

CHAPTER 4

ALCOHOLIC BEVERAGES

Article 1

1-1 DEFINITIONS

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.

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

GENDER: a word importing the masculine gender only shall extend and be applied to females and to firms, partnerships and corporations as well as to males.

HABITUAL DRUNKARD AND SPENDTHRIFT: includes every person who is liable to be put under guardianship on account of excessive drinking, gaming, idleness or debauchery.

INSANE PERSON: includes every idiot, non compos, lunatic, insane distracted person, feeble-minded or mentally ill person.

MINOR: for the purposes of this section, shall mean any person, male or female, who has not reached his/her 21st birthday.

OPEN LEWDNESS AND PUBLIC INDECENCY: means any person of the age of 17 years and upwards who performs any of the following acts in a public place (1) an act of sexual intercourse (2) an act of deviate sexual conduct (3) a lewd exposure of the body done with intent to arouse or to satisfy the sexual desire of the person, or (4) a lewd fondling or caress of the body of another person of either sex.

ORIGINAL PACKAGE: means any bottle, flask, jug, can, cask, barrel, keg, hogshead, or other receptacle or container, whatsoever, used, corked or capped, sealed and labeled by the manufacturer of alcoholic liquor, to contain and to convey any alcoholic liquor.

SELL AT RETAIL AND SALE AT RETAIL: refer to and mean sales for use or consumption and not for resale in any form.

TO SELL: includes to keep or expose for sale and to keep with intent to sell.

4-2 Applicability of State Law

This chapter is adopted pursuant to the provisions of an act of the General Assembly of the state, entitled "An act relating to Alcoholic Liquors," and known as the "Illinois Liquor Control Law". The applicable provisions of the act, particularly the definitions of words and phrases, the qualifications of licenses, the location and types of construction of premises and places of business and restrictions upon operations and sales contained herein, are hereby adopted and made part of this chapter as set out at length in this section.

4-3 Liquor Control Commissioner

The President of the Board of Trustees of the village shall be the local liquor control commissioner for his respective village and shall be charged with the administration in his respective jurisdiction of the appropriate provisions of this ordinance and of such ordinances and resolutions relating to alcoholic liquor as may be enacted; but the authority shall extend only to the corporate limits of the village.

4-4 Powers of Local Commissioner

Each local liquor control commissioner shall also have the following powers, functions and duties with respect to licenses, other than licenses to manufacturers, importing distributors, distributors, and non beverage users.

- (1) To grant and or suspend for not more than thirty (30) days or revoke for cause all local licenses issued to persons for premises within his jurisdiction;
- (2) To enter or authorize any law enforcing officer to enter at any time upon any premises licensed hereunder to determine whether any of the provisions of this ordinance or any rules or regulations adopted by him or by the State Commission have been or are being violated, and at such time to examine said premises of said licensee in connection therewith;
- (3) To receive complaint from any citizen within his jurisdiction that any of the provisions of this ordinance, or any rules or regulations adopted pursuant hereto, have been or are being violated and to act upon such complaints in the manner hereinafter provided.

- (4) To receive local license fees and pay the same forthwith to the Village Treasurer.

- (5) To examine, or cause to be examined, under oath, any

applicant for a local license or for a renewal thereof, or any licensee upon whom notice of suspension or revocation has been served.

4-5 Sales of Alcoholic Liquor by Minors: ✕

It shall be unlawful for any person under the age of 21 years to sell, give or deliver alcoholic liquor to any person. It shall be unlawful for any licensee to employ any person under the age of 21 years to sell, give, or serve alcoholic liquor.

4-6 Disorderly and Improper Conduct on Premises

It shall be unlawful for any person to whom a license has been issued pursuant to this chapter to permit on the premises for which the license was issued, any loud or unusual noises which disturb the peace and quiet of any neighborhood or family, or to permit any disorderly or immoral practices or to permit any disorderly conduct, open lewdness or any act of public indecency.

4-7 Retailers License

A retailer's license shall allow the licensee to sell and offer for sale at retail, only in the premises specified in such license, alcoholic liquor for use or consumption, but not for resale in any form.

4-8 Curb Service

It shall be unlawful to serve or permit alcoholic liquor to be served in automobiles or any other vehicle in or upon the premises, or upon the streets, highways, sidewalks or alleys adjacent to or adjoining the premises described in any license issued pursuant to this chapter, which manner of serving is commonly known as "curb service".

4-9 Retail Sales

It shall be unlawful to sell alcoholic beverages at retail in the corporate limits of the Village except in conformity with this chapter.

4-10 Classes of Licenses and Fees

Class A, for the sale at retail of alcoholic liquor, including beer, for consumption on the premises where sold, or in original package or container for consumption off said premises.

Class B, for the sale at retail of alcoholic liquor, including beer

No. 2021- 01

AN ORDINANCE AMENDING THE
CODE OF ORDINANCES FOR THE VILLAGE OF FIELDON

BE IT ORDAINED AS FOLLOWS:

1. That section Article 4, Section 4-5 of the Code of Ordinances of the Village of Fieldon is hereby amended to read as follows:

"4-5 Sales of Alcoholic Liquor by Minors:

It shall be unlawful for any person under the age of 18 years to sell, give or deliver alcoholic liquor to any person. It shall be unlawful for any licensee to employ any person under the age of 18 to sell, give or serve alcoholic liquor."

2. That all other terms and conditions of the Code of Ordinances remain unchanged in full force and effect.
3. That the Village Clerk is directed to post this Ordinance in two places within the Village of Fieldon.
4. That this Ordinance shall take effect ten days after passage and posting.

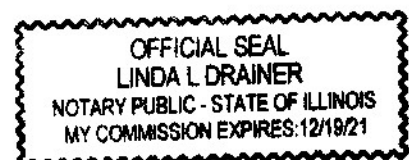
ORDAINED this 7 day of July, 2021.

ATTEST:

Village Clerk

Julia Dujar
President

Linda Drainer
Deputy County Clerk



No. 2021-02

AN ORDINANCE AMENDING THE
CODE OF ORDINANCES FOR THE VILLAGE OF FIELDON

BE IT ORDAINED AS FOLLOWS:

1. That section Article 4, Section 4-11 of the Code of Ordinances of the Village of Fieldon is hereby amended to read as follows:

"4-11. Closing hours:

It shall be unlawful to sell or offer for sale at retail, any alcoholic liquor in the Village:

Between the hours of 1:00 a.m. and 6:00 a.m. of any weekday,
Between the hours of 2:00 a.m. and 6:00 a.m. on Saturday,
Between the hours of 2:00 a.m. and 10:30 a.m. on Sunday,
The closing hour on Sunday will be 1:00 a.m.

All patrons must leave all dram shops following closing, and prior to 15 minutes past closing hours."

2. That all other terms and conditions of the Code of Ordinances remain unchanged and in full force and effect.
3. That the Village Clerk is directed to post this Ordinance in two places within the Village of Fieldon.
4. That this Ordinance shall take effect ten days after passage and posting.

ORDAINED this 7 day of July, 2021.

Julia Dujon
President

ATTEST:

Village Clerk

Linda L Drainer
Deputy County Clerk



in original packages or containers for consumption off said premises.

4-11 Closing hours ↓

It shall be unlawful to sell or offer for sale at retail, any alcoholic liquor in the Village:

between the hours of 1:00 a.m. and 6:00 a.m. of any weekday.
between the hours of 1:00 a.m. and 12:00 noon on Sundays.
The closing hour on Sunday shall be 1:00 a.m.

4-12 Penalty

Revocation--Whenever any person to whom a license has been issued pursuant to this chapter shall be convicted of any violation of this chapter, his license may, in the discretion of the President as liquor control commissioner, be revoked and forfeited and all fees paid thereon shall be forfeited and the bond given by the licensee pursuant to this article shall be forfeited, and it shall thereafter be unlawful and shall constitute a further violation of this chapter for the licensee to continue to operate under the license.

4-13 Transporting or Possessing in Original unbroken package

It shall be unlawful to transport or possess alcoholic liquor in any manner within the Village, except in unbroken, original package.

Any person who wilfully violates this section shall be fined not less than \$25.00 nor more than \$500.00 for each offense.

4-14 Sales to person under 21, habitual drunkards, spendthrifts and Mental incompetents

It shall be unlawful for any licensee, officer, associate, member, representative, agent or employee of such licensee to sell, give or deliver alcoholic liquor to any person, under the age of 21 years, or to any intoxicated person or to any person known by him to be an habitual drunkard, spendthrift, insane, mentally ill, mentally deficient or in need of mental treatment.

4-15 Selling, giving or delivering alcoholic liquor to minors

It shall be unlawful for any person after purchasing or otherwise obtaining alcoholic liquor, to sell, give or deliver such alcoholic liquor to another person under the age of 21 years.

Any person who wilfully violates this section shall be fined not less than \$25.00 nor more than \$500.00 for each such offense.

4-16 License Fees

License fee for Class A shall be \$600.00 for a full year.

License fee for Class B shall be \$400.00 for a full year.

All of the above-mentioned fees may be paid bi-annually.

4-17 Sales to persons under 21, proof of age

It shall be unlawful for any licensee, or his agent or employee to sell or serve alcoholic beverages to any person who is unable to produce adequate written evidence of identity and of the fact that he or she is over the age of 21 years. Adequate written evidence of age and identity of the person is a document issued by a federal, state, county or municipal government, or subdivision or agency thereof, including, but not limited to, a motor vehicle operator's license, a registration certificate issued under the Federal Selective Service Act, or an identification card issued to a member of the Armed Forces. Proof that the defendant-licensee, or his employee or agent, demanded, was shown and reasonably relied upon such written evidence in any transaction, forbidden by this Section is competent evidence and may be considered in any criminal prosecution thereof or to any proceeding for the suspension or revocation of any license based thereon.

4-18 Proof of Age--false, fraudulent, or not his/her own

It shall be unlawful for any person under the age of 21 years to present or offer to any licensee, his agent or employee, any written, printed or photostatic evidence of age and identity which is false, fraudulent, or not actually his own for the purpose of ordering, purchasing, attempting to purchase or otherwise procuring or attempting to procure, the serving of any alcoholic beverage, or who has in his possession any false or fraudulent written, printed or photostatic evidence of age and identity.

Any person who wilfully violates this section shall be fined not less than \$25.00 nor more than \$500.00 for each such offense.

Striking the
Residency

4-19 RESIDENCY REQUIREMENT ✕

That an applicant that files for a Class A or Class B Liquor License for the purpose of selling liquor or beer at retail, shall be required to have been a permanent resident of the Village of Fieldon, fifteen (15) days prior to the issuance of a Class A or Class B Liquor License.

(Amended by Ordinance #81-2, 12/7/81)

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