

ORDINANCE NO. 2014-13

**AN ORDINANCE AMENDING ARTICLE TWO, CHAPTER THREE,
AND ARTICLE TWO, CHAPTER SIX OF THE VILLAGE CODE OF THE
VILLAGE OF PECATONICA, ILLINOIS**

WHEREAS, Section 5/4-1 of the Liquor Control Act of 1934, 235 ILCS 5/4-1, gives the Village of Pecatonica the power to determine the number, kind and classification of licenses for the sale at retail of alcoholic liquor, and the amount of local license fees to be paid for the various kinds of licenses to be issued within the Village; and

WHEREAS, the Village has previously adopted Article Two of the Village Code entitled “Alcoholic Liquors” (“Ordinance”), and established classifications of licenses and the fees to be paid therefore; and

WHEREAS, the Village Authorities deem it appropriate to amend certain portions of the Ordinance to correct inconsistencies between various sections of Article Two and to clarify the requirements of its Class G License or “Liquor Permit”.

NOW BE IT ORDAINED by the President and Board of Trustees of the Village of Pecatonica, Illinois.

SECTION 1: That Article Two, Chapter Three, Section 1, Paragraph G, “Class G License”, is hereby amended as follows. Subparagraphs G(1)(a), G(1)(b), G(1)(d), and G(1)(e) is hereby deleted in its entirety and the following is inserted in its place.

G. Class G

1. A Class G License shall constitute a special limited license and shall be designated a liquor permit. A Class G permit shall authorize the retail sale of beer, wine, and spirits on the

specified premises listed in the application to the Liquor Commissioner. The fee for a Class G liquor permit shall be one hundred and fifty dollars (\$150.00) for each event, which shall be deposited with the application.

- a. A Class G permit shall entitle the holder or holders to dispense beer, wine, and spirits for not more than three consecutive specified days; however, the holder or holders of such permit may not exceed the time and hours established in Section 1, A., 2. a and b for other licenses. The holder or holders of a Class G permit shall be required to submit proof to the proper Village authorities that the holder or holders of the license also possess the appropriate State licenses and dram shop liability insurance prior to the use of the permit issued under this article.
- b. A Class G liquor permit shall be available to profit and not-for-profit or charitable institutions as defined by the State Statutes and/or defined by the Internal Revenue Code. The fee for a charitable or not-for-profit institution for a license under this section shall be zero dollars. A fee for a holder or holders of a Class G license issued under this section for an organization which is not characterized as charitable or not-for-profit organization shall be one hundred and fifty dollars (\$150.00) per event.
- d. Each and every applicant or applicants for a permit must present sufficient evidence of dram shop liability insurance and acceptable indemnification to the Village to the Liquor Commissioner with the application for permit.
- e. The type of permit or license granted under this section, known and referred to as a Class G license, shall be a permissive license, and shall entitle the holder or holders to the privilege of selling beer and wine pursuant to all Code requirements the same as any other liquor license; however, the holder or holders of this permit, upon acceptance of the permit, specifically waives any and all claims or rights the licensee or licensee may obtain in being granted this special permit, and specifically authorizes the President of the Village or his delegate, to revoke the permit at any time with probable cause; and upon acceptance of this type of permit, hereby consents

to all requirements, including the requirement of immediate forfeiture without reason.

SECTION 2: That Article Two, Chapter Three, Section 2, Subparagraph A, is hereby amended as follows:

Class G Licenses: One Hundred Fifty Dollars and no/100 (\$150.00) for an application filed by any entity or entities not characterized as a charitable or not-for-profit organization as defined by State Statute or the Internal Revenue Service. There shall be no fee for applicants meeting the requirements of a charitable or not-for-profit organization as defined by State Statute or the Internal Revenue Service. A Class G License shall entitle a licensee or licensees to no more than four (4) events of not more than three (3) days in length, per event, per year.

SECTION 3: That Article Two Chapter Six, Section 1, Subparagraph A is hereby amended by changing the maximum number of Class G licenses from One (1) to Four(4).

SECTION 4: This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law. This Ordinance shall be published in pamphlet form.

PASSED by the Village Board this 1st day of May, 2014.

APPROVED by the President of the Village Board this 1st day of May, 2014.

DANIEL BARBER, Village
President

ATTEST:

CARA WARKENTIEN, Village Clerk

Ayes: _____
Nays: _____

Absent or Abstain: _____