VILLAGE OF BRADLEY

ORDINANCE NO. O-11-18-1

AN ORDINANCE AMENDING SECTION 4-77, NUMBER OF LICENSES, OF ARTICLE III, LICENSES, OF CHAPTER 4, ALCOHOLIC BEVERAGES, OF THE VILLAGE OF BRADLEY CODE

ADOPTED BY THE
BOARD OF TRUSTEES OF THE
VILLAGE OF BRADLEY

THIS 10 DAY OF DECEMBER, 2018

Published in pamphlet form by the order and authority of the Board of Trustees of the Village of Bradley, Kankakee County, Illinois, this 10 day of DECEMBER, 2018.

CERTIFICATE:

Michael J. LaGesse

Michael J. LaGesse, Village Clerk

ORDINANCE NO. O-11-18-1

AN ORDINANCE AMENDING SECTION 4-77, NUMBER OF LICENSES, OF ARTICLE III, LICENSES, OF CHAPTER 4, ALCOHOLIC BEVERAGES, OF THE VILLAGE OF BRADLEY CODE

WHEREAS, the Board of Trustees of the Village of Bradley, Kankakee County, Illinois, has 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 235 ILCS 5/4-1 of the Illinois Liquor Control Act of 1934, the president and board of trustees have the power by ordinance or resolution to determine the number, kind, and classification of local liquor licenses in the Village of Bradley; and

WHEREAS, the Board of Trustees of the Village of Bradley finds that it is to the public benefit to reduce the number of local liquor licenses to the number and kind currently issued to licensees in the Village of Bradley and/or those subject to a stay pending appeal before the Illinois Liquor Control Commission.

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

SECTION 1. That 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 further declare that the same are hereby incorporated by reference hereto and made a part hereof.

SECTION 2. That Section 4-77 of Article III of Chapter 4 of the Village is hereby amended as follows:

Sec. 4-77. - Number of licenses.

CLASS	NUMBER OF LICENSES (limits)
Class A licenses	14
Class B licenses	10
Class C licenses	16
Class D licenses	1
Class E licenses	5
Class F licenses	3
Class G licenses	1
Class H licenses	1

Class I licenses	1
Class J licenses	0
Class K licenses	0
Class L licenses	1

SECTION 3. That in the event that any section, paragraph, clause, or provision 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 sections, paragraphs, clauses, or provisions of this Ordinance that may be given effect without such invalid or unenforceable section or sections, paragraph or paragraphs, clause or clauses, or provision or provisions.

SECTION 4. That all resolutions, ordinances, motions, or parts thereof conflicting with any of the sections, paragraphs, clauses, or provisions of this Ordinance shall be and 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 10 day of DECEMBER 2018.

TRUSTEES:

GERALD BALTHAZOR	Aye – ✓	Nay – ____	Absent – ____
ROBERT REDMOND	Aye – ✓	Nay – ____	Absent – ____
LORI GADBOIS	Aye – ✓	Nay – ____	Absent – ____
MICHAEL WATSON	Aye – ✓	Nay – ____	Absent – ____
NICK ALLEN	Aye – ✓	Nay – ____	Absent – ____
DONALD BARBER	Aye – ✓	Nay – ____	Absent – ____

VILLAGE PRESIDENT

BRUCE ADAMS	Aye – ____	Nay – ____	Absent – ____
TOTALS:	Aye – 6	Nay – 0	Absent – 0

ATTEST:

Michael J. LaGesse

MICHAEL J. LAGESSE, VILLAGE CLERK

APPROVED this 10 day of DECEMBER, 2018.

BRUCE ADAMS, VILLAGE PRESIDENT

ATTEST:

MICHAEL J. LAGESSE, VILLAGE CLERK

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

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

(1) *Class A license.* A Class A license shall entitle the licensee with a full service restaurant to sell all kinds of alcoholic liquor for consumption on the premises where sold only and to conduct a full service bar. The full amount of the license fees for such Class A license shall be as provided in the village fee schedule in section 18-1.

(2) *Class B license.* A Class B license shall entitle the licensee to sell all kinds of alcoholic liquors for consumption on the premises where sold and in package quantities. The full amount of the license fee for such Class B license shall be as provided in the village fee schedule in section 18-1.

(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. 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 D license.* A Class D license shall authorize the sale of alcoholic liquors by clubs for consumption on the premises where sold and in package quantities. The full amount of the licensee fee for such Class D license shall be as provided in the village fee schedule in section 18-1.

(5) *Class E license.* A Class E license shall authorize the sale of alcoholic liquor for consumption on the premises only on premises used as a restaurant with no bar or cocktail lounge. The full amount of the license fee for such Class E license shall be as provided in the village fee schedule in section 18-1.

(6) *Class F license.* A Class F license shall authorize the sale of beer and wine only for consumption on the premises used as restaurant with no bar or cocktail lounge. The full amount of the fee for such Class F license shall be as provided in the village fee schedule in section 18-1.

(7) *Class G license.* A Class G license shall authorize the sale of beer and wine only by a golf course for consumption on the premises only. The full amount of the fee for such Class G license shall be as provided in the village fee schedule in section 18-1.

(8) *Class H license.* A Class H license shall authorize the sale of all kinds of liquor by hotels or motels for consumption on the premises only in a hotel hospitality room and banquet room, but, excluding a bar, lounge, or restaurant and, further, specifically, not including room service. The full amount of the fee for such Class H license shall be as provided in the village fee schedule in section 18-1.

(9) *Class I license.* A Class I license shall authorize the retail sale of bottled wine and beer, the provision, without charge, of samples of wine and beer in small and limited

amounts by the glass for tasting purposes only in connection with anticipated sales, on the premises, and the sale of wine and beer for by the glass for consumption on the premises, in an establishment in which the retail sale of bottled wine and beer is the primary and principal business thereof. The consumption of wine and beer on the premises, including the consumption of wine and beer for sampling purposes, shall be under the supervision of the license holder or duly authorized agent and shall be conducted in a manner which will confine the consumption on the premises. The full amount of the license fee for such Class I license shall be as provided in the village fee schedule in section 18-1.

(10) *Class J license.* A Class J catering license shall authorize the sale of alcoholic liquor anywhere in the village where the licensee is acting as a caterer, in conjunction with parties or events where the licensee is also providing food services. During any quarterly period, the income which the licensee derives from the sale of food must comprise at least 50 percent of the gross revenue of the amount earned from the sale of food and alcoholic liquor at such parties or events. In addition to the other requirements of this chapter, a class J license shall only be issued to persons who can demonstrate that they are operating a bona fide catering business with headquarters within the village and only to those persons who possess a valid and current Class A or Class E license. There shall be no license fee for a Class J license.

(11) *Class K license.* A Class K license shall authorize the sale of beer and wine only by persons who possess a valid village liquor license for all or a portion of a location which contains a public arena facility. A Class K license is available for the indoor or outdoor area of a public arena on property owned or controlled by the licensee for events occurring at the arena that are not previously licensed. Approved events for which beer or wine shall be served pursuant to a Class K license shall be served either in the indoor or outdoor area of a public arena, but not both. Any outdoor area licensed under this subsection at which beer or wine is served must be fenced and offer limited access, so as to serve only patrons of the public arena. Service of beer and wine under this subsection for outdoor events shall be restricted to the fenced area. Sanitation facilities for outdoor events must be provided for patrons and employees and must be inspected and approved. A tent or other structure within the fenced area used under this section must be inspected and approved by the department of building standards and the fire department prior to each approved outdoor event, and any and all other required inspections shall be conducted prior to each approved event. No event shall occur unless an applicable location has passed all required inspections. Live or recorded music, and amplification systems for the entertainment of patrons, are authorized as part of authorized events. Admission to a location licensed under this subsection shall be restricted to persons who hold valid admission tickets. The holder of the license shall

provide the local liquor control commissioner with a schedule of proposed dates and times of operation for the service of beer and wine under this subsection upon applying for a license under this subsection, and shall provide the commissioner with a floor and seating plan for each scheduled event, all to be approved by the commissioner. The local liquor control commissioner shall be provided with 30 day written notice of any revisions to the approved schedule and such revisions shall be subject to the commissioner's approval. The licensee shall give prior notice to the local liquor control commissioner within 48 hours of any changes in dates or starting times of any applicable event. A license under this subsection shall be issued in accordance with procedures otherwise applicable to licenses under this article, and an initial license issued during a license year shall be prorated on a monthly basis.

(12) *Class L license.* A class L license shall authorize the sale of all kinds of liquor by hotels or motels for consumption on the premises only in a hospitality room, banquet room, bar or lounge, and including room service, but specifically excluding a restaurant. The full amount of the fee for such class L license shall be as provided in the village fee schedule in section 18-1.

(Code 1973, § 4-19; Code 1985, § 3-50; Ord. No. O-6-83-2, § 4-19, 7-11-1983; Ord. No. O-4-89-1, 4-10-1989; Ord. No. O-3-95-2, § 1995; Ord. No. O-10-98-3, 10-12-1998; Ord. No. O-4-99-1, 4-12-1999; Ord. No. O-8-01-4, 8-27-2001; Ord. No. O-9-01-3, 9-24-2001; Ord. No. O-6-02-6, 7-8-2002; Ord. No. O-12-02-2, 12-23-2002; Ord. No. O-2-06-1, 2-13-2006; Ord. No. O-3-07-7, § 1, 3-12-2007; Ord. No. O-4-07-3, § 1, 4-23-2007; Ord. No. O-6-08-6, § 1, 8-25-2008; Ord. No. O-9-11-2, § 1, 9-12-2011; Ord. No. O-1-15-1, § 1-26-2015)

State Law reference— Authority of president and board of trustees to set classification and fee, 235 ILCS 5/4-1.