

STATE OF ILLINOIS
COUNTY OF BOND

ORDINANCE NO. 06-20-95-1

AS AMENDED

INCLUDING AMENDMENTS BY ORDINANCE NOS. 08-19-08-01 AND 02-17-09-02

WHEREAS, the County of Bond, State of Illinois, has heretofore enacted liquor control resolutions regulating the sale of alcoholic liquor outside the corporate limits of any City, Town or Village within the County; and

WHEREAS, the Illinois General Assembly has enacted legislation entitled "An Act Relating to Alcoholic Liquors" approved January 31, 1934 as amended (now codified as Chapter 235 of the Illinois Compiled Statutes), authorizing Bond County to establish a comprehensive liquor control ordinance for the territory of Bond County, outside the corporate limits of any City, Village or Town; and

WHEREAS, the Bond County Board deems it necessary and desirable to revise and amend the Bond County Liquor Control Ordinance now in effect and as amended.

NOW, BE IT THEREFORE ORDAINED that the following Liquor Control Ordinance be, and is hereby, adopted for the County of Bond, State of Illinois, in order to regulate the sale of and licensing to sell alcoholic liquor outside the corporate limits of any City, Town or Village within the County of Bond and State of Illinois; and

IT IS FURTHER ORDAINED that all liquor control ordinances and resolutions heretofore enacted by the Bond County Board shall be, and hereby are, repealed to the extent that they conflict with this Ordinance.

ARTICLE I - GENERAL

Section 1. CONSTRUCTION OF CODE. This Ordinance shall be liberally construed to the end that the health, safety and welfare of the people of the County of Bond, State of Illinois, shall be protected and temperance in the consumption of alcoholic liquors shall be fostered and promoted by sound and careful control and regulation of the sale and distribution of alcoholic liquors.

Section 2. WORDS AND PHRASES DEFINED. Unless the context requires otherwise, the words and phrases used in this Ordinance shall be given meaning as defined by the Illinois "Act Relating to Alcoholic Liquors", hereinafter referred to as the "Illinois Liquor Control Act of 1934", (now codified as 235 ILCS 5/1, et. seq.) And the definitions contained are hereby adopted and made a part of this Ordinance, as though written herein.

Section 3. SCOPE OF CODE. No person shall sell or possess any alcoholic liquor for beverage purposes, except as specifically provided in this Ordinance, provided, however, that nothing herein contained shall prevent any duly licensed practicing physician or dentist from possession or using alcoholic liquor in the strict practice of his profession or any hospital, or other institution caring for sick and diseased persons, from possessing and using alcoholic liquor for the treatment of bona fide patients of such hospital or other institution; and provided further that any drug store employing a licensed pharmacist may possess and use alcoholic liquors in the concoction of prescriptions of duly licensed physicians; and provided further that the possession and dispensing of wine by an authorized representative of any church for the purpose of conducting any bona fide rite of religious ceremony conducted by such church shall not be prohibited by this Ordinance.

ARTICLE II - ESTABLISHMENT OF LOCAL COMMISSION/LICENSES

Section 1. APPOINTMENT OF LOCAL LIQUOR CONTROL COMMISSIONER. The Chairman of the County Board of Bond County is hereby designated as Local Liquor Control Commissioner and shall be referred to as Liquor Commissioner. The Bond County Board is hereby designated as the Local Liquor Control Commission, and shall be

referred to as the Liquor Control Commission.

Section 2. **LICENSE REQUIRED** The local Liquor Control Commissioner shall have all the powers, functions and duties with respect to licenses issued pursuant to this Ordinance as allowed by the Illinois Liquor Control Act and shall include the authority to suspend or revoke licenses and levy fines as hereinafter provided. No person shall sell, keep or offer for sale at retail, or conduct any place for the sale of retail of alcoholic liquor within the limits and territory of this County without having a license to do so, issued by the Liquor Commissioner of this County in the manner hereinafter provided, and a valid license for such purpose issued by the Illinois Liquor Control Commissioner of the State of Illinois.

No applicant shall seek a State of Illinois Special Use Permit Liquor License nor a State of Illinois Special Event Retailer's Liquor License (not for profit) without first obtaining the approval of the Bond County Liquor Control Commission. Approval for a State of Illinois Special Use Permit Liquor License or a Special Event Retailer's Liquor License (not for profit) shall be evidenced by written approval, signed by the Local Liquor Control Commissioner and attested by the County Clerk with the seal of his office affixed thereto.

Section 3. **APPLICATIONS**. The Liquor Control Commissioner, with the affirmative vote of a majority of the Liquor Control Commission, is authorized to grant and issue licenses to individual firms and corporations to sell at retail and to keep and offer for sale at retail alcoholic liquors within the limits and territory of this County upon the conditions and in the manner provided by this Ordinance and by the Illinois Liquor Control Act, and not otherwise. Such license shall be in writing, signed by the Liquor Commissioner and attested by the County Clerk, with the seal of his office affixed thereto.

Prior to issuance of a license, the applicant must submit to the Liquor Commissioner an application, in triplicate, in writing and under oath, stating the information required by Section 7-1 of the Illinois Liquor Control Act, (235 ILCS 5/7-1), with the information to be provided on a form, and in a manner, consistent with requirements of this Act and the Illinois Liquor Control Act.

In addition to the above-required information, the applicant shall supply any further information as the local Liquor Control Commission may by rule, ordinance or resolution prescribe in a manner not inconsistent with law.

Applications for Illinois Special Use Permit Liquor Licenses, Illinois Special Event Retailer's Liquor Licenses (not for profit), and Non-Resident Dealer's Licenses shall be on forms prescribed by the Illinois State Liquor Control Commission and in the manner and form as prescribed by the State Commission and shall include proof of adequate Dram Shop Insurance covering the special event. Applicants shall be required to provide additional information to the Bond County Liquor Control Commission as deemed appropriate by the Commission and in the manner as prescribed by the Commission.

Section 4. **EXAMINATION OF APPLICANT**. The Liquor Commissioner shall have the right to examine or cause to be examined, under oath, any applicant for a local license or for renewal thereof, or any licensee upon whom notice or revocation or suspension has been served in the manner hereinafter provided, and to examine or cause to be examined, the books and records of any such applicant or licensee; to hear testimony and take proof for this information in the performance of his duties, and for such purpose to issue subpoenas which shall be effective in any part of this state. For the purpose of obtaining any of the information desired by the Liquor Commissioner under this section, he may authorize his agent to act on his behalf.

Section 5. **PROHIBITED LICENSES**. No license shall be issued by the Liquor Commissioner to any person or entity rendered ineligible for receipt of a license by Section 6-2 of the Illinois Liquor Control Act (235 ILCS 5/6-2).

Section 6. **TERM/PAYMENT OF FEES**. Retail liquor licenses issued pursuant to this Ordinance shall be valid for periods of twelve (12) months or less, upon the payment of the license fee as hereinafter set forth and unless sooner revoked or suspended. The license shall be effective from July 1st, or the date of initial approval, to June 30th of the following year. Licenses approved after July 1st of any year shall be effective only to the next June 30th and shall expire at that time, no matter when the license was issued. The annual fee shall be paid for any license issued, whether or not the period is less than twelve (12) months.

- (A) License fees for licenses covering the period of July 1, 1995 through June 30, 1996, shall be payable in three installments as follows:
 - (1) One quarter of the annual license fee due and payable on or before June 30, 1995.
 - (2) One quarter of the annual license fee due and payable on or before September 19, 1995.
 - (3) One half of the annual license fee due and payable on or before December 29, 1995.
- (B) Licensing fees for all licenses covering the period of July 1, 1996 through June 30, 1997, and for all periods thereafter, the licensing fees shall be due and payable in advance of the application or renewal. Licensing fees for any new application shall be paid within seven days of the approval of the application by the County Liquor Control Commission, or Monday prior to the issuance of the license, whichever is first. Licensing fees for renewal licenses shall be paid on the last working day prior to July 1 of each year. In no event shall a license be issued prior to full payment of the required fee.
- (C) Payments of the licensing fees shall be paid to the Office of the Bond County Clerk and shall be in the form of a bank draft, bank cashier's check, bank money order, personal check or cash. No fee shall be accepted by the County Clerk unless the application for license, or any renewal application, is in the form prescribed by this Ordinance. All fees must be received in the Office of the County Clerk no later than 4:00 p.m. on the date required by this Ordinance.
- (D) In the event a licensee shall fail to make payment for a renewal of his license within the time limit prescribed, the existing license of the licensee shall lapse at the termination of the licensing period of the licensee and the Liquor Control Commissioner may then issue the license, within the total number of licenses permitted within the Class for which the license was issued, to another applicant therefor.
- (E) Licenses shall state thereon the names of the licensees and the address and description of the premises for which they are granted and the dates of their issuance and expiration.
- (F) With respect to a corporation operating an establishment for which a liquor license has been issued, should the manager of said establishment change after the issuance of said liquor license, the corporation must submit the new manager's name to the Liquor Control Commission within thirty (30) days. Continuation of the license shall be contingent upon a background check of the new manager as set out in this Code, and all fees shall be waived should the license be changed only as a result of a change of managers. If, for some reason, the manager is not acceptable, the licensee shall have thirty (30) days to submit a new name before revocation. Failure to provide new information shall be grounds for suspension or revocation of the license.

Section 7. CLASSIFICATION OF LICENSES. There shall be five (5) classes of licenses which shall be titled and referred to as follows:

- (A) **Class A** - For the retail sale, on the premises specified, of all kinds of legalized alcoholic liquors for consumption on the premises as well as other retail sales of such alcoholic liquors which include sales by original package.
- (B) **Class B** - Package stores for the retail sale of alcoholic liquor, on the premises specified, solely in the original package and not for consumption on the premises.
- (C) **Class C** - Club as defined by Section 1-3.24 of the Illinois Liquor Control Act, (235 ILCS 5/1-3.24).
- (D) **Class D** - Hotel as defined in Section 1-3.25 of the Illinois Liquor Control Act (235 ILCS 5/1-3.25).
- (E) **Class E** - Restaurant (see Amendment 10-02-2012-01 back of Ordinance Document)

Section 8. FEES.

- (A) The annual fee for a Class A license shall be \$600.00.
- (B) The annual fee for a Class B license shall be \$600.00
- (C) The annual fee for a Class C license shall be \$600.00.
- (D) The annual fee for a Class D license shall be \$600.00.
- (E) The annual fee for a Class E license shall be \$600.00.

Section 9. NUMBERS OF LICENSES.

- (A) The number of Class A licenses issued in Bond County shall at no time exceed six (6) in number (was 7)
- (B) The number of Class B licenses issued in Bond County shall at no time exceed One (1) in number (was 4)
- (C) The number of Class C licenses issued in Bond County shall at no time exceed One (1) in number (was 2)
- (D) The number of Class D licenses issued in Bond County shall at no time exceed Zero (0) in number (was 1)
- (E) The number of Class E licenses issued in Bond County shall at no time exceed One (1) in number (was 2)

See amendment 10 02 2012 02 back of document

Section 10. NATURE OF LICENSE. A license issued under this Ordinance shall be purely a personal privilege and shall not constitute property; nor shall it be subject to attachment, garnishment, or execution; nor shall it be alienable or transferrable, voluntarily or involuntarily, or subject to being encumbered or hypothecated. Licenses issued pursuant to this Ordinance shall not descend by the laws of testate or intestate devolution, but shall terminate and cease upon the death of the licensee, provided that executors and administrators of any estate of the deceased licensee and the trustees of any insolvent or bankrupt licensee, when such estate consists in part of alcoholic liquor, may continue the business of the sale of alcoholic liquor under the order of the Court having jurisdiction of the estate and may exercise the privileges of such deceased, insolvent or bankrupt licensee after the death of such decedent or such insolvency or bankruptcy until the expiration of said license, but in no instance longer than six months after the death, bankruptcy or insolvency of the licensee.

Section 11. DISPLAY OF LICENSE. Every licensee under this Ordinance shall cause the license to be framed and placed in plain view in a conspicuous place on the licensed premises.

Section 12. SEPARATE LICENSE FOR EACH PREMISES/TRANSFER. Licenses issued pursuant to this Ordinance shall apply to the premises described in the application and in the license issued, and only one (1) location shall be so described in each license. The licensed locations may be transferred to another premises, by approval of the local Liquor Control Commission, only upon written request and only to a premises that complies in all respects with the requirements of this Ordinance. All licenses shall be issued for a particular location and to a particular retail and shall be transferrable from such location or retailer only with the prior written approval of the Bond County Liquor Control Commission.

ARTICLE III - REGULATIONS

1. Section 1.

HOURS OF OPERATION: See amendment 02 16 2016 01 back of document

- (A) Class A,C,D and E licenses shall authorize the premises to be open for business with the opening and closing hours as follows:

Monday through Thursday	8:00 am to 12:00 am (midnight) closing time,
Friday	8:00 am to 1:00 am Saturday closing time,
Saturdays	8:00 am to 1:00 am Sunday closing time,
Sunday	12:00 pm (noon) to 12:00 am (midnight) closing time

The sale of alcoholic beverages is permitted during these hours only and shall cease at the closing times provided above. All persons except the licensee and regular employees shall vacate the premises within one (1) hour following closing time. All persons shall vacate the premises within ninety (90) minutes following closing time.

- (B) Class B licenses shall authorize the premises to be open for business from 9:00 a.m. to 10:00 p.m. on each day except Sundays and on Sundays from 12:00 noon until 8:00 p.m. Sale of alcohol shall cease promptly at 10:00 p.m. on each day, except Sunday and at 8:00 p.m. each Sunday, and shall not commence until the approved time each following day. It shall be further required that each such place of business shall vacate the premises of all patrons, or other persons except the licensee or persons employed by the licensee on a regular basis for the operation and maintenance of the premises at the licensed place of business by the hour of 1:00 a.m. each morning and no person or persons except the licensee or persons employed by the licensed place of business shall be in or about the premises from 1:00 a.m. to 6:00 a.m. of each day.

Premises is defined for purposes of this Ordinance as any building or part of a building or open area owned or leased and under the control of the licensee and permitted to be used or kept accessible to the public.

No alcoholic liquor shall be sold and all licensed premises must remain closed at all other times than those specified above.

The times referred to above shall refer to Daylight Savings Time when the same is in effect in the County and Central Standard Time at all other times.

Section 2. HAPPY HOUR RESTRICTIONS. All license holders shall maintain a schedule of the prices charged for all drinks of alcoholic liquor to be served and consumed on the premises, or any part thereof. All pricing shall be subject to the "Happy Hour Restrictions" of the Illinois Liquor Control Act (235 ILCS 5/6-28). A violation of this Section shall be grounds for suspension or revocation of the license as provided by this Ordinance.

Section 3. PROHIBITION ON SALES NEAR SCHOOLS AND CHURCHES. No license shall be issued for any sales of alcoholic liquor near any school, church, or other prohibited premises as defined in Section 6-11 of the Illinois Liquor Control Act (235 ILCS 5/6-11).

Section 4. CHANGE OF LOCATION. Any request for change in location of a licensed premises shall be done so in compliance with the Illinois Liquor Control Act and shall not be permitted unless the proposed location is determined by the local Liquor Control Commission to be a proper one for the requested activity under the laws of this State and the Ordinance of this County.

Section 5. STORES SELLING SCHOOL SUPPLIES, LUNCHES, ETC. No license shall be issued to any person for the sale at retail of any alcoholic liquor at any store or other place of business where the majority of customers are minors of school age or where the principal business transacted consists of school books, school supplies, food, lunches, or drinks for such minors.

Section 6. OPEN LIQUOR - PROHIBITED. No license holder, nor his employee or agent, shall permit any person to leave a licensed premises with liquor, except in the original container with the seal unbroken.

Section 7. UNLAWFUL AND OBSCENE ENTERTAINMENT.

- (A) Acts or conduct on licensed premises in violation of this rule are deemed contrary to public welfare and

morals, and therefore, no licensee, his agent, servant, or employee shall allow or permit any of the following acts or conduct on any licensed premises. Live entertainment is permitted on any licensed premises, except that:

- (1) No licensee shall permit any person to perform acts of or acts which simulate:
 - (a) Sexual intercourse, masturbation, sodomy, bestiality, oral copulation, flagellation, or any sexual acts which are prohibited by law.
 - (b) The touching, caressing or fondling of the breast, buttocks, anus or genitals.
 - (c) The displaying of the pubic hair, anus, cleft of the buttocks, vulva or genitals.
 - (d) Exposing to view any portion of the female breast below the top of the areola or of any portion of the pubic hair, anus, cleft of the buttocks, vulva or genitals.
- (2) No licensee shall permit any person to use artificial devices or inanimate objects or depict any of the prohibited activities described above.
- (3) No licensee shall permit any person to remain in or upon the licensed premises who exposes to public view, any portion of his or her genitals or anus.

(B) Visual Displays. The following acts or conduct on licensed premises are deemed contrary to public welfare and morals, and therefore, no licensee, his agent, servant or employee shall allow or permit on any licensed premises, the showing of films, still pictures, electronic reproduction, or other visual reproductions depicting:

- (1) Acts or simulated acts of sexual intercourse, masturbation, sodomy, bestiality, oral copulation, flagellation or any sexual acts which are prohibited by law.
- (2) Any person being touched, caressed or fondled on the breast, buttocks anus or genitals.
- (3) Scenes wherein a person displays the vulva or the anus or the genitals.
- (4) Scenes wherein artificial devices or inanimate objects are employed to depict, or drawings are employed to portray, any of the prohibited activities described above.
- (5) Scenes showing any person attired in any manner which is prohibited in any other section of this Article.

Section 8. ATTIRE AND CONDUCT. The following attire or conduct on licensed premises are deemed contrary to public welfare and morals and therefore, no licensee, his agent, servant or employee shall allow or permit any of the following conduct or attire on any licensed premises:

- (A) To employ or use any person in the sale or service of alcoholic beverages in or upon the licensed premises while such person is unclothed or in such attire, costume or clothing as to expose to view any portion of the female breast below the top of the areola or of any portion of the pubic hair, anus, cleft of the buttocks, vulva or genitals.
- (B) To employ or use the services of any hostess or any other person to mingle with the patrons while such hostess or other person is unclothed or in such attire, costume or clothing, as described in paragraph (A) above.
- (C) To encourage or permit any person on the licensed premises to touch, caress or fondle the breasts, buttocks, anus or genitals of any other person.
- (D) To permit any employee or person to wear or use any device or covering exposed to view, which

stimulates the breast, genitals, anus, pubic hair or any portion thereof.

Section 9. OUTSIDE ENTERTAINMENT. No licensee, his agent, servant or employee shall permit or allow any performance or entertainment to be performed outside of the building after the hour of 12:00 midnight. This Section does not apply to activities that are issued a one day liquor license.

Section 10. SANITARY CONDITIONS. All premises used for the retail sale of alcoholic liquor or for the storage of such liquor for such sale shall be kept in a clean and sanitary condition, and shall be kept in full compliance with the codes regulating the condition of the premises used for the storage or sale of food for human consumption.

Section 11. DISEASED EMPLOYEES. It shall be unlawful to employ in any premises used for the retail sale of alcoholic liquor, any person who is afflicted with or who is a carrier of any contagious disease, infectious or venereal disease; and it shall be unlawful for any person who is afflicted with or a carrier of any such disease to work in or about any premises or to engage in any way in the handling, preparation or distribution of such liquor.

Section 12. HEALTH PERMIT. Every licensee shall have, at all times, any valid and required operating permit from the Bond County Health Department and/or the Illinois Department of Public Health.

Section 13. MINORS; ENTRY ON LICENSED PREMISES. It shall be unlawful for any person under the age of eighteen (18) years to be present upon premises where alcoholic liquors are sold by the holder of a Class A license, except when accompanied by a parent or legal guardian, or on any licensed premises which derives its principal business from the sale of services of commodities other than alcoholic liquor.

Section 14. CONDITION OF PREMISES. All buildings and structures located upon any licensed premises shall be maintained in a safe and reasonable condition. All such structures shall have the interior and exterior walls, ceilings, roofs and other portions maintained in both a safe and presentable manner and the grounds shall be properly groomed and maintained, so as to be both safe and presentable. The Liquor Control Commissioner shall be the sole judge of the presentability of any premises and shall have the discretion to determine whether or not the premises are properly maintained as required by this Ordinance.

ARTICLE IV - VIOLATIONS AND PENALTIES

Section 1. OWNER OF PREMISES PERMITTING VIOLATION. If the owner of the licensed premises or any person from whom the licensee derives the right to possession of such premises, or the agent of such owner or person shall knowingly permit the licensee to use said licensed premises in violation of the terms of this Ordinance, said owner, agent or other person shall be deemed guilty of a violation of this Ordinance to the same extent as said licensee and be subject to the same punishment.

Section 2. ACTS OR AGENT OR EMPLOYEE - LIABILITY; KNOWLEDGE. Every act or omission of whatsoever nature constituting a violation of any of the provisions of this Ordinance by any officer, director, manager or other agent or employee of any licensee shall be deemed and held to be the act of such employer or licensee, and said employer or licensee shall be punishable in the same manner as if said act or omission had been done or omitted by him personally.

Section 3. REVOCAION OF LICENSE AFTER CONVICTION. Whenever any licensee shall be convicted of any violation of this Ordinance, the license of said licensee may, in the discretion of the local Liquor Commissioner, be revoked and forfeited and all fees paid thereon shall be forfeited, and it shall thereafter be unlawful and shall constitute a further violation of this Ordinance for said licensee to continue to operate under such license.

Section 4. REVOCAION OF LICENSE WHEN EMPLOYEE CONVICTED. Whenever any officer, director, manager, or other employee in a position of authority of any licensee under this Ordinance shall be convicted of any violation of this Ordinance while engaged in the course of his employment or while upon the premises described by the license, the license shall be revoked and the fees paid thereon forfeited, both as to the holder of the license and as to the premises, as if said licensee had himself been convicted.

Section 5. MISBANDING. Any person who shall knowingly possess, sell or in any way dispose of any alcoholic liquor under any other than the proper name or brand known to the trade as designating the kind and quality of the contents of the package or other containers of the alcoholic liquor, or who shall cause any such act to be done, shall forfeit the alcoholic liquor and the packages and containers to the State and shall be subject to the punishment and penalties provided for violation of this Ordinance.

Section 6. ABATEMENT OF PLACE USED IN VIOLATION. Every lot, parcel or tract of land, and every building, structure, tent, railroad car, boat, wagon, vehicle, establishment or place whatsoever, together with all furniture, fixtures, ornaments and machinery located thereon, wherein there shall be conducted any unlawful sale of any alcoholic liquor, or whereon or wherein there shall be kept, stored, concealed or allowed any alcoholic liquor intended for illegal sale or to be sold, disposed of or in any other manner used in violation of any or the provisions of this Ordinance, is hereby declared to be a public nuisance and shall be abated as provided by the laws of this State for the abatement of public nuisances.

Section 7. USE OF PREMISES FOR ONE YEAR AFTER REVOCATION. When any license has been revoked for any cause, no license shall be granted for the same premises for a period of one (1) year thereafter.

Section 8. REVOCATION OF LICENSE. The Liquor Control Commissioner shall have the power to revoke or suspend licenses issued pursuant to this Ordinance as follows:

- (A) In addition to and not limited by the specific penalties set out for violations of specific articles of this Ordinance, the Liquor Control Commissioner may suspend for thirty (30) days, or revoke any liquor license issued under this Ordinance for violation of any State law pertaining to the sale of alcoholic liquors by any licensee, his agent, servant or employee.
- (B) To suspend or revoke any license issued pursuant to this Ordinance if the licensee makes any false statement or misrepresentation in the application for a license.
- (C) As otherwise stated in this Ordinance.

Section 9. COMPLAINT BY RESIDENTS. Any five (5) residents of this County shall have the right to file a complaint with the Liquor Control Commissioner, stating that a licensee under this Ordinance has been or is violating the provisions of this Ordinance or any amendments hereto, or of any of the statutes of this State of Illinois, enacted with reference to the control of liquor. Such complaint shall be made in writing and shall be signed and sworn to by the parties complaining.

The complaint shall state the particular provision, rule or regulation believed to have been violated and the facts in detail upon which such belief is based. If the Liquor Control Commissioner is satisfied that the complaint substantially charges a violation, and that from the facts alleged, there is reasonable cause for such belief, he shall set the matter for hearing, and shall serve notice upon the licensee of the time and place of such hearing and of the particular charges in the complaint.

Section 10. REVOCATION OR SUSPENSION OF LOCAL LICENSE - NOTICE AND HEARING. The Liquor Control Commissioner may revoke or suspend any license issued by him if he determines that the licensee has violated any of the provisions of the **Illinois Liquor Act**, any valid ordinance adopted by the county, any applicable rule or regulation established by the Liquor Control Commissioner or the State Commission which is not inconsistent with law.

- (A) Fine as Opposed to Suspension or Revocation. In lieu of suspension or revocation, the Liquor Control Commissioner may instead levy a fine on the licensee for such violations. The fine imposed shall not exceed **On Thousand Dollars (\$1,000.00)** for each violation; each day on which a violation continues shall constitute a separate violation. No more than **Ten Thousand Dollars (\$10,000.00)** in fines under this Section may be imposed against any licensee during the period of his license. Proceeds from such fines shall be paid into the general corporate fund of the county or municipal treasury, as the case may be.

- (B) **Revocation and Suspension: Notice.** However, no such license shall be so revoked or suspended and no licensee shall be fined except after a public hearing by the Liquor Control Commissioner with a three (3) day written notice to the licensee affording the licensee an opportunity to appear and defend. All such hearings shall be open to the public and the Liquor Control Commissioner shall reduce all evidence to writing and shall maintain an official record of the proceedings. If the Liquor Commissioner has reason to believe that any continued operation of a particular licensed premises will immediately threaten the welfare of the community, he may, upon the issuance of a written order stating the reason for such conclusion and without notice or hearing, order the licensed premises closed for not more than seven (7) days, giving the licensee an opportunity to be heard during that period, except that if such licensee shall also be engaged in the conduct of another business or businesses on the licensed premises, such order shall not be applicable to such other business or businesses.
- (C) **Hearing.** The Liquor Control Commissioner shall, within five (5) days after such hearing, if he determines after such hearing that the license should be revoked or suspended, state the reason or reasons for such determination in a written order of revocation or suspension and shall serve a copy of such order within the five (5) days upon the licensee. The findings of the Liquor Control Commissioner shall be predicated upon competent evidence.

Section 11. **APPEALS FROM ORDER OF LIQUOR COMMISSIONER.** Except as provided in this Section, any order or action of the Liquor Control Commissioner levying a fine or refusing to levy a fine on a licensee, granting or refusing to grant a license, revoking or suspending or refusing to revoke or suspend a license or refusing for more than thirty (30) days to grant a hearing upon a complaint to revoke or suspend a license may within twenty (20) days after notice of such order or action be appealed by any resident of the county under the jurisdiction of the Liquor Control Commissioner or any person interested, to the State Commission.

In any case where a licensee appeals to the State Commission from an order or action of the Liquor Control Commissioner have the effect of suspending or revoking a license, denying a renewal application, or refusing to grant a license, the licensee shall resume the operation of the licensed business pending the decision of the State Commission and the expiration of the time allowed for an application for rehearing. If an application for rehearing is filed, the licensee shall continue the operation of the licensed business until the denial of the application or, if the rehearing is granted, until the decision on rehearing.

Section 12. **SUBSEQUENT VIOLATIONS IN A YEAR.** In any case in which a licensee appeals to the State Commission a suspension or revocation by a Local Liquor Control Commissioner that is the second or subsequent such suspension or revocation placed on that licensee within the preceding twelve (12) month period, the licensee shall consider the suspension or revocation to be in effect until a reversal of the Liquor Control Commissioner's action has been issued by the State Commission and shall cease all activity otherwise authorized by the licensee. The State Commission shall expedite, to the greatest extent possible, its consideration of any appeal that is an appeal of a second or subsequent suspension or revocation within the past twelve (12) month period.

Section 13. **APPEAL LIMITATIONS FOR SUBSEQUENT VIOLATIONS.** Any appeal of the decision and findings of the Liquor Control Commissioner in Section 12 shall be limited to a review of the official record of the proceedings of said Liquor Control Commissioner. The official record shall be a "certified official record" of the proceedings taken and prepared by a certified court report or certified shorthand reporter. A copy of this record shall be filed by the Liquor Commissioner within five (5) days after notice of the filing of such appeal is received by the county from the State Liquor Commission.

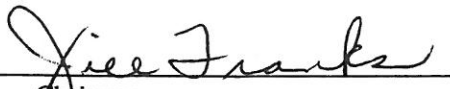
ARTICLE V - ADOPTION

Section 1. **SEVERABILITY.** If any of the provisions of this Ordinance shall be held invalid, for any reason, such invalidity shall not be construed to invalidate any of the remaining portions of this Ordinance and such remaining portions shall remain in full force and effect.

Section 2. EFFECTIVE DATE. This Ordinance shall take effect and be in full force and effect immediately upon its adoption and passage by the Bond County Board.

This Ordinance is adopted and approved at the regular meeting of the Bond County Board at Greenville, Illinois, this 17 day of Feb., 2009.

BOND COUNTY BOARD

BY: 
Chairman

Attest: 
Randy Reitz, County Clerk

Amendments to Liquor Control Ordinance: 1998, Ordinance No. 04-07-98-01, Amending Article 2, Section 9 (A) Increasing the number of Class A licenses from four to five; 2003 Amendment by Ordinance 09-02-03-02 Amending Article 2, Section 9(b) by increasing the number of Class B licenses from two to four; 2008 Amendment by Ordinance, 02-06-08-01 changing the hours of operation set forth in Article 3, Section 1(A) from 8:00 a.m. until 12:00 midnight each Monday through Saturday, to 8:00 a.m. to 12:00 midnight each Monday through Thursday, and 8:00 a.m. through 1:00 a.m. each following day for each Friday through Saturday, and changing the time at which the premises are to be vacated from 1:00 a.m. til 2:00 a.m. for Fridays (Saturday at 2:00 a.m.) and Saturdays (Sunday at 2:00 a.m.); and 2009 Amendment by Ordinance 02-17-09-02 increasing the number of Class A licenses from five to seven.

(NOTE: One other Amendment made on unknown date by unknown Ordinance number changing Class B license hours of operations on Sundays from 12:00 noon until 6:00 p.m. to 12:00 noon at 8:00 p.m.)

1998,

**STATE OF ILLINOIS
COUNTY OF BOND**

ORDINANCE NO. 10-02-12-01

**AN ORDINANCE AMENDING ORDINANCE
NO. 06-20-95-1 AS AMENDED "BOND COUNTY
LIQUOR CONTROL ORDINANCE"**

**ADOPTED BY THE
COUNTY BOARD
OF
THE COUNTY OF BOND
THIS 2nd DAY OF October, 2012**

STATE OF ILLINOIS
COUNTY OF BOND

ORDINANCE NO. 10-02-2012-01

**AN ORDINANCE AMENDING ORDINANCE NO. 06-20-95-1 AS
AMENDED "BOND COUNTY LIQUOR CONTROL ORDINANCE"**

WHEREAS, the County Board of the County of Bond, Illinois, have heretofore considered and adopted An Ordinance No. 06-20-95-1 "Bond County Liquor Control Ordinance" and the County Board has determined a need to amend such Ordinance related to the definition of certain classes of liquor licenses allowed under said Ordinance; and

WHEREAS, the County Board has reviewed the definition of Class E liquor licenses related to restaurant licenses and has determined that a more definite definition of restaurant is in the best interest of the administration of the Ordinance and provides added clarification and requirements for said licensure.

**NOW THEREFORE, BE IT ORDAINED BY THE COUNTY BOARD OF
THE COUNTY OF BOND, ILLINOIS:**

SECTION 1: That Article II Section 7(E) of Ordinance 06-20-95-1 is hereby deleted and replaced (with changes noted by strike-through and underline) as follows:

~~"Section 7(E). Class E—Restaurant is defined by Section 1-3.23 of the Illinois Liquor Control Act (235 ILCS 5/1-3.23), except that the sale of alcohol shall be provided only with the provision of meals.~~

Class E - "Restaurant" means any public place having regular menus which is kept used, maintained, advertised and held out to the public as a place where meals are served, and where meals are actually and regularly served, without sleeping accommodations, such space being provided with adequate and sanitary kitchen and dining room equipment and capacity and having employed therein a sufficient number and kind of employees to prepare, cook, and serve suitable food for its guests. In addition, any business claiming to be a restaurant must document, upon demand to the Liquor Commissioner or Commission, that fifty (50%) percent or more of its gross receipts, from month to month, are derived from the sale of food as distinguished from alcoholic liquor. A violation of this provision is cause for a suspension or revocation of licensure.

SECTION 2: Effective Date. This Amendment to Ordinance 06-20-95-1 shall take effect and be in full force and effect immediately upon its adoption and passage by the Bond County Board.

10-02-2012-01

This Amendment to Ordinance 06-20-95-1 is adopted and approved at the regular meeting of the Bond County Board at Greenville, Illinois, this 2nd day of October, 2012.

BOND COUNTY BOARD

By: _____
Brock Willeford, Board Chairman

Attest: 
Randy Reitz, County Clerk

STATE OF ILLINOIS
COUNTY OF BOND

ORDINANCE NO. 10-02-12-02

AN ORDINANCE AMENDING ORDINANCE
NO. 06-20-95-1 AS AMENDED "BOND COUNTY
LIQUOR CONTROL ORDINANCE"

ADOPTED BY THE
COUNTY BOARD
OF
THE COUNTY OF BOND
THIS 2nd DAY OF October, 2012

10-02-2012-02

This Amendment to Ordinance 06-20-95-1 is adopted and approved at the regular meeting of the Bond County Board at Greenville, Illinois, this 2nd day of October, 2012.

BOND COUNTY BOARD

By: _____
Brock Willeford, Board Chairman

Attest: Randy Reitz
Randy Reitz, County Clerk

Resolution amendment 02-16-2016-01

ARTICLE III - REGULATIONS

1. Section 1. **HOURS OF OPERATION.** All places of business licensed under this Ordinance shall be closed during specified hours.

- (A) Class A, C, D and E licenses shall authorize the premises to be open for business with the opening and closing hours as follows:

Monday through Thursday	8:00 a.m. to 12:00 a.m. (midnight) closing time
Friday	8:00 a.m. to 1:00 a.m. Saturday closing time
Saturdays	8:00 a.m. to 1:00 a.m. Sunday closing time
Sunday	12:00 p.m. (noon) to 12:00 a.m. (midnight) closing time

The sale of alcoholic beverages is permitted during these hours only and shall cease at the closing times provided above. All persons except the licensee and regular employees shall vacate the premises within one (1) hour following closing time. All persons shall vacate the premises within ninety (90) minutes following closing time.