
ORDINANCE
NUMBER 17-37

**AN ORDINANCE AMENDING THE VILLAGE LIQUOR CODE TO ADD BASSET
TRAINING REQUIREMENT FOR LICENSEES**

DAVE KIMSEY, Village President
AMY DAHLKAMP, Village Clerk

TERRY FOUNTAIN
BRETT GERGER
NINA LINDHORST
RYAN MANN
MATT MAU
PAUL SCHERSCHEL
Village Trustees

Published in pamphlet form by authority of the President and Board of Trustees of the Village of Chatham
on July 11th, 2017

Sorling Northrup – 1 N. Old State Capitol Plaza, Suite 200, Springfield, IL 62705

ORDINANCE NO. 17-37

AN ORDINANCE AMENDING THE VILLAGE LIQUOR CODE TO ADD BASSET TRAINING REQUIREMENT FOR LICENSEES

WHEREAS, the Village of Chatham, Sangamon County, State of Illinois, is a duly organized and existing Village created under the provisions of the laws of the State of Illinois, and is now operating under the provisions of the Illinois Municipal Code; and

WHEREAS, the Village of Chatham (hereinafter, the "Village"), is an Illinois municipal corporation; and

WHEREAS, the Illinois Liquor Control Act of 1934, 235 ILCS 5/4-1, sets forth the rights of municipalities to govern and restrict the sale of alcoholic liquor within their communities; and

WHEREAS, Section 4-2 of the Act provides that the Village has the authority to establish such further regulations and restrictions upon the issuance of a local license not inconsistent with the law as the public good and convenience may require; and

WHEREAS, the State of Illinois provides Beverage Alcohol Servers Education and Training ("BASSET") for licensees which is designed to encourage profitable, responsible and legal alcohol sales and service; and,

WHEREAS, the Corporate Authorities of the Village believe it is in the best interest of the Village to require that liquor license holders be trained by the State's BASSET program; and,

WHEREAS, the Corporate Authorities of the Village believe it is in the best interest of the Village to amend its Liquor Code as follows.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Chatham, County of Sangamon, as follows:

Section 1. Recitals. The foregoing recitals shall be and are hereby incorporated into

and made a part of this Ordinance as if fully set forth in this Section 1.

Section 2. Amendment to Village Code – BASSET TRAINING. Section 111.23 is hereby added to the Village Code follows (added; ~~deleted~~):

111.23 BASSET TRAINING:

(A) All original license applications and renewals for liquor license after July 1, 2017, shall be accompanied with proof of completion within the last three (3) years of a state certified Beverage Alcohol Sellers and Servers Education and Training (BASSET) program or other state of Illinois Liquor Control Commission (ILCC) approved program for all persons who sell or serve alcoholic beverages, all management personnel working on premises, and anyone whose job description entails the checking of identification for the purchases of alcoholic beverages, pursuant to that license.

All original license applications and renewals for a liquor license after January 1, 2018, by any governmental, not for profit, service club, or religious organizations who utilize unpaid volunteers for the activities described in the preceding paragraph are subject to the following rules:

Unpaid volunteers are not required to have completed a state certified BASSET program or other ILCC approved program as long as their activities at all times are within the presence of another person who has completed BASSET or other approved seller and server training.

Compliance is required with all other provisions of this subsection A. In addition, the production requirement in subsection D of this section shall be construed to require any governmental, not for profit, service club, or religious organization to maintain on the premises or at the function in question to provide a photocopy of all certificates of completion of BASSET or other approved seller and server training, including certificates of those individuals under which unpaid volunteers are claimed to be lawfully acting.

(B) Beginning July 1, 2017, any new owner, new manager, new employee, or new agent required by this section to complete alcohol seller and server training, shall within ninety (90) days from the beginning of their employment with that licensee, provide proof of completion within the last three (3) years of a state of ILCC approved seller and server training program and shall, until completion of the seller and server training program, work under the supervision of a person who has completed BASSET or other approved seller and server training.

(C) A "state certified BASSET training program" is defined as a BASSET program licensed by the ILCC as authorized by 235 ILCS 5/3-12(11.1). Training programs may be in the classroom or on line as provided by law or administrative regulations. All licensed BASSET providers and trainers shall be required to produce upon request of state or local liquor control authorities all licenses and certificates to prove current qualifications. BASSET providers and trainers shall provide a certificate of course completion to participants as proof of completion.

(D) A photocopy of certificate of completion for all owners, managers, employees, or agents required by this section to have BASSET or other approved seller and server training shall:

(1) Be maintained, by the establishment, in a manner that will allow inspection, upon demand, by any designee of both the state or local liquor control authorities.

(2) Be attached to original license applications and renewals for a liquor license.

Section 3. Severability. In the event a court of competent jurisdiction finds this ordinance or any provision hereof to be invalid or unenforceable as applied, such finding shall not affect the validity of the remaining provisions of this ordinance and the application thereof to the greatest extent permitted by law.

Section 4. Repeal and Savings Clause. All ordinances or parts of ordinances in conflict herewith are hereby repealed; provided, however, that nothing herein contained shall affect any rights, actions, or causes of action which shall have accrued to the Village of Chatham prior to the effective date of this ordinance.

Section 5. Effective Date. 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 this 11 day of July, 2017.

| | YES | NO | ABSENT | PRESENT |
|-----------------|-----|----|--------|---------|
| TERRY FOUNTAIN | X | | | X |
| BRETT GERGER | X | | | X |
| NINA LINDHORST | X | | | X |
| RYAN MANN | X | | | X |
| MATT MAU | X | | | X |
| PAUL SCHERSCHEL | X | | | X |
| | | | | |
| DAVE KIMSEY | | | | X |
| | | | | |
| TOTAL | 6 | 0 | 0 | 7 |

APPROVED by the President of the Village of Chatham, Illinois this 11 day of

July, 2017.

DICK
Dave Kimsey, Village President

Attest:
Amy Dahlkamp
Amy Dahlkamp, Village Clerk