

**WHEREAS**, the Liquor Committee of the Sangamon County Board has reviewed certain Sections of the Sangamon County Code; and

**WHEREAS**, after review of the above-said Sections, the Liquor Committee has determined that it would be in the best interests of Sangamon County to amend said Sections to correct discrepancies and inconsistencies between the Sangamon County Liquor Code and State laws.

**NOW, THEREFORE BE IT RESOLVED** by the members of the Sangamon County Board in session this 16<sup>th</sup> day of October, 2019 that certain Sections of the Sangamon County Code be amended as specified in "Exhibit A" attached hereto and made of part hereof.

Respectfully submitted,

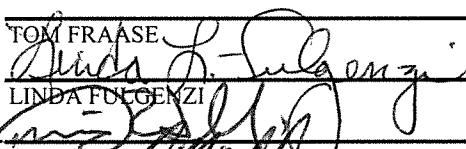
Liquor Committee

  
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LISA HILLS, CHAIRMAN

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CATHY SCAIFE, VICE CHAIRMAN

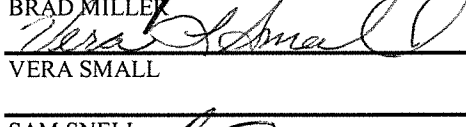
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ABE FORSYTH

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TOM FRAASE

  
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LINDA FULGENZI

  
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CRAIG SMALL

  
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BRAD MILLEY

  
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VERA SMALL

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SAM SNELL

  
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MIKE SULLIVAN

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JOEL TJELMELAND

**FILED**

OCT 29 2019

  
Sangamon County Clerk

# Sangamon County Liquor Ordinance Fee change

- The intent of the resolution is to clean up fee location within the ordinance and consolidate all fees within one table.
- Add an additional fee for late payments for temporary license per calendar year. Temporary license are for non-license holders. The current fee for a temporary license is \$50.00.
  - Current late fee \$25.00.
  - Additional late fee after first late fee \$50.00.
- Add an additional fee for late payments for special event/off-site permits per calendar year. Special event/off-site permits are for current license holders. The current fee for a special event/off-site permit is \$75.00.
  - Current late fee \$50.00.
  - Additional late fee after first late fee \$100.00.
- Add a new license background investigation fee.
  - Background investigations will be outsourced with The Firm, they provide ISP and FBI searches. They will charge the county \$55.00, we added the existing \$25.00 fee to cover staff time. (the current background investigations is Sangamon County only)
- All other changes are formatting.

**EXHIBIT A**

5.04.050 - License—Classifications designated—Fee amounts.

B. ~~The classification of licenses authorized to be issued under this chapter and the license fee shall be as follows:~~

Classification	Type	Fee Per Year
1AA	Tavern	\$700.00
1BB	Private Club	400.00
1PC	Private Club Public Access	700.00
1E	Service/Filling Station	700.00
1FF	Package Liquor Only	850.00
2AA	Bowling Alley	1,100.00
3AA	Nightclub	1,300.00
1RR	Outdoor Recreational Center	350.00
1WW	Beer and Wine	600.00
1GG	Golf Course	800.00
1K	Caterer's	550.00
1IS	Internet Sales	600.00

Temporary Licenses	Type	Fee
1CC	Fifteen-day License	\$150.00
1DD	One-day License	50.00

An application fee provided in Section 5.04.070 shall accompany all applications under this section. This fee is due when the application is submitted to the Zoning Department's Office. This fee and all other fees must be paid by cash, cashier's check or by a company business check.

5.04.080 - License fees.

D. The following fee shall accompany application authorized by this chapter:

1. ~~Application for license: \$50.00.~~
2. ~~Annual renewal/investigation for license fee: \$30.00.~~
3. ~~Application for change of location: \$35.00.~~
4. ~~Application for change of name of licensed premises: \$35.00.~~
5. ~~Background investigation of a new partner, or new corporate officer or director: \$25.00.~~
6. ~~Late payment fee: \$25.00.~~
7. ~~Duplicate license or permit fee (for lost or missing originals): \$30.00.~~

CLASS	LIQUOR LICENSE TYPE	AMOUNT
1AA	Tavern	\$700.00
1BB	Private Club	\$400.00
1PC	Private Club Public Access	\$700.00
1E	Service/Filling Station	\$700.00
1FF	Package Liquor Only	\$850.00
2AA	Bowling Alley	\$1,100.00
3AA	Night Club	\$1,300.00
1RR	Outdoor Recreation Center	\$350.00
1WW	Beer & Wine Only	\$600.00
1GG	Golf Course	\$800.00
1K	Caterer's	\$550.00
1IS	Internet Sales	\$600.00

CLASS	TEMPORARY LICENSES	AMOUNT
1CC	15 Day License	\$150.00
1DD	1 Day License	\$50.00
	Late Payment (1 <sup>st</sup> )	\$25.00
	Late Payment (2 <sup>nd</sup> +)	\$50.00

	<b>PERMITS</b>	<b>AMOUNT</b>
	Gaming	\$1,000.00
	State Fair	\$150.00
	Beer Garden	\$100.00
	Drive Up	\$100.00
	Package Liquor	\$100.00
	Additional Bar	\$100.00
	Patio	\$100.00
	Special Event (per day) 15 days prior to event	\$75.00
	Off-Site Sales (per day) 15 days prior to event	\$75.00
	Special Event/Off-Site Sales Late Fee (1 <sup>st</sup> )	\$50.00
	Special Event/Off-Site Sales Late Fee (2 <sup>nd</sup> +)	\$100.00

	<b>OTHER FEES</b>	<b>AMOUNT</b>
	Application for License	\$50.00
	License Renewal	\$30.00
	Change of Location	\$35.00
	Change of Name of Licensed Premises	\$35.00
Temporary	Background Investigation (per applicant)	\$25.00
Permanent	Background Investigation (per applicant)	\$80.00
	Permanent License Late Fee	\$25.00
	Duplicate License or Permit	\$30.00
	Hotel/Motel Investigation Fee	\$10.00

5.04.190 - Penalties—Minors.

Any person under the age of twenty-one years old who attempts to induce any licensee to sell, give or deliver alcoholic liquor to such minor by misrepresenting his or her age commits an unlawful act and shall, upon conviction, be punished by a fine not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00).

5.04.220 - Application for certificate establishing Hotel/Motel dining room, Restaurant, Club, or retail establishment where the sale of alcoholic liquor is not the principal business.

Any person licensed to sell alcoholic liquors under this chapter who operates a licensed premises that is also a Hotel/Motel dining room, Restaurant, Club, or retail establishment where the sale of alcoholic liquor is not the principal business, as defined in this chapter, who desires to keep the Hotel/Motel dining room, Restaurant, Club, or retail establishment open for a lawful business other than the sale of alcoholic liquor during the hours that the licensed premises is otherwise required by Section 5.04.200 above to remain closed, may make application to the Local Liquor Control Commissioner for such privilege in the following manner:

- A. Such application shall be made to the Zoning Department and on the form or forms prescribed by the County Board Chairman.
- ~~B. The applicant shall pay to the Zoning Department a fee of ten dollars to cover the cost of the investigation.~~
- ~~C.~~ B. After due investigation, if the County Board Chairman shall determine that such licensed premises actually is a Hotel/Motel dining room, or a Restaurant, or a Club, or a retail establishment where the sale of alcoholic liquor is not the principal business, the Local Liquor Commission shall so certify on the applicant's liquor license for the period then in effect; and until revoked or suspended, such certifications shall be evidence of the authority of such licensee to have the privilege to keep the premises open at hours other than the legal closing hours for purposes other than the sale of alcoholic liquor.
- ~~D.~~ C. The privilege so granted may be revoked or suspended by the County Liquor Commission in accordance with the procedure provided for in Section 5.04.140 of this chapter; and in no event shall extend for any greater length of time than the period for which a liquor license is issued, and shall be renewable only by the discretion of the County Liquor Commission.

5.04.370 - Penalty.

- A. Any person found to be in violation of any of the provisions of this chapter shall be punished by a fine of not less than two hundred fifty dollars (\$250.00) for the first offense, not less than five hundred dollars (\$500.00) for the second offense, and not less than one thousand dollars (\$1,000.00) for any offense thereafter. Such penalty shall be collected by civil suit in the name of the County of Sangamon and shall be paid to the Zoning Department and accounted for by him in the same manner as a liquor license fee. Every act or omission of whatsoever nature constituting a violation of any of the provisions of this chapter, by any officer, director, manager, or other agent or employee of any licensee shall be punishable in the same manner as if the act or omission has been done or omitted by the licensee.
- B. The penalties for violating the provisions of this chapter provided in "A" above shall be in addition to any other action taken by the Local Liquor Commissioner, including but not limited to the revocation of suspension of a license.

5.04.390 - Sales and consumption outside of the enclosed premises—Permits.

A. Beer Garden Permit.

In application and payment of an investigation and application fee as set forth in Section 5.04.080, the holder of a Class 1AA, 1BB, 1PC, 1WW, 2AA, 3AA, and 1GG license may be issued a Beer Garden Permit.

A Beer Garden Permit shall, upon issuance, entitle the holder of a Class 1AA, 1BB, 1PC, 2AA, 1WW, 3AA, and 1GG license to sell alcoholic liquor as authorized by his primary classification, outside of the permanent structure of his premises under the following conditions:

- a-1. The holder of a Beer Garden Permit must conclude all sales and clear the Beer Garden no later than the time for the conclusion of sales of alcoholic liquor specified by the license holder's Sangamon County Liquor License.
- b- 2. A permanent fence, not less than eight feet in height, made of wood, brick, chain privacy fence or any other similar materials, designed so that a person on either side of the fence is unable to see through the fence to the other side at any point, must enclose the whole area in which alcoholic liquors are served, poured, mixed, or consumed.
- c- 3. The permanent fenced-in area must be at least twenty feet from an intersection to meet the requirement of Section 17.36.010(B) of the County Code.

- ~~d.~~ 4. Access is not permitted to the permanent fenced-in area in which liquor is to be poured, mixed, served, or consumed through any way except through the permanent structure on the premises. Each enclosed area shall have at least one emergency exit that shall only be used for emergency and not a normal exit of the premises.
- ~~e.~~ 5. No music of any kind is played or broadcast outside which disturbs the neighborhood in any manner. No music of any kind is played or broadcast outside after nine p.m. until close Sunday through Thursday and after ten-thirty p.m. until close Friday and Saturday.
- ~~f.~~ 6. It shall be the responsibility of the licensee to insure that the noises emitted from the Beer Garden will not disturb the neighborhood in any way.
- ~~g.~~ 7. No sales or dispensing of alcoholic liquor may be made from the outside area or permanent structure to any person upon adjoining property, public street, sidewalk or alley, and no alcoholic liquor served in an open container may be removed from the outdoor cafe; or permanent structure.
- ~~h.~~ 8. The permit for the Beer Garden shall be displayed in accordance with Section 5.04.340 and shall be subject to suspension or revocation by the Commission.
- ~~i.~~ 9. The Commissioner shall have the right to modify or waive any requirement and approve the issuance of a permit at his discretion upon a showing of unique circumstances by the applicant.
- ~~j.~~ ~~The annual fee for a Beer Garden Permit shall be one hundred dollars (\$100.00).~~
- ~~k.~~ 10. The sales or dispensing of alcoholic liquor from the Beer Garden shall be made from one bar. The licensee must obtain an Additional Bar Permit for each additional bar at which alcohol is sold or dispensed within the Beer Garden.

B. Drive-Up Window.

- ~~4.~~ ~~The annual fee for a Drive-up Window Permit is one hundred dollars (\$100.00).~~

C. Package Liquor Permit.

- ~~3.~~ ~~The annual fee for a Package Liquor Permit shall be one hundred dollars (\$100.00).~~
- 4. 3. The Package Liquor Permit shall be displayed in accordance with Section 5.04.330 and shall be subject to suspension or revocation by the Commissioner.

D. Additional Bar Permit.

- ~~4.~~ ~~The annual fee for an Additional Bar Permit shall be one hundred dollars (\$100.00).~~
- ~~5.~~ 4. The Additional Bar Permit shall be displayed in accordance with Section 5.04.330 and shall be subject to suspension or revocation by the Commissioner.

E. Special Event Permit.

- 1. Upon application and payment of an investigation and application fee, as set forth in Section 5.04.080, the holder of a Class 1AA, 1BB, 1PC, 3AA, 1WW license may be issued a Special Event Permit.
- 2. A Special Event Permit, shall upon issuance, entitle the holder of a Class 1AA, 1BB, 1PC, 3AA, and 1WW license to sell alcoholic liquor as authorized by his premises on the property where the licensee's permanent structure is located under the following conditions:
  - ~~j.~~ ~~The fee for an Outside Sales Permit shall be seventy five dollars (\$75.00) for each day for which the permit is to be used. Issuance of an Outside Sales Permit to a licensee shall be treated separately from the licensee's primary license and shall be subject to suspension or revocation by the Commissioner for just cause.~~
  - k. An application for a Special Event Permit must be received by the Zoning Department no less than fifteen days prior to the date of the special event. ~~Any application for a Special Event Permit received within fifteen calendar days of the special event will be assessed a fifty dollar (\$50.00) late fee.~~

- 3. A Special Event Off-site Permit, shall upon issuance, entitle the holder of a Class 1AA, 1BB, 1PC, 3AA, and 1WW license to sell alcoholic liquor as authorized by his premises at an off-site location under the following conditions:
  - f. ~~The fee for an Off-site Sales Permit shall be seventy-five dollars (\$75.00) for each day for which the permit is to be used.~~ Issuance of an Outside Sales Permit to a licensee shall be treated separately from the licensee's primary license and shall be subject to suspension or revocation by the Commissioner for just cause.
  - g. An application for an Off-site Sales Permit must be received by the Zoning Department no less than fifteen days prior to the date of the special event. ~~Any application for a Special Event Permit received within fifteen calendar days of the special event will be assessed a fifty dollar (\$50.00) late fee.~~

F. State Fair Permit.

- 4. ~~The fee for a State Fair Permit is one hundred fifty dollars (\$150.00) for the ten days of the Illinois State Fair.~~ Issuance of this permit to a licensee shall be subject to suspension or revocation by the Commissioner for just cause.

G. Patio Permit.

In application and payment of an investigation and application fee as set forth in Section 5.04.080, the holder of a Class 1AA license may be issued a Patio Permit.

A Patio Permit shall, upon issuance, entitle the holder of a Class 1AA license to sell alcoholic liquor as authorized by his primary classification, outside of the permanent structure of his premises under the following conditions:

- a-1. The holder of a Patio Permit must conclude all sales and clear the Patio no later than the time for the conclusion of sales of alcoholic liquor specified by the license holder's Sangamon County Liquor License.
- b-2. A permanent fence, not less than thirty-six inches in height, made of wood, brick, chain privacy fence or any other similar materials.
- e-3. The permanent fenced-in area must be at least twenty feet from an intersection to meet the requirement of Section 17.36.010(B) of the County Code.
- d-4. Access is not permitted to the permanent fenced-in area in which liquor is to be served, or consumed through any way except through the permanent structure on the premises. Each enclosed area shall have at least one emergency exit that shall only be used for emergency and not a normal exit of the premises.
- e- 5. No music of any kind is broadcast outside which disturbs the neighborhood in any manner.
- f. 6. It shall be the responsibility of the licensee to ensure that the noises emitted from the Patio will not disturb the neighborhood in any way.
- g-7. No sales or dispensing of alcoholic liquor may be made from the outside area or permanent structure to any person upon adjoining property, public street, sidewalk or alley, and no alcoholic liquor served in an open container may be removed from the outdoor patio; or permanent structure.
- h-8. The permit for the Patio shall be displayed in accordance with Section 5.04.340 and shall be subject to suspension or revocation by the Commission.
- i-9. The Commissioner shall have the right to modify or waive any requirement and approve the issuance of a permit at his discretion upon a showing of unique circumstances by the applicant.
- j- ~~The annual fee for a Patio Permit shall be one hundred dollars (\$100.00).~~
- k-10. A Patio Permit shall maintain the following distances:
  - (a) Schools—one hundred feet from the property line of the school to the property line of the tavern or liquor store;



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- (b) Churches—one hundred feet from the church building to the tavern or liquor store building; and
- (c) Residences—one hundred feet from the tavern or liquor store property line to the residential structure or institutional care facility.

5.04.395 - Video gaming permit.

- A. Upon application and payment of an investigation and application fee, as set forth in Section 5.04.080, an establishment licensed under this chapter who is authorized by the State of Illinois to operate or have in place video gaming terminals may be issued a video gaming permit.
- B. No licensee shall operate or have in place video gaming terminals on licensed premises without the proper license and permit issued by the Sangamon County Liquor Commission.
- C. All State of Illinois rules and regulations regarding video gaming terminals which are or may hereafter be in force, which are applicable to the county, are incorporated and declared to be part of this section the same as if they were expressly set forth in this section.
- D. Any violation of the requirements set forth in this section shall constitute a violation of the Code.
- E. The video gaming permit shall be displayed in accordance with Section 5.04.330 and shall be subject to suspension or revocation by the commissioner.
- ~~F. The annual fee for a Video Gaming Permit shall be \$1,000.00.~~