

Ordinance No. 12 - 11

AN ORDINANCE ADDING A RECREATIONAL CLASS LIQUOR LICENSES TO BE ISSUED BY
THE VILLAGE OF CHATHAM AND AMENDING THE VILLAGE OF CHATHAM CODE OF
ORDINANCES

*BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE
OF CHATHAM, SANGAMON COUNTY; ILLINOIS, AS FOLLOWS:*

SECTION 1: Section 111.17 of the Code of Ordinances of the Village of Chatham
is replaced as follows:

§ 111.17 CLASSIFICATION AND FEES.

(A) A Class B "Banquet Hall" license shall authorize the service or sale of alcoholic liquor at retail, to be sold and served by the drink or pitcher only, although beer may be sold by the keg, and wine may be sold by the bottle, so long as beer and wine are served by the drink or by the pitcher, for consumption on the premises only, in the course of banquet hall business. In the course of this business, the licensee is responsible for control of patrons in the business premises, and at no time may patrons be allowed to act as bartenders or otherwise dispense liquor. At all times that the premises are used for the sale of alcoholic liquor, the licensee or a manager acting for the licensee must be on the premises. The annual fee for the license shall be \$800 payable in two installments, \$400 on December 31 of each year and \$400 on June 30 of each year.

(B) A Class C "Convenience" license shall be issued only to a convenience store, and shall entitle the licensee to sell beer and wine only, in the original package only and in not more than case lots, in bottles and cans only, for consumption off the premises where sold. The annual fee for such license shall be \$1,000. The annual fee shall be payable in two installments, namely, \$500 on December 31 of each year and \$500 on June 30 of Each year.

(C) A Class G "Grocery" license shall be issued to a grocery store, and shall entitle the licensee to sell alcoholic liquor, in the original package only and in not more than case lots, in bottles or cans only, for consumption off the premises where sold. The annual fee for such license shall be \$600. The annual fee shall be payable in two installments, namely, \$300 on December 31 of each year and \$300 on June 30 of each year.

(D) A Class N "Not for Profit" license may be granted only to a club, and shall entitle the licensee to sell at retail alcoholic liquor for consumption, but not in the original package on the premises specified in the license. The annual fee for such license shall be \$300. The annual fee shall be payable in two installments, namely, \$150 on December 31 of each year and \$150 on June 30 of each year.

(E) A Class P "Package" license shall be issued to a package liquor store, and shall entitle the licensee to sell at retail alcoholic liquor, in the original package only for consumption off the premises where sold. The annual fee for such license shall be \$800. The annual fee shall be payable in two installments, namely, \$400 on December 31 of each year and \$400 on June 30 of each year.

(F) A Class LP "Limited Package" license shall be issued only to a retail business, the principal business of which is other than the sale of alcoholic liquor, and shall entitle the licensee to sell at retail beer and wine only, in the original package only, for consumption off the premises where sold. Sales of single cans or bottles of beer are prohibited. Sales of beer and wine through a drive-up window are prohibited. The annual fee for such license shall be \$1,000. The annual fee shall be payable in two installments, namely, \$500 on December 31 of each year and \$500 on June 30 of each year.

(G) A Class R-1 "Restaurant 1" license shall be issued to a restaurant and shall entitle the licensee to sell at retail beer and wine only, by the glass, in bottles, or in cans, for consumption on the premises where sold. The annual fee for such license shall be \$600. The annual fee shall be payable in two installments, namely, \$300 on December 31 of each year and \$300 on June 30 of each year.

(H) A Class R-2 "Restaurant 2" license shall be issued to a restaurant and shall entitle the licensee to sell at retail beer and wine by the glass, in bottles, or in cans, or other alcoholic liquor not in the original package, for consumption on the premises where sold. A restaurant holding a Class R-2 license must be located in an area zoned for restaurants and is not to be considered a "tavern" under the Zoning Ordinance of the village. The annual fee for such license shall be \$800. The annual fee shall be payable in two installments, namely, \$400 on December 31 of each year and \$400 on June 30 of each year.

(I) Class RE – "Recreational" license shall be issued to a recreational business and shall entitle the licensee to sell at retail, on the premises specified, for consumption on said premises, of alcoholic liquor by the drink or vinous beverages by the bottle or carafe, or beer if by the pitcher of a capacity not to exceed sixty (60) ounces or by the bottle or glass of a capacity not to exceed sixteen (16) ounces. The annual fee shall be \$800 payable in two installments, namely, \$400 on December 31 of each year and \$400 on June 30 of each year.

(1) Service of alcoholic liquor shall be only during the time that the athletic or sports portions of the premises are open and available for use.

(2) Food may be served for the convenience of the patrons, so long as such food service complies with all applicable health regulations and licensing requirements.

(3) A certified record of annual revenue shall be included with the liquor license renewal application and shall be considered by the local Liquor Control Commissioner as a basis of nonrenewal of the liquor license.

(4) A recreational license issued for a golf course or sports complex may also authorize the retail sale of alcoholic liquor for consumption outside the physical structure of the premises but adjacent to and within the property lines of the facility, excluding public parking lots, sidewalks, and roadways, subject to the following provisions:

a) All alcoholic liquor shall be purchased from the recreational premises. No outside alcoholic liquor shall be permitted on the premises, and

b) A policy of dram shop insurance shall be required for the outside premises and shall comply with all the insurance requirements as provided for in this Chapter and 235 Illinois Compiled Statutes 5/6-21, and

c) A trained employee shall be responsible for the service of alcohol at the outside recreational activity.

(J) A Class SE Special Event license shall authorize the sale at retail during a special event on the premises specified, and during the time specified therein, of alcoholic liquor by a special event retailer. The term of the license shall not exceed five days. The license application shall set forth whether or not the event is open to the public and shall contain an estimate of the largest number of adult persons expected to be in attendance at any time during the event. The estimate shall be based on historical attendance experiences for similar events after consultation by the license applicant with the Chief of Police. The fee for the license shall be as follows:

(1) If the special event is not open to the public, or if it is open to the public and less than 250 adult persons are expected to be in attendance at the event at any time--\$50 per day or portion of a day;

(2) If the special event is open to the public and 250 adult persons or more are expected to be in attendance at any time--\$1 00 per day or portion of a day.

(K) A Class T "Tavern" license shall entitle the licensee to sell at retail alcoholic liquor for consumption on the premises specified and to sell at retail alcoholic liquor in the original package only for consumption off the premises where sold. The annual fee for such license shall be \$1,000. The annual fee shall be payable in two installments, namely, \$500 on December 31 of each year and \$500 on June 30 of each year.

(L) The number of licenses issued by the village shall be as follows:

(1) There may be one Class B license;

(2) There may be five Class C licenses;

(3) There may be one Class G license;

- (4) There may be two Class N licenses;
- (5) There may be two Class P licenses;
- (6) There may be one Class LP license;
- (7) There may be two Class R-1 Licenses;
- (8) There may be three Class R-2 licenses;
- (9) There may be one Class RE license;
- (10) There may be one Class SE license outstanding at any time;

(M) A Class CR "Caterer Retailer" license shall authorize the holder to operate as a Caterer Retailer within the corporate limits of the village. A CR license is subject in all respects to all restrictions, conditions and licensing procedures set forth in this chapter, except as specifically modified as follows:

(1) A CR license is not a license to sell, offer to sell or dispense alcoholic liquor at a specific location: therefore location restrictions set forth on this chapter, and the provisions of chapter 111.13(B), (N) and (Q) do not apply.

(2) A CR license holder is not prohibited from holding another retail liquor license issued by the village; however, the restriction of such other license shall apply at the location which is licensed pursuant to the other license.

(3) A CR license holder shall not sell, offer to sell or dispense alcoholic liquor in the village during the following hours:

(a) Monday through Saturday: 12:00 a.m. through 8:00 a.m.

(b) Sunday: 12:00 a.m. through 12:00 p.m., and after 10:00 p.m.

(4) A CR license holder shall not sell, offer to sell or dispense alcoholic liquor on more than two days per year at anyone location zoned residential under the Zoning Ordinance of the village, nor on more than ten days per year at anyone location zoned business under the Zoning Ordinance of the village.

(5) A village CR license does not prohibit the licensee from selling, offering to sell or dispensing alcoholic liquor outside the corporate limits of the village in conformity with the State Liquor Control Act and with the laws, ordinances, rules and regulations of other jurisdictions.

(6) A CR licensee shall at all times, and as a condition of its license, observe state, county, and local laws, rules and regulations pertaining to the handling of food.

(7) A CR licensee shall not sell, offer for sale, or dispense alcohol other than in conjunction with the sale, offer for sale, or service of prepared meals.

(8) A CR license holder shall have, as a condition of its license, a valid Caterer Retail license issued by the state.

(9) A CR license holder shall maintain records showing all occasions on which it has sold, offered for sale, or dispensed alcoholic liquor, including the location and dates of such occasions, and the persons with whom the license holder has contracted. These records shall be maintained for two years and shall be open to inspection by the liquor commissioner or his or her designee.

SECTION 2: This Ordinance is effective upon its passage and approval. The Clerk shall see to the inclusion of this ordinance in the next published update of the Village Code of Ordinances

PASSED this 27th day of March, 2012.


Thomas S. Gray, President

ATTEST:


Pat Schad, Clerk

AYES: 5 HERR BOYCE HOLDEN
KAUNACH SCHATTEMAN

NAYS: 0

APPROVED: 3-27-12

ABSENT: 1 MAU

