date prior to selling or serving any alcoholic liquor within the village. Responsibility for registration of all "temporary status" employees rests with the licensee.

- (C) Service, sale, and management of alcoholic liquors by any person who has not completed all required training is prohibited. It shall be unlawful to permit any person to serve or sell alcoholic beverages on any licensed premises unless that person has completed a BASSET training program as required by this section. Further, it shall be unlawful to employ any liquor manager on such licensed premises unless that person has completed a BASSET training program as required in subsection (B) of this section.
- (D) Repeating course: In addition to other penalties imposed in this chapter, any person who violates any regulation or provision of this chapter shall be required to again complete the BASSET training program as required in this section before serving, selling, or managing alcoholic liquors within the Village.
- (E) Violations and Penalties:
 - 1. The following shall constitute violations of this Chapter:
 - a. Any failure by a licensee to require its liquor manager and all employees who mix or serve alcoholic beverages to the public to complete a BASSET program as required in subsection (b)(1) of this chapter;
 - b. Any failure by a licensee to maintain records of such completion;
 - c. Any failure by a licensee to submit evidence of such completion when requested or required to do so; and
 - d. Any failure by a licensee to otherwise comply with the requirements of this section.
 - 2. Any violation of this chapter shall be cause for any one or more of the following:
 - a. Denial of an application for a license or renewal of a license;
 - b. Imposition of a fine as set forth in Section 4-2 of this Chapter. Each day on which a violation occurs or continues shall be considered a separate violation; and/or
 - c. Suspension or revocation of a license pursuant to Section 4-76 of this Chapter.

SECTION 3. 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 4. 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 5. That the Village Clerk is hereby directed to publish this Ordinance in pamphlet form.

SECTION 6. 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 ____ day of _____, 2017.

TRUSTEES:

GERALD BALTHAZOR	Aye - <input checked="" type="checkbox"/>	Nay - <input type="checkbox"/>	Absent - <input type="checkbox"/>
ROBERT REDMOND	Aye - <input checked="" type="checkbox"/>	Nay - <input type="checkbox"/>	Absent - <input type="checkbox"/>
LORI GADBOIS	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"/>
ERIC CYR	Aye - <input checked="" type="checkbox"/>	Nay - <input checked="" type="checkbox"/>	Absent - <input checked="" type="checkbox"/>
MELISSA CARRICO	Aye - <input checked="" type="checkbox"/>	Nay - <input type="checkbox"/>	Absent - <input type="checkbox"/>
BRUCE ADAMS	Aye - <input type="checkbox"/>	Nay - <input type="checkbox"/>	Absent - <input type="checkbox"/>

TOTALS: Aye - 5 Nay - 0 Absent - 1

ATTEST:

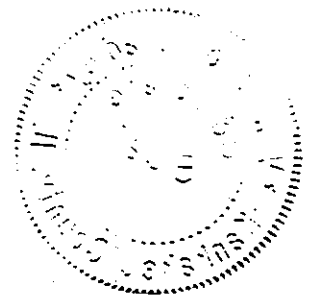
Jeremy M. Richard - Deputy Clerk
MICHAEL J. LAGESSE, VILLAGE CLERK

APPROVED this 24th day of April, 2017.

Bruce W. Adams
BRUCE ADAMS, VILLAGE PRESIDENT

ATTEST:

Jeremy M. Richard - Deputy Clerk
MICHAEL J. LAGESSE, VILLAGE CLERK



STATE OF ILLINOIS)
) §§
COUNTY OF KANKAKEE)

I, Michael J. LaGesse, 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 O-4-17-2, "AN ORDINANCE AMENDING CHAPTER 4, ARTICLE 3, DIVISION 2 OF THE MUNICIPAL CODE OF THE VILLAGE OF BRADLEY, KANKAKEE COUNTY, ILLINOIS," which was adopted by the Village President and Board of Trustees at a meeting held on the 24th day of April, 2017.

IN WITNESS WHEREOF, I have hereunto set my hand in the Village of Bradley, County of Kankakee and State of Illinois, on this 24th day of April, 2017.

Jerome M. Wischert *deputy*
clerk
MICHAEL J. LAGESSE, VILLAGE CLERK



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