

**PLEASE....TYPE OR PRINT THIS APPLICATION,
EXCEPT WHERE SIGNATURES ARE REQUIRED**

COUNTY OF FAYETTE - STATE OF ILLINOIS

APPLICATION FOR COUNTY LIQUOR LICENSE

TO: The County Liquor Committee of Fayette County

Pursuant to the provisions of an Act entitled "The Liquor Control Act of 1934" as in force and effect, the undersigned apply for issuance of a license from the County of Fayette for the retail sale of alcoholic liquor. Under penalty of perjury, the undersigned applicant certifies that the following information is true and correct:

1. Name and mailing address of applicant:
Name: _____
Address: _____

2. The **business** name and mailing address are:
Name: _____
Address: _____

3. Description of the alcoholic liquor to be sold:

4. If applicable, the filing date of the applicant's assumed name certificate with the County Clerk: ____/____/____
5. If the applicant is a **partnership**, the date of the partnership's formation:
Date: _____
6. If the applicant is a **corporation**:
 - A. If an **Illinois** corporation, the date of its incorporation:
Date: _____
 - B. If a **foreign** corporation:
 - 1) The **state** of its incorporation: _____
 - 2) The **date** of its qualification to do business in the State of Illinois:

7. As to the applicant's current local retail liquor license:
 - A. Its number: _____
 - B. Its date of issuance: _____
 - C. Its date of expiration: _____
8. The name of the local government authority which issued the applicant's current local retail liquor license: _____

9. If the business premises are leased:
 - A. Name of the landlord: _____
 - B. Landlord's address: _____

10. With regard to the applicant's first request for a State liquor license:
 - A. The date of the applicant's first request: _____
 - B. Whether it was granted, denied or withdrawn: _____

11. The applicant's address when the first application for State liquor license was made:
Address: _____

12. The applicant's current State liquor license number: _____

13. The date the applicant began liquor sales at business location: ____/____/____

14. The address of the applicant's warehouse if liquor is warehoused by applicant:
Address: _____

15. The applicant's Retailer's Occupation Tax (ROT) number: _____

16. The applicant's document locator number on the applicant's Federal Special Tax Stamp: _____

17. Is the applicant delinquent in the payment of retailer's occupation tax (Sales Tax)?:

If so, state the reason: _____

18. Is the applicant delinquent under the cash beer law?: _____
If so, explain: _____

19. Is the applicant delinquent under the 30 day credit law?: _____
If so, explain: _____

20. Has the applicant ever made an application for a liquor license which has been denied?: _____
If so, explain: _____

21. Has a prior liquor license issued to the applicant been suspended or revoked at any time?: _____
If so, explain: _____

22. Has the applicant ever been convicted of a gambling offense or felony?: _____
If so, explain: _____

23. Does the applicant possess a current Federal Wagering Stamp?: _____
If so, explain: _____

24. Is the applicant or any other person directly or indirectly engaged in the business a public official?: _____
If so, identify: _____

25. As to each person or entity constituting the applicant herein, state the following:
A:

- 1) Name: _____
- 2) Sex: _____
- 3) Date of Birth: _____
- 4) Social Security Number: _____
- 5) Position: _____
- 6) Percentage of Ownership: _____

B:

- 1) Name: _____
- 2) Sex: _____
- 3) Date of Birth: _____
- 4) Social Security Number: _____
- 5) Position: _____
- 6) Percentage of Ownership: _____

C:

- 1) Name: _____
- 2) Sex: _____
- 3) Date of Birth: _____
- 4) Social Security Number: _____
- 5) Position: _____
- 6) Percentage of Ownership: _____

26. The Applicant certifies and covenants that the Applicant has not received or borrowed money or anything else of value, and that the Applicant will not receive or borrow money or anything of value (other than merchandising credit in the ordinary course of business for a period not to exceed 90 days) either directly or indirectly, from any manufacturer, importing distributor, or distributor, or from any representative of the same, in violation of applicable law.

27. The Applicant certifies and covenants that the Applicant is a resident of Fayette County, Illinois.

CERTIFICATION

The applicant hereinabove, does hereby certify and state under oath that the information set forth in the foregoing application is true, correct and complete to the best belief and knowledge of the applicant.

Dated: _____
Signature of President

STATE OF ILLINOIS - COUNTY OF FAYETTE

This instrument was acknowledged before me on _____ day of _____,
20____, by _____.

Notary Public

The applicant hereinabove, does hereby certify and state under oath that the information set forth in the foregoing application is true, correct and complete to the best belief and knowledge of the applicant.

Dated: _____
Signature of Secretary

STATE OF ILLINOIS - COUNTY OF FAYETTE

This instrument was acknowledged before me on _____ day of _____,
20____, by _____.

Notary Public

The applicant hereinabove, does hereby certify and state under oath that the information set forth in the foregoing application is true, correct and complete to the best belief and knowledge of the applicant.

Dated: _____
Signature of Bar Manager

STATE OF ILLINOIS - COUNTY OF FAYETTE

This instrument was acknowledged before me on _____ day of _____,
20____, by _____.

Notary Public

COPY

COUNTY OF FAYETTE, ILLINOIS

ORDINANCE NUMBER 2017-05-09-F

A REVISED ORDINANCE TO REGULATE AND CONTROL
THE SALE OF ALCOHOLIC LIQUOR

ADOPTED BY THE FAYETTE COUNTY BOARD
OF THE COUNTY OF FAYETTE, ILLINOIS
THIS 9th DAY OF MAY, 2017

PUBLISHED BY THE AUTHORITY OF
THE COUNTY BOARD OF FAYETTE COUNTY
THIS 9th DAY OF MAY, 2017

ORDINANCE NO. 2017-05-09-F

A REVISED ORDINANCE TO REGULATE AND CONTROL THE SALE OF
ALCOHOLIC LIQUOR

BE IT ORDAINED BY THE COUNTY BOARD OF FAYETTE COUNTY, ILLINOIS:

1. It shall be unlawful for a person without a retail liquor dealer's license to sell or to offer alcoholic liquor for sale at retail within Fayette County, Illinois, and outside the limits of any City, Village or incorporated Town. It shall be unlawful for a person to sell or offer alcoholic liquor for sale at retail in Fayette County, Illinois, in violation of the terms of this Ordinance.
2. Retail liquor dealer licenses shall be divided into five classes:
 - A. A Class A license, the lawful holder of which shall be authorized to sell at retail all alcoholic spirits, wine and beer;
 - B. A Class B license, the lawful holder of which shall be authorized to sell at retail all alcoholic spirits, wine and beer in the original package only, provided that such alcoholic spirits, wine or beer may not be consumed upon the licensed premises;
 - C. A Class C license, the lawful holder of which shall be authorized to sell beer, ale, stout and lager beer by a lawful club;
 - D. A Class D license, the lawful holder of which shall be authorized as a club to sell all alcoholic liquors, wine and beer;
 - E. A Class E license, the lawful holder of which shall be authorized for a period not to exceed 24 hours to sell beer as a lawfully qualified not-for-profit organization.
3. No retail liquor dealer's license shall be issued to an applicant for premises which are located within any Township or other area which, by previous local option referendum, has prohibited and made unlawful the sale of alcoholic liquor if such prohibition remains in effect at the time of the application.
4. All applications for the issuance of a retail liquor dealer's license shall be filed with the Fayette County Clerk for delivery to the local Liquor Control Commissioner or for delivery to the person or persons duly appointed to assist the local Liquor Control Commissioner in the exercise of such Commissioner's powers and the performance of the Commissioner's duties and action thereon.
5. All applications shall conform in substance to and incorporated therein the wording necessary to disclose the information expressly required by the provisions of 235

ILCS 5/7-1 *et seq.*, as such statute now exists, and as it may from time to time hereafter be amended. All applications shall be verified under oath by the applicant.

6. License fees shall be payable at the time application is made by the applicant and shall be returnable only in the event the license for which application is made is not granted.
7. License fees shall be as follows:
 - A. Class A License: \$1,000.00 per year;
 - B. Class B License: \$500.00 per year;
 - C. Class C License: \$250.00 per year;
 - D. Class D License: \$350.00 per year;
 - E. Class E License: \$25.00 for license sale period.
8. The number of licenses authorized to issue shall be subject to the following limitations:
 - A. The number of Class A Licenses shall not exceed 1 for any Fayette County Township outside the limits of any City, Village or Incorporate Town.
 - B. The number of Class B Licenses shall not exceed 1 for any Fayette County Township outside the limits of any City, Village or Incorporate Town.
 - C. The number of Class C Licenses shall not exceed 1 for any Fayette County Township outside the limits of any City, Village or Incorporate Town.
 - D. The number of Class D Licenses shall not exceed 1 for any Fayette County Township outside the limits of any City, Village or Incorporate Town
 - E. No more than 2 Class E Licenses per calendar year may be issued to any organization within any calendar year, unless such licensee shall pay a license fee of \$250.00 per year, the payment of which license fee shall authorize the issuance of 5 Class E Licenses within a calendar year.
9. Operating Hours: Premises licensed pursuant to this Ordinance shall be limited in their periods of operation as follows:
 - A. Premises operating under Class A License may be open to the public and sell all alcoholic spirits, wine and beer between the hours of 7:00 a.m. and 2:00 a.m., Monday through Saturday, and from 12:00 noon until 9:00 p.m. on Sunday.

- B. Premises operating under Class B License may be open to the public and sell all alcoholic spirits, wine and beer in original package only for off-premises consumption between the hours of 7:00 a.m. and 2:00 a.m., Monday through Saturday, and from 12:00 noon until 9:00 p.m. on Sunday.
 - C. Premises operating under Class C License may be open to its members and guests and sell beer, ale, stout and lager beer between the hours of 7:00 a.m. and 2:00 a.m., Monday through Saturday, and from 12:00 noon until 9:00 p.m. on Sunday.
 - D. Premises operating under Class D License may be open to its members and guests and sell all alcoholic spirits, wine and beer between the hours of 7:00 a.m. and 2:00 a.m., Monday through Saturday, and from 12:00 noon until 9:00 p.m. on Sunday.
 - E. Premises operating under Class E License may sell beer only from 7:00 a.m. until 2:00 a.m. on the day for which the license is valid, except for Sunday, upon which day; operation shall not be from any earlier than 12:00 noon until not later than 9:00 p.m.
10. The applicant for a Class A License and the holder of a Class A License shall comply with the following requirements:
- A. The structure of the licensed premises shall have fire resistant construction in accordance with the National Fire Protection Association 101 Life Safety Code.
 - B. Licensed premises shall not exceed a maximum capacity of 20 persons for each 500 square feet of customer floor space.
 - C. The licensed premises shall be equipped with separate rest rooms, with one for each sex, with such rest rooms to be an integral part of the building. Said premises shall have at least two entrances at the front and rear of the building, with the doors on each entrance opening outward.
11. The local Liquor Control Commissioner or the person or persons duly appointed to assist the Commissioner in the exercise of the Commissioner's powers and the performance of Commissioner's duties shall consider and pass upon any application made in accordance with the Ordinance. If the Commissioner or the Commissioner's duly appointed agent shall determine that all requirements of the Dram Shop Law of the State of Illinois [235 ILCS 5/6-21, *et seq.*], as applicable, have been satisfied and the applicant is otherwise qualified hereunder to obtain a license as provided by law, and that the required license fee has been tendered, and the applicant has, under oath, agreed to conform with the provisions of this Ordinance, then and in that event the local Liquor Control Commissioner or the person or the persons appointed to assist the Commissioner in the exercise of the Commissioner's powers and the performance of the Commissioner's duties, shall approve said application and shall


return the same to the Fayette County Clerk with such approving order endorsed thereon. Upon the Fayette County Clerk's receipt of such endorsed and approved application, the Clerk shall issue under the Clerk's signature a license in due form for a calendar year from and after the date the license was ordered to issue.

12. An applicant for a retail liquor dealer license and the holder of a license shall be a resident of Fayette County.
13. In the event any licensee shall discontinue the business of retail sale of alcoholic liquor under a license issued pursuant to the provisions of this Ordinance during the calendar year for which it was issued, such license shall become void and of no further effect. In the event any licensee shall cease to be a resident of Fayette County during the calendar year for which a license is issued, such license shall become void and of no further effect. In the event any licensee shall violate a provision of this Ordinance, of the Liquor Control Act of the State of Illinois or of any applicable Federal statute or regulation, such licensee's license shall be subject to immediate termination, in which event it shall be void and of no further effect. In the event of the termination of license by its avoidance under this paragraph, no refund of any part of the license fee paid shall be made.
14. Any retail liquor dealer license issued pursuant to the provisions of this Ordinance is personal to the licensee and shall not be transferred in any way, either as between individuals, firms or corporations, or as between premises or locations. Any license shall completely identify the licensee and contain an exact description of the premises to which the license applies and shall be at all times after issuance, displayed prominently upon the premises so licensed.
15. A person holding a retail liquor license issued pursuant to this Ordinance shall abide by the provisions of the Liquor Control Act of the State of Illinois, as said Act presently exists or may hereafter be amended time to time.
16. In the event this Ordinance or any section or part hereof is determined by a Court of competent jurisdiction to be invalid, illegal or unenforceable, such determination shall not have effect upon any other part, section or provision of this Ordinance, which shall, as a consequence, remain in full force and effect.
17. An Amended Resolution relative to Dram Shop of this Board, as adopted on August 10, 1982, and an Amending Resolution thereof dated April 12, 1988, and Amending Resolution thereof adopted on February 10, 1994, together with any and all other Ordinances or Resolutions which may have heretofore been enacted and to the extent any such Ordinances may be inconsistent with or in conflict with this Ordinance, each all are hereby repealed. All outstanding licenses issued under said repealed Resolutions shall remain valid and lawful under the terms of this Ordinance, if otherwise lawfully issued and held by the licensee.

ADOPTED by the County Board of the Fayette County, Illinois on the 9th day of May, 2017, upon yea and nay vote as follows:

BRYCE KISTLER	<u>Yea</u>
JAKE HARRIS	<u>Yea</u>
JOHN C. DANIELS, JR.	<u>Yea</u>
JEFFREY BECKMAN	<u>Yea</u>
GLEN W. DANIELS	<u>Yea</u>
MARK ISAIAH	<u>Yea</u>
DEAN J. BERNHARDT	<u>Yea</u>
KEITH COLE	<u>Absent</u>
DARRELL SCHAAL	<u>Yea</u>
JENNY WAGGONER	<u>Yea</u>
GLENN GURTNER	<u>Absent</u>
TROY L. PATTILLO	<u>Absent</u>
WADE WILHOUR	<u>Yea</u>
CHAD AUSTIN	<u>Yea</u>

APPROVED by the Chairman of the Fayette County Board, Illinois on the 9th day of May, 2017.


Jeffrey Beckman, Chairperson
Fayette County Board, Illinois

ATTEST:

Vicky L. Conder
Fayette County Clerk

{SEAL}