

VILLAGE OF HAMMOND
PIATT COUNTY, ILLINOIS

ORDINANCE #2024-02

"An Ordinance Prohibiting the Sale or Giving Away of Intoxicating Liquor Without a License"

Adopted by the Board of the Trustees of the Village of Hammond this 10th Day of April, 2024

Published in pamphlet form by authority of the Village Board of the Village of Hammond, Piatt
County, Illinois

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Ordinance #2024-02

"An Ordinance Prohibiting the Sale or Giving Away of Intoxicating Liquor Without a License"

SECTION 1. Definitions.

The following words, terms, and phrases, when used in this Ordinance, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Alcohol means the product of distillation of any fermented liquid, whether rectified or diluted, whatever may be the origin thereof, and includes synthetic ethyl alcohol. The term "alcohol" does not include denatured alcohol or wood alcohol. (235 ILCS 5/1-3.01)

Alcoholic liquor includes alcohol, spirits, wine, and beer, and every liquid or solid, patented or not, containing alcohol, spirits, wine, or beer, and capable of being consumed as a beverage by a human being. The provisions of this Ordinance shall not apply to alcohol used in the manufacture of denatured alcohol produced in accordance with acts of congress and regulations promulgated hereunder, nor to any liquid or solid containing one-half of one percent, or less, of alcohol by volume.

Beer means a beverage obtained by the alcoholic fermentation of an infusion or concoction of barley or other grain, malt, and hops in water, and includes, among other things, beer, ale, stout, lager beer, porter, and the like.

Licensee means any person receiving a license under this Ordinance.

Licensed premises means the premises described in the license.

Liquor control commissioner means the mayor or president of the board of trustees.

Owner or proprietor means all persons who are owners or are in control of any place where the sale or distribution of alcoholic liquor is carried on, whether they be individuals, a partnership, corporation, joint stock company, fiduciary, officers or directors of either, or otherwise.

Sale means any transfer, exchange, or barter in any manner, or by any means whatsoever, including the transfer of alcoholic liquors by and through the transfer or negotiation of warehouse receipts or certificates, and includes and means all sales made by any person, whether principal, proprietor, agent, servant, or employee.

Sell at retail and **sale at retail** mean sales for use or consumption and not for resale in any form.

Spirits means any beverage, which contains alcohol obtained by distillation, mixed with water or other substances in solution, and includes brandy, rum, whiskey, gin, or other spirituous liquors, and such liquors when rectified, blended, or otherwise mixed with alcohol or other substances.

State commission means the state liquor control commission.

To sell means to keep or expose for sale and to keep with intent to sell.

Village liquor control commission means the commission established by appointment of the liquor control commissioner.

Wine means any alcoholic beverage obtained by the fermentation of the natural contents of fruits or vegetables containing sugar, including such beverages when fortified by the addition of alcohol or spirits, as defined in this section.

SECTION 2. Penalty.

- (a) The liquor control commissioner may suspend for more than 30 days or revoke for cause any licensee's license for any violation of any provisions of this Ordinance or Illinois law pertaining to the sale of alcoholic liquor.
- (b) The revocation or suspension of a license may be in addition to the imposition of a fine or other penalty for violation of any of the provisions of this Ordinance, and such revocation or suspension shall be no defense to a prosecution for a violation. Violations of this Ordinance shall be subject to a fine in an amount not to exceed \$750.00 per violation.

SECTION 3. Liquor control commissioner.

- (a) The mayor or president of the board of trustees shall be the liquor control commissioner and shall be charged with the administration of this Ordinance and of the appropriate provisions of the Liquor Control Act of 1934 (235 ILCS 5/1-1 et seq.) and of such ordinances and resolutions relating to alcoholic liquor as may be enacted.
- (b) However, the liquor control commissioner may appoint a person or persons to assist in the exercise of the powers and the performance of the duties herein provided for the liquor control commissioner.

SECTION 4. Village liquor control commission.

- (a) The village liquor control commission shall consist of the liquor control commissioner and such other person or persons as the liquor control commissioner may from time to time appoint, with the advice and consent of the village board of trustees, to assist in the exercise and powers and in the performance of the liquor control commissioner's duties that are specified in this Ordinance or Illinois law.
- (b) The village clerk shall be clerk of the village liquor control commission and shall keep a record of all of its proceedings, transactions, communications, and official acts. The clerk shall be custodian of all records for the village liquor commission and shall perform such other duties as it may prescribe.
- (c) The village liquor control commission shall have the following powers, functions, and duties with respect to licenses and procedures under this Ordinance.
 - (1) To receive complaints from any citizen within its jurisdiction that any provisions of this Ordinance or the Liquor Control Act of 1934 (235 ILCS 5/1-1 et seq.), or of such other ordinances of the village pertinent thereto have been or are being violated, and to act on such complaints in the proper manner;
 - (2) When appointed or designated as agent for the liquor control commissioner, to examine or cause to be examined, under oath, any person applying for a license or for a renewal thereof or licensee upon whom notice of revocation or suspension has been serviced, or the officers or other agents or managers of such person who has applied for a license, or is a licensee; also, to examine or cause to be examined, the books and records of any applicant or licensee, to hear testimony and take proof for its information in the performance of its duties, and for such purpose, it shall have the power to issue subpoenas effective in any part of the state;
 - (3) To adopt reasonable rules and regulations as it deems necessary for the performance of the duties herein provided;
 - (4) To require the filing of plans and drawings or sketches with it showing the design, layout, and specifications for any building or structure to be erected or adapted for

- use as the license's premises in connection with any application for license or for change of location of license;
- (5) To perform such other duties and functions including assistance with the promulgation and enforcement of such procedures, regulations, or rules as it may be called upon to do, from time to time, by the liquor control commissioner or by the village board of trustees.

SECTION 5. License required.

- (a) It shall be unlawful for any person, either by themselves or agent, or any person acting as an agent, barkeeper, clerk, or servant of another to see or offer for sale at retail, in the village, any alcoholic liquor without first having obtained a license to do so, as is hereinafter provided.
- (b) It shall be unlawful for any person themselves, or acting through the agency of another person, to sell or offer any alcoholic liquor for sale at retail in the village in violation of the terms and conditions of the license or the provisions of this Ordinance.

SECTION 6. Classification of licenses.

- (a) *Generally.* Licenses for the sale of alcoholic liquor at retail in the village shall be classified as follows:
- (1) *Class A.* A Class A license shall authorize the licensee to sell alcoholic liquor by the drink at retail for consumption on the licensed premises on which food is also sold for consumption. In order to qualify for a license of this class and in order to remain qualified for any subsequent renewal of this license, the person applying, or the licensee, must prove to the satisfaction of the village liquor control commission that more than one-half of the gross revenue of the person's business on the licensed premises has resulted from the sale of food. A licensee shall be required to maintain such major percentage of gross revenue from food sales, and the licensee's business records may be subjected to audit from time to time for verification of the maintenance of such major percentage of gross income from food.
- (2) *Class B.* A Class B license shall authorize the licensee to sell alcoholic liquor at retail in packages or containers not for consumption on the licensed premises.
- (3) *Class C.* A Class C license shall authorize the licensee to sell alcoholic liquor by the drink at retail for consumption on the premises. The principal purpose of such establishment shall be the operation of a bar or tavern.
- (b) *Temporary permit for alcoholic liquor consumption at private or public assembly.* The liquor control commissioner shall have the power to issue a temporary permit for the sale of alcoholic liquor to be consumed on the premises at a banquet, picnic, bazaar, fair, or similar private or public assembly where food or drink is sold, served, or dispensed. A temporary permit shall be issued only to an organization not for pecuniary profit, and shall be for a period of not more than four days. Not more than one temporary permit shall be granted to any one organization in any one period of 30 days. Nothing herein shall relieve the person granted a temporary permit from the obligation to acquire any temporary permit from the state liquor control commission or other licensing agency that state or federal law may require.

SECTION 7. License term.

- (a) All licenses hereunder shall be for a term of six months.
- (b) Each license shall state thereon the classification of license, the name of the licensee, the licensee’s address, and a description of the licensed premises.

SECTION 8. Number of licenses.

- (a) The number of licenses by classification shall be as follows:
 - (1) Class A – one license.
 - (2) Class B – one license.
 - (3) Class C – one license.
- (b) The number of licenses in any classification may be increased at any time with the new license or licensee to be available and effective at a date determined by the village, and the number of licenses in any classification may be decreased effective for future license years.

SECTION 9. License fees.

- (a) The annual fee for each class of license shall be in the amount established by the village board of trustees. License fees for each alcoholic liquor license shall be payable on or before the effective date of the license.
- (b) Failure of any licensee to pay the specified license fee on or before the date when the fee is payable shall prevent the licensee from selling alcoholic liquor at retail and their license shall thereupon be terminated, and shall become available for issuance to other qualified applicants.
- (c) The fee for a temporary permit authorized under section 1-6 shall be in the amount established by the village board of trustees, payable prior to issuance of the permit.
- (d) Any license issued under this Ordinance must be used by the licensee within 60 days after the date of issuance; otherwise, the license may be revoked by the village liquor control commission.
- (e) If a license voluntarily surrenders their license during the license year, no refund of the license fee shall be issued.
- (f) The license fee shall be paid to the village clerk.

SECTION 10. Location of licensed premises.

Licensed premises shall be located in the business or commercial district as established under the zoning code of the village, as amended from time to time.

SECTION 11. Standards for licensed premises.

- (a) The licensed premises shall be kept in a clean and sanitary condition and shall be kept in full compliance with any property maintenance code or building code and any revisions thereof from time to time enacted by the village board of trustees.
- (b) Licensed premises under a Class B license shall be devoted exclusively to the sale of alcoholic liquor with adequate parking or access, and the same shall be physically separated from other business pursuits by floor to ceiling partitioning or walls and shall have entrances and exits separate from other premises.
- (c) Every establishment license herein for consumption of alcoholic liquor on the premises shall have separate, adequate, and convenient restroom facilities for men and women.

- (d) No license shall be issued for licensed premises any boundary of which is nearer than 100 feet from the nearest point on the property line of a church or school.
- (e) All rooms where liquor is sold for consumption upon the premises shall be continuously lighted during business hours by natural light or artificial light so that all parts of the interior of the premises shall be clearly visible. No window display of liquor shall be permitted. The exterior of the licensed premises shall be adequately lighted at night by artificial light. Neither the words “bar” nor “saloon” shall be used in the name of the business, or in advertising for any licensee’s business or on the licensed premises.
- (f) Sales of alcoholic liquor under a temporary permit shall be conducted only on the premises and during the hours stipulated and the period specified in the temporary permit, and such sale shall be conducted only by the person to whom the temporary permit shall have been issued.
- (g) In the event the building or improvement on which the business is to be conducted is to be constructed, a copy of the plans showing the dimensions and layout of the structure shall be submitted for approval by the proper authority, along with the application for the license. Except for variances from the plan that are occasioned by changes in any building code or ordinance, the building shall conform to the plans submitted.
- (h) A license issued for licensed premises shall permit the sale from the premises as they then exist. Any enlargement of the improvements on the licensed premises shall require the approval of the village liquor control commission, so that the license will cover the enlargement or changes in the improvements on the licensed premises.

SECTION 12. Inspection of licensed premises.

Licensed premises shall be opened by the licensee at any time for inspection by the liquor control commissioner or other authorized official of the village, including members of the board of trustees or the village liquor control commission.

SECTION 13. Posting licenses.

Licenses issued hereunder shall be posted and maintained in a conspicuous place in the licensed premises where they will be visible to the licensee’s customers.

SECTION 14. Applications for licenses.

- (a) Application for a license under this Ordinance shall be made to the village liquor control commission, upon forms of application to be provided by the commission.
- (b) Applications shall be filed in duplicate, along with a cashier’s check or certified check, payable to the village treasurer for the amount of the semi-annual license fee being applied for, all of which shall be filed in the office of the village clerk in the village municipal building. The village clerk, or the clerk’s duly authorized representative, shall deliver the check to the village treasurer, and shall cause a duplicate original of the application and supporting papers, including any sealed envelope containing the financial statements of applicants, to be delivered to the liquor control commissioner. Upon receipt thereof, the liquor control commissioner shall examine the application and the supporting documents, and if the same appear to be in order and complete, the commissioner shall convene the liquor control commission to examine the application form and supporting documents, and if the same appear to be in order and complete, the commissioner shall convene the liquor

control commission to examine the application form and supporting documents, and such further inquiry or examination as may be appropriate under this Ordinance and under the circumstances shall be instituted and pursued by the village liquor control commission. In the event the application is denied the amount remitted as the annual license fee shall be refunded in full by the village treasurer to the applicant.

SECTION 15. Qualifications of applicants for licenses.

- (a) Applications for licenses shall be submitted in writing signed by the applicant, if an individual, or by a duly authorized officer, if the applicant is a corporation, or by a partner, if the applicant is a co-partnership.
- (b) All applications shall be verified by oath or affidavit, and shall contain the following information and statements:
 - (1) a. The name, age, and residence address of the applicant if the person applying is an individual.
 - b. The names, ages, and residence address of all partners, if the applicant is a co-partnership.
 - c. The corporate name, date of incorporation, state in which incorporated, and, if a foreign corporation, the date when it was authorized to do business in the state as a foreign corporation, and that it is still licensed as a foreign corporation to do business in the state; the stated objective or purposes of the corporation quoted from its articles of incorporation and any amendments thereto, or from its corporate charter; the names, ages, and residence addresses of all of its officers, directors, and stockholders who own, directly or beneficially, and of all subscribers to shares constituting more than five percent of its issued and outstanding stock or stock to be issued.
- (2) The citizenship of the applicant, if any individual or if a partner in a co-partnership, the applicant's place and date of birth, and, if a naturalized citizen, the time and place of the applicant's naturalization.
- (3) The character of the business of the applicant.
- (4) The length of time that applicant has been in a business of that character.
- (5) The amount of goods, wares and merchandise on hand, if any, at the time the application is submitted.
- (6) The location, including street address, and the full legal description of the premises for which the license is sought. If the premises are possessed by the applicant under a bona fide, valid, written lease or memorandum of lease signed by the lesser and all other necessary parties for the full term of license being applied for, a certified photocopy of the lease or memorandum thereof shall be attached to the application.
- (7) The application shall contain the applicant's statement as to whether or not the applicant has made a similar application for a similar license on premises other than that described in the application, and the disposition of such application.
- (8) The application shall contain a statement that the applicant has never been convicted of a felony and is not disqualified to receive a license by reason of any matter or thing contained in this Ordinance or in the laws of the United States or of the state, or in the provisions of other ordinances of the village.
- (9) The application shall also state whether or not any license issued to the applicant by any state or subdivision thereof, or by the federal government, has been revoked, and, if

so, the reasons therefore. The application shall also state whether or not any firm or entity with which the applicant had been connected previously as principal owner or manager had been issued any previous license for the sale of handling of alcoholic liquor, which license had been revoked or suspended by the federal government or by any state or subdivision thereof, and the reasons or causes for the revocation or suspension. Any statement shall include information identifying the previous licensor, as well as, its licensee, by names and addresses, including the address of the licensed premises name of the licensed establishment, and the date or dates of the revocation or suspension.

(10) A statement that the applicant will not violate any of the ordinances of the village or any of the laws of the state of Illinois or of the United States in the conduct of business at licensed premises.

(11) A confirmed or verified financial statement showing the assets and liabilities of the person applying as of a date recently prior to the date the application is filed shall be filed with the application. This financial statement shall be treated and handled as a confidential matter. The financial statement may be enclosed in a sealed envelope that is filed with the village clerk, and which is to be delivered, unopened, with the duplicate original of the application to the liquor control commissioner. The confidentiality and privacy of the financial statement shall be respected and maintained by the village liquor control commission and may be impounded or retained in a locked file so that same shall not be a public record and shall be secret information made available only for the consideration by the village liquor control commission and the liquor control commissioner of the application for an initial license or for renewal of license. Likewise, confirmed or verified financial statements shall be submitted for all persons who will share the profits or losses of a co-partnership which seeks a license, as well as, for stockholders owning more than five percent of the issued and outstanding shares of a corporation which applies for a license.

(12) Insurance requirement.

a. The applicant shall also provide a certificate of insurance verifying proof of insurance of the applicant in the types and minimums stated below.

1. Workers' compensation insurance in full compliance with the Worker's Compensation Act and employer's liability coverage in the amount not less than as defined by state statutes.
2. Commercial general liability insurance in an amount not less than \$1,000,000.00.
3. Dram shop insurance in full compliance with law and in an amount of not less than defined by law.

b. Said insurance required in this subsection (12) shall be written by an insurance company authorized to do business in the State of Illinois. The certificate of insurance shall also contain substantially the following cancellation provision: "The insurance evidence by this certificate will not be canceled or material reduced except after 30 days written notice to the Village of Hammond".

SECTION 16. Examination of Applicant.

The liquor control commissioner shall have the right to examine or cause to be examined, under oath, any person applying for a license or for a renewal thereof. The right shall extend also to the officers, directors, managers, or agents of any person, including corporations, who apply

for a license. Likewise, these rights of examination shall extend to a licensee or its officers, managers, or agents, as well as, any licensee upon whom notice of revocation or suspension has been served, as provided by statute or this Ordinance. The liquor control commissioner shall have the further right to examine or to cause examination to be made of the books and records of any person applying for a license, or similarly of the officers and agents of a corporate person, as well as, that of a licensee or its officers or agents; to hear testimony and take proof for information in the performance of the liquor control commissioner's duties, and for such purpose to issue subpoenas which shall be effective in any part of the state, for the purpose of obtaining any of the information desired by the liquor control commissioner under this section or under this Ordinance. The liquor control commissioner may authorize an agent to act on his or her behalf, as provided by this Ordinance. It shall be the prerogative of the liquor control commissioner to permit the village liquor control commission to act on their behalf as provided by this Ordinance.

SECTION 17. Restrictions on transfer of license.

- (a) A license issued hereunder shall not be transferable except in the case of the death of or disability of an individual licensee or the termination of a partnership. The licenses are purely personal privileges, which are good for a period of time not to exceed six months after issuance, unless they are revoked as provided in this Ordinance. A license does not constitute property, and it shall not be encumbered or hypothecated. A license shall not descend by the laws of testate or intestate succession, but shall cease upon the death of the individual licensee unless the executor or administrator of any deceased licensee whose estate consists, in part, of the business of the sale of alcoholic liquor, may, under order of the appropriate court, continue the business of the sale of alcoholic liquor under the license until the earlier to occur of the passage of six months after the death of the licensee, or the expiration of the license year.
- (b) In the event that a partnership, LLC, or corporation, which is a licensee, is terminated for any reason, the surviving or remaining partners, members, or shareholders may apply for a new license, pursuant to this Ordinance and the laws of the State of Illinois. There shall be no transfer of the location of the license to premises other than the licensed premises, unless the other premises conform to the requirements of this Ordinance as to location and condition for licensed premises, and then only as any such change of location is approved in accordance with the provisions of section 1-18. If a corporation or LLC is a licensee, its president or chief executive officer is obligated to report any change in the officers, directors, or in the ownership by any person of more than five percent of the corporation or LLC's issued and outstanding shares or membership interest. Likewise, the corporate officer shall promptly report any change in the operative control, through change in the ownership of the corporation or LLC. The report shall be transmitted in writing, verified by the oath of the officer, and shall be filed in duplicate in the office of the village clerk in the village municipal building. The village clerk, or the clerk's authorized representative, shall deliver a duplicate original of the verified report to the liquor control commissioner who, with the village liquor control commission, shall consider the information disclosed, and shall make such further investigation, including interrogation of the officers or agents of the licensee to determine whether or not the change in the ownership or control of corporate licensee may affect the quality, makeup, financial responsibility, accountability, or performance of the licensee under the

covenants, representations, and conditions of its license and its applications for the license, or for the renewal thereof.

SECTION 18. Change of location.

A license issued hereunder shall permit the sale of alcoholic liquor of the type specified only in the premises that are described in the application and license. The location for such operation may be changed only upon the written permit for a change issued by the liquor control commissioner. No change of location shall be authorized by the liquor control commissioner unless the proposed new location is a proper one for the operation of the business under the statutes and the provisions of this Ordinance.

SECTION 19. Renewal of license.

Any licensee may apply for the renewal of their license at the expiration thereof, provided that the licensee is then qualified to receive a license, and the premises for which the renewal license is sought are suitable for the continued use for the purposes hereunder. The privilege of renewal herein permitted shall not be construed as a vested right that shall in any case prevent the village board of trustees from decreasing the number of licenses to be issued hereunder for any subsequent license year.

SECTION 20. Hours of operation.

- (a) The hours of operation under a Class A, B, or C license shall be from 12:00 pm to 1:00 am on Monday through Saturday. The hours of operation under a Class A, B, or C license shall be from 12:00 pm to 12:00 am on Sunday.
- (b) All patrons shall leave and be off the licensed premises by the close of the hours of operation of all of the license classifications. The only persons authorized to be on the licensed premises after closing hours are the owners, agents, including managers, and employees of the licensee.

SECTION 21. Prohibited license.

No license shall be issued to:

- (a) A person who is not a resident of the Village;
- (b) A person who is not of good character and reputation in the community in which he/she resides;
- (c) A person who is not a citizen of the United States;
- (d) A person who has been convicted of a felony under any Federal or State law, if the liquor control commissioner determines, after investigation, that such person(s) has not been sufficiently rehabilitated to warrant the public trust;
- (e) A person who has been convicted of being the keeper or is keeping a house of ill fame;
- (f) A person who has been convicted of pandering or other crime or misdemeanor opposed to decency and morality;
- (g) A person whose State of Illinois or local liquor license has been revoked for cause;
- (h) A person who at the time of application for renewal of any license issued hereunder would not be eligible for such license upon a first application;
- (i) A co-partnership unless all of the members of such co-partnership shall be qualified to obtain a license;

- (j) A corporation if any officer, manager, or director thereof or any stockholder or stockholders owning in the aggregate more than 5% of the stock of such corporation, would not be eligible to receive a license hereunder for any reason other than citizenship and residence within the Village;
- (k) A corporation unless it is incorporated in Illinois, or unless it is a foreign corporation which is qualified under the Illinois Business Corporation Act to transact business in Illinois;
- (l) A person whose place of business is conducted by a manager or agent unless the manager or agent possesses the same qualifications required by the licensee;
- (m) A person who has been convicted of a violation of any Federal or State law concerning the manufacture, possession, or sale of alcoholic liquor subsequent to the passage of the Illinois Liquor Control Act, or has forfeited his bond to appear in court to answer charges for any such violation;
- (n) A person who does not beneficially own the premises for which a license is sought, or does not have a lease thereon for the full period for which the license is to be issued;
- (o) Any law enforcing public official, including members of the village liquor control commission, any mayor, member of the village board of trustees, or any president or member of the Piatt County Board; and no such official shall be interested in any way either directly or indirectly, in the manufacture, sale, or distribution of alcoholic liquor except that license may be granted to such official in relation to premises which are not located within the territory subject to the jurisdiction of that official in the issuance of such license is approved by the State Liquor Control Commission;
- (p) A person who is not a beneficial owner of the business to be operated by the licensee;
- (q) A person who has been convicted of a gambling offense as prescribed by any of subsections (a) (3) through (a) (10) of Section 28-1 of, or as prescribed by Section 28-3 of the "Criminal Code of 1961", or as prescribed by statute or replacing any of the aforesaid statutory provisions.

SECTION 22. Prohibited transactions.

- (a) No game of chance or gaming device shall be kept or used in any licensed premises, nor shall any licensee permit any illegal, disorderly, or immoral practices or gambling upon the licensed premises, except that:
 - (1) Lottery tickets under the state lottery may be sold therein.
 - (2) Video poker machines may be allowed, provided that they are licensed and in conformance with the Illinois Video Gaming Act (230 ILCS 40/1 et seq.) and other state regulations, and that a current and approved village alcohol license has been issued for the premises for which that video poker machines are located.
- (b) No licensee nor any officer, associate, member, representative, agent, or employee of such licensee shall sell, give, or deliver alcoholic liquor to any person under the age of 21 years, or to any person known to be a habitual drunkard, spendthrift, insane, mentally ill, mentally deficient, or in need of mental treatment. No person, after purchasing or otherwise obtaining alcoholic liquor shall sell, give, or deliver such alcoholic liquor to another person under the age of 21 years.
- (c) No person shall misrepresent their age by any means for the purpose of purchasing or obtaining alcoholic liquor. Any person to whom the sale, gift, or delivery of alcoholic liquor is prohibited because of age shall not purchase or accept a gift of alcoholic liquor

or have alcoholic liquor in said person's possession. No person described in the provisions of this section shall purchase or accept a gift of wine or beer without at that time possessing and exhibiting positive identification and proof of age as defined in this section.

- (d) No person under the age of 21 years shall tend bar or tend a package counter of window, sell, draw, pour, mix, or serve alcoholic liquor, and no licensee or any officer, associate, member, representative, agent, or employee of a licensee shall engage, employ, or permit any person under the age of 21 years to do so.
- (e) All sales of alcoholic liquor within the village shall be made for cash or its equivalent.
- (f) All sales shall be transacted on the licensed premises and the delivery of alcoholic liquor shall be made to the purchaser on the licensed premises. It shall be unlawful to peddle alcoholic liquor in the village.
- (g) Any person who applies for a license, and in the process furnishes false information on a material point, or who fails to timely furnish information requested, shall not be eligible for a license.
- (h) Any licensee who, in the process of obtaining a license, or a renewal thereof, furnishes false information of a material nature, or who withholds or fails to furnish or disclose information that would affect said licensee's qualifications as a licensee hereunder, shall be subject, upon discovery thereof, to have their license suspended or revoked after due notice and appropriate proceedings as specified in the Liquor Control Act of 1934 (235 ILCS 5/1-1 et seq.)
- (i) Licensees shall store alcoholic liquor only on the licensed premises and at no other place in the village.
- (j) There shall be no direct access allowed between the place where alcoholic liquor is sold and a dwelling.
- (k) Nothing in this Ordinance shall excuse or relieve the owner, proprietor or person in charge of the business being conducted on the licensed premises from complying with or conforming to the restrictions and requirement of any other applicable ordinances of the village, or laws of the State of Illinois.
- (l) In each premises licensed under the provisions of this Ordinance, there shall be displayed at all times in a prominent place a printed card supplied by the village clerk, which shall be substantially as follows:
WARNING: If you are under twenty-one (21) years of age, you are subject to a fine up to \$750.00 if you purchase alcoholic liquor or misrepresent your age for the purpose of purchasing or obtaining alcoholic liquor. Official photo identification will be required to prove age before purchase.
- (m) It shall be unlawful for any parent, guardian, or person in loco parentis to knowingly suffer or permit any person under the age of 21 years of whom they may be such parent, guardian, or person in loco parentis to violate any provisions of this Ordinance.
- (n) It shall be unlawful for any licensee or its agents, employees, independent contractors, or representatives to knowingly allow any person under the age of 21 years to enter or remain on a licensed premises within the Village at any time.
- (o) No licensee shall sell, give, or deliver alcoholic liquor and no person shall consume alcoholic liquor on premises where the following acts or conduct are permitted or occur:
 - (1) The employment or use of any person in the sale or service of alcoholic liquors or for the entertainment or diversion of others while such person is unclothed or in such

- attire, costume, or clothing as to expose to view or to show with less than a fully opaque covering any portion of the breast below the top of the areola or any portion of the pubic hair, anus, buttocks, vulva, or genitals.
- (2) The performance of acts, or simulated acts, of sexual intercourse, masturbation, sodomy, bestiality, oral copulation, flagellation, or any sexual acts prohibited by law.
 - (3) The actual or simulated exhibition, displaying, touching, or caressing, or fondling of or on the breasts, buttocks, anus, or genitals.
 - (4) The permitting or encouragement of any person to remain in or upon said premises who exposes to view any portion of the body described in subsection (o)(1), (2), or (3) of this section.
- (p) No person, firm, or corporation holding a Class A, B, or C license issued pursuant to this Ordinance and the Liquor Control Act of 1934 (235 ILCS 5/1-1 et seq.), shall sell alcoholic liquor at retail for consumption on or off said premises outdoors, in said person, firm, or corporation's parking lot, in temporary facilities such as tents, canopies, beer gardens, and other structures without prior approval of the liquor control commissioner.

This Ordinance shall take effect and be in full force from and after its passage and approval, and publication in pamphlet form as required by law. Any and all prior Ordinances not in conformity herewith are hereby revoked and declared null and void.

Approved by the President of the Board of Trustees of the Village of Hammond, this 10th day of April, 2024.

Marsha Burgener
President, Board of Trustees
Village of Hammond, Piatt County, Illinois

ATTEST:

Brenda Sebens
Village Clerk
Village of Hammond, Piatt County, Illinois

State of Illinois)
) ss.
County of Piatt)
Certificate of Publication)

I, Brenda Sebens, certify that I am the duly appointed and acting Municipal Clerk of the Village of Hammond, Piatt County, Illinois.

I further certify that on April 10, 2024, the Corporate Authorities of such municipality passed and approved Ordinance #2024-02, entitled "An Ordinance Prohibiting the Sale or Giving Away of Intoxicating Liquor Without a License", which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance #2024-02, including the Ordinance and a cover sheet thereof, was prepared and a copy of such Ordinance was posted in the municipal building commencing on April 11, 2024 and continuing for at least 10 (ten) days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the Municipal Clerk.

Dated at Hammond, Illinois, this 10th day of April, 2024.

(SEAL)