



Village of Maple Park

302 Willow Street ♦ P.O. Box 220 ♦ Maple Park, Illinois 60151

Village Hall: 815-827-3309

Fax: 815-827-4040

Website: <http://www.villageofmaplepark.com>

**Village of Maple Park
Committee of the Whole Meeting Minutes
Tuesday, April 21, 2015
7:00 p.m.**

MEETING CANCELLED



Village of Maple Park

302 Willow Street ♦ P.O. Box 220 ♦ Maple Park, Illinois 60151

Village Hall: 815-827-3309

Fax: 815-827-4040

Website: <http://www.villageofmaplepark.com>

**Village of Maple Park
Committee of the Whole Meeting Minutes
Tuesday, May 19, 2015
7:00 p.m.**

MEETING CANCELLED



Village of Maple Park

302 Willow Street ♦ P.O. Box 220 ♦ Maple Park, Illinois 60151

Village Hall: 815-827-3309

Fax: 815-827-4040

Website: <http://www.villageofmaplepark.com>

**Village of Maple Park
Committee of the Whole Meeting Minutes
Tuesday, June 16, 2015
7:00 p.m.**

MEETING CANCELLED



Village of Maple Park

302 Willow Street ♦ P.O. Box 220 ♦ Maple Park, Illinois 60151

Village Hall: 815-827-3309

Fax: 815-827-4040

Website: <http://www.villageofmaplepark.com>

**Village of Maple Park
Committee of the Whole Meeting Minutes
Tuesday, August 18, 2015
7:00 p.m.**

MEETING CANCELLED

Chapter 2

LIQUOR CONTROL

4-2-1: TITLE:

This chapter shall be known, cited and referenced as the *MAPLE PARK LIQUOR CONTROL ORDINANCE*. (Ord. 1987-01, 4-6-1987; amd. 2004 Code)

4-2-2: RULES AND DEFINITIONS:

For the purpose of this chapter, certain words and terms are hereby defined. Words used in the present tense shall include the future; the singular number shall include the plural and plural the singular; words used in the masculine gender shall include the feminine gender; and the word "shall" is mandatory and not directory.

Whenever in this chapter the following words and terms are used, they shall have the meanings respectively ascribed to them in this section, unless the context otherwise requires:

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.

APPLICANT: One who makes application for a liquor license in accordance with the provisions of this chapter. An applicant may be a person, partnership, not for profit association or a corporation.

BAR: A counter at which alcoholic drinks are served to customers.

CLUB: A corporation organized under the laws of this state, not for pecuniary profit, solely for the promotion of some common object other than the sale and consumption of alcoholic liquor.

ORIGINAL PACKAGE: Any container whatsoever used, corked or capped, sealed and labeled by the manufacturer of alcoholic liquor to contain and to convey any alcoholic liquor.

RESTAURANT: Any public place kept, used, maintained, advertised and held out to the public as a place where meals are served, and where meals actually are served and regularly served, without sleeping accommodations, such space being provided with adequate and sanitary kitchen and dining room equipment and capacity and having employed therein a sufficient number and kind of employees to prepare, cook and serve

suitable food for its guests. Provided further that no restaurant licensed as such shall sell alcoholic liquor except with meals.

RETAIL SALES: The sale for use or consumption and not for resale.

WINE: Any alcoholic liquor or beverage obtained by the fermentation of the natural contents of fruits or vegetables, containing sugar, including such liquors or beverages when fortified by the addition of alcohol or spirits. (Ord. 1987-01, 4-6-1987; amd. 2004 Code)

4-2-3: LOCAL LIQUOR CONTROL COMMISSIONER:

A. Defined:

1. The village president shall be the local liquor control commissioner of the village. The commissioner may appoint, with the advice and the consent of the board of trustees, a person or persons to assist him in the exercise of the powers and the performance of the duties herein provided for such local liquor control commissioner.
2. When in this chapter the local liquor control commissioner shall be referred to, it shall include any committee or other agency appointed by such commissioner.

B. Duties: The local liquor control commissioner shall have the following powers, functions and duties with respect to licenses:

1. To grant or revoke for cause all local licenses issued to persons for premises within the jurisdiction of the commissioner. (Ord. 1987-01, 4-6-1987)
2. To enter or to authorize any law enforcement officer to enter at any time upon any premises licensed hereunder to determine whether any of the provisions of the state law, the "liquor control act"¹ or any rules and regulations adopted pursuant thereto or of the provisions of this chapter have been or are being violated and to act upon such complaints in the manner hereinafter provided. (Ord. 1987-01, 4-6-1987; amd. 2004 Code)
3. To receive local license fees and pay the same forthwith to the village clerk.
4. The local liquor control commissioner shall have the right to examine or cause to be examined under oath, any applicant for local license or renewal thereof, or any licensee upon whom notice of revocation has been served in the manner hereinafter provided; and to examine or cause to be examined, the books and records of any such applicant or licensee; to hear testimony and take proof for his information in the performance of his duties, and for any 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 local liquor control commissioner under this chapter, he may authorize his agent to act on his behalf.

5. The local liquor control commissioner shall keep or cause to be kept a complete record of all such licenses issued by him, and shall furnish the village clerk, village treasurer, and chief of police with copies thereof. Upon issuance of any new licenses or the revocation of an old license, the village president shall give written notice of such action to each of these officers within forty eight (48) hours of such action. (Ord. 1987-01, 4-6-1987)

4-2-4: LOCAL AND STATE LICENSES REQUIRED:

- A. Village License: It shall be unlawful to sell or offer for sale in the village any alcoholic beverage without having a liquor license. It shall likewise be unlawful to violate the terms of a liquor license or the provisions hereof.
- B. State License: When a licensee has obtained a local license, licensee must make application to the Illinois liquor commission in conformity with the act of the general assembly of the state of Illinois entitled "liquor control act". (Ord. 1987-01, 4-6-1987)

4-2-5: APPLICATION FOR LICENSE; CONTENTS; REVIEW:

- A. Filing Application; Signatures Required: Applications for such licenses or temporary permits shall be made to the local liquor control commissioner on forms provided by the village clerk. The application shall be signed by the applicant or applicants. If the applicant is a partnership, the application shall be signed by all the general partners. If the applicant is a corporation or a not for profit association, the application shall be signed by the president and secretary, and a resolution authorizing the making of said application shall be presented with the application.
- B. Information Required: All such applications shall be verified under oath and contain the following information, if applicable:
 1. The name (including first name, middle initial and last name), age, date of birth, social security number, and address of the applicant or applicants. In the case of a partnership, the names (including first name, middle initial and last name), age, date of birth, social security number and addresses of the partners. In the case of a

corporation, limited liability company or not for profit association, the names (including first name, middle initial, and last name), age, date of birth, social security number and addresses of the officers and directors, and if five percent (5%) or more of stock is owned by one person, the name (including first name, middle initial and last name), age, date of birth, social security number and address of such person. In the case of a corporation, limited liability company or not for profit association, a copy of the organization's articles of incorporation or charter and a copy of its bylaws shall be presented.

2. A statement that, if a partnership, all members of the partnership are qualified to obtain a license.
3. A statement that, if a corporation, all officers and directors and any shareholder with five percent (5%) or more of the stock are eligible to receive a license hereunder for every reason other than residence.
4. The citizenship of the applicant, his place of birth and, if a naturalized citizen, the time and place of his naturalization.
5. The character of business of the applicant.
6. The length of time said applicant has been in a business of that character or, in the case of a corporation or not for profit association, the date when its certificate of incorporation or charter was issued.
7. A statement that the applicant does beneficially own the premises for which a license is sought or does have a lease thereon for the full period for which the license is to be issued. A copy of the applicant's title, contract to purchase or lease shall be submitted.
8. A statement that the applicant is not a law enforcement official, village president or village trustee of the village and that no such official has any interest in any way, either directly or indirectly, regarding applicant's proposed business.
9. A statement that the applicant has not been convicted of being a keeper or is keeping a house of ill fame and has not been convicted of pandering or other crime or misdemeanor opposed to decency or morality.
10. A statement that if the business is conducted by a manager or agent, said manager or agent possesses the same qualifications required of the licensee.
11. A statement that the business premises are not within one hundred feet (100') of any church, school, hospital, home for aged or indigent persons or for veterans, their wives or children, any military station or undertaking establishments.
12. A statement that a majority of the customers are not or will not be minors and that the principal business does not consist of selling school books, supplies, food, lunches or drinks for such minors.
13. The location and description of the premises or place of business which is to be operated under such license.

14. A statement whether the applicant has made application for a similar or other license on premises other than that described in the application, and the status of such application.
15. A statement that the applicant has never been convicted of a felony and that the applicant is not disqualified to receive a license by reason of any matter or thing contained in this chapter, or other ordinances of the village or laws of the state.
16. A statement whether any prior liquor license held by this applicant has ever been revoked or suspended, and the reasons therefor.
17. A statement that the applicant will not violate any of the laws or ordinances of the United States, the state of Illinois and the village of Maple Park in the conduct of his business. (Ord. 1995-06, 6-5-1995)

C. Time Limit On Applications: The liquor control commissioner shall have sixty (60) days in which to review the application. (Ord. 1987-01, 4-6-1987)

D. Insurance: Each application for a license required under this section, and each application for the renewal of a license shall be accompanied by evidence of all required insurance, as described in subsection D2a of this section, in the form of a certificate of insurance acceptable to the liquor commissioner, issued by an insurance company licensed to do business in the state of Illinois.

1. The certificate shall insure the applicant and the owner or lessor of the premises for not less than the minimum liability amount required by this code.
2. Licensees shall have certificates of insurance immediately provided to the office of the village clerk at the time of renewal and/or within ten (10) days of the date when at such time as a change in insurance carriers occurs. Upon request of the liquor commissioner, a licensee shall provide evidence of current coverage at times other than initial application and renewal. License holders shall be required to provide coverage for the premises and building where a liquor license is maintained.
 - a. For purposes of this section, the required insurance shall be defined to include:
 - (1) Dramshop insurance with policy limits at or in excess of the statutory minimum required under Illinois law.
 - (2) Comprehensive general liability insurance with policy limits of not less than one million dollars (\$1,000,000.00) per person/per occurrence.
 - b. In addition to the foregoing requirements, applicants and licensees are also required to maintain workers' compensation, and any other insurance required under applicable Illinois law as a condition of being eligible to obtain or maintain a liquor license. (Ord. 2014-09, 4-1-2014)

4-2-6: RESTRICTIONS ON LICENSES:

The restrictions contained herein shall be applicable to any applicant for a liquor license and said restrictions shall continue to be applicable during the term of the license, if granted. The term "person" when used in this section shall be defined to include an individual if the applicant is an individual; the general partners if a partnership is the applicant; the officers, directors and shareholders owning five percent (5%) or more of the stock if a corporation is the applicant; and a majority of the members if a not for profit association is the applicant. No such license shall be issued to:

- A. An applicant who is not a resident of the village. If the applicant is a partnership, at least one of the general partners must be a resident of the village. If the applicant is a corporation or limited liability company, its principal place of business must be within the village.
- B. A person who is not of good character and reputation in the community in which he resides.
- C. A person who is not a citizen of the United States.
- D. A person who has been convicted of a felony, or who has been convicted of two (2) or more criminal misdemeanors other than for a traffic violation within the two (2) years next preceding his application.
- E. A person who has been convicted of being the keeper of, 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 or applicant whose license issued under this chapter has been revoked for cause.

- H. A person or applicant who, at the time of application for renewal of any license hereunder, would not be eligible for such license under a first application.
- I. A partnership, unless all of the members of such partnership shall be qualified to obtain a license.
- J. A corporation or limited liability company if any officer, manager or director thereof, or any stockholder or stockholders of a corporation, or member or members of a limited liability company owning in the aggregate more than five percent (5%) of the stock of such corporation (or units of a limited liability company), would be ineligible to receive a license hereunder for any reason other than citizenship and residence within the village.
- K. Any person or applicant whose place of business is conducted by a manager or agent unless said manager or agent possesses the same qualifications required of the licensee.
- L. A person who has been convicted of a violation of any state or federal law concerning the manufacture, possession or sale of alcoholic liquor, or who shall have forfeited his bond to appear in court to answer charges for any such violation.
- M. A person or applicant who does not 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 issued.
- N. Any village law enforcement official, village president, or village trustee, except that a license may be granted to a village trustee if: 1) the sale of alcoholic liquor pursuant to the license is incidental to the selling of food, and 2) the village trustee does not participate in or vote on any alcoholic liquor issues pending before the board to which the license holder is elected.
- O. Any person or applicant not eligible for a state retail liquor dealer's license. (Ord. 2016-08, 8-2-2016)

4-2-7: INVESTIGATIVE REPORT:

- A. Definition: As used in this section, the terms "applicant" or "applicants" shall mean any individual who applies for a liquor license, all partners, officers of any partnership which applies for a liquor license and all officers of any corporation which applies for a liquor license.
- B. Investigation; Filing Report: No license shall be issued hereunder until the applicant shall have been investigated by the local liquor control commissioner and a report filed in the records of said commissioner approving the issuance of such license.
- C. Fingerprinting: As a part of this investigation, the local liquor control commissioner shall require fingerprints of all new applicants and shall have the right to require fingerprints of any applicant for renewal thereof. For purposes of obtaining fingerprints under this section, the local liquor control commissioner shall collect a fee and forward the fee to the Illinois department of state police and federal bureau of investigation. A copy of fingerprints shall be held on record by the liquor control commissioner showing compliance with the prohibitions as stated in section [4-2-6](#) of this chapter. (Ord. 1997-17, 9-2-1997)

4-2-8: CLASSIFICATION; FEES AND NUMBER OF LICENSES:

Licenses for the retail sale of alcoholic liquor shall be divided into the following classes: (Ord. 1987-01, 4-6-1987)

A. Class A On/Off Sale License:

1. Class A, which shall permit the retail sale of alcoholic liquor for consumption on or off the premises where sold. The resale of alcoholic liquor so purchased is not permitted. (Ord. 1995-06, 6-5-1995; amd. 2004 Code)
2. The annual fee for the fiscal year commencing May 1, 2009, and thereafter, shall be two thousand dollars (\$2,000.00). (Ord. 2008-05, 9-2-2008)
3. The total number of licenses in class A issued and in force at any one time in any year shall not exceed three (3) licenses for the first two thousand five hundred (2,500) persons residing within the village and one license for each additional one thousand two hundred fifty (1,250) persons residing in the village, or fraction thereof, as determined by the most recent U.S. census. (Ord. 1995-06, 6-5-1995)

B. Class B Off Sale License:

1. Class B, which shall only permit the retail sale of alcoholic liquor in original packages, but not for consumption on the premises where sold. (Ord. 1987-01, 4-6-1987)
2. The annual fee for the fiscal year commencing May 1, 2009, and thereafter, shall be two thousand dollars (\$2,000.00). (Ord. 2008-05, 9-2-2008)
3. The total number of all class B licenses issued and in force at any one time in any year shall not exceed one license for each two thousand five hundred (2,500) persons or fraction thereof residing within the village as shown by the last previous official census.

C. Class B-2 Off Sale License, Beer And Wine Only:

1. Class B-2, which shall only permit the retail sale of beer and wine only in original packages, but not for consumption on the premises where sold. (Ord. 1987-01, 4-6-1987)
2. The annual fee for the fiscal year commencing May 1, 2009, and thereafter, shall be one thousand dollars (\$1,000.00). (Ord. 2008-05, 9-2-2008)
3. The total number of all class B-2 licenses issued and in force at any one time in any year shall not exceed one license for each two thousand five hundred (2,500) persons or fraction thereof residing within the village as shown by the last previous official census.

D. Class C Temporary Permit:

1. Class C temporary permit shall permit the retail sale of alcoholic liquor for the consumption only on the premises where sold and not for resale in any form. A class C temporary permit is to be issued for temporary stands, booths and counters, such as used at picnics, and the like. The said class C temporary permit shall be valid only on the day for which said permit is issued and only during the hours of said day during which alcoholic liquor may be sold within the village.
2. The number of class C temporary permits which may be issued to any one applicant in any license year shall be limited to four (4) for the sale of alcoholic liquor of any kind, and six (6) for the sale of beer only. The local liquor control commissioner may, with the consent of the board of trustees, grant additional class C temporary permits on such terms and conditions acceptable to the board of trustees.
3. The daily fee for class C temporary permits shall be ten dollars (\$10.00).

E. Class C-1 Temporary License:

1. Class C-1 temporary license shall authorize the sale of alcoholic liquors for consumption on public property owned by local governmental bodies, where permitted by statute. A class C-1 temporary license shall be valid only on the day for which said license is issued and only during the hours of said day during which alcoholic liquor may be sold within the village.
2. The number of class C-1 temporary licenses which may be issued to any one applicant in any license year will be limited to six (6).
3. There shall be no fee for class C-1 temporary licenses issued to a local governmental body.
4. Such class C-1 temporary license shall further be limited by any limitations imposed by statute.

F. Class D Club License:

1. Class D, which shall permit the retail sale of alcoholic liquor for consumption only on the premises where sold, to be issued to a regularly organized "club", as hereinbefore defined, such sales to be made only to members of the club and their guests.
2. The annual fee for such license shall be two hundred fifty dollars (\$250.00).
3. With the application for a class D license, there shall be filed a true and complete list, in duplicate, containing all the names and addresses of the members of the club, which list shall be supplemented every four (4) months during the term of the license, with the names of new members elected to the club within ten (10) days of such election.
4. No class D license shall be issued until the local liquor control commissioner has satisfied himself that the club applying for the license was actually and in fact organized for some purpose or object other than the sale or consumption of alcoholic liquor. (Ord. 1987-01, 4-6-1987)

G. Class E Restaurant License:

1. Class E, which shall permit the retail sale of alcoholic liquor for consumption only on the premises where sold, to be issued to a "restaurant", as hereinbefore defined; such sales shall be limited to those persons who order, use or consume alcoholic liquor in connection with their meals. (Ord. 2016-11, 9-6-2016)
2. The annual fee for the fiscal year commencing May 1, 2009, and thereafter, shall be two thousand dollars (\$2,000.00). (Ord. 2008-05, 9-2-2008)
3. No class E license shall be issued until the local liquor control commissioner has satisfied himself that the restaurant applying for the license was actually and in fact organized for the principal purpose of providing food service to its patrons and not for the object of selling alcoholic liquors. The receipts from the sale of alcoholic liquor shall

not total more than fifty percent (50%) of the gross dollar sales of the restaurant. (Ord. 1987-01, 4-6-1987)

4. There shall be no limit on the number of licenses issued to a recognized restaurant. (Ord. 2016-11, 9-6-2016)

H. Class E-2 Restaurants, Beer And Wine Only:

1. Class E-2, which shall permit the retail sale of beer and wine for consumption only on the premises, by the glass or pitcher, to be issued to a "restaurant" as hereinbefore defined. Such sales shall be limited to those persons who order beer and wine in connection with their meals. The sale of alcoholic liquor other than beer and wine shall not be permitted. There shall be no bar within the restaurant. (Ord. 1987-01, 4-6-1987)
2. The annual fee for the fiscal year commencing May 1, 2009, and thereafter, shall be one thousand dollars (\$1,000.00). (Ord. 2008-05, 9-2-2008)
3. No class E-2 license shall be issued until the local liquor control commissioner has satisfied himself that the restaurant applying for the license was actually and in fact organized for the principal purpose of providing food service to its patrons and not for the object of selling alcoholic liquors. Receipts from the sale of alcoholic liquor shall not total more than fifty percent (50%) of the gross dollar sales of the restaurant. (Ord. 1987-01, 4-6-1987)
4. There shall be no limit on the number of licenses issued to a recognized restaurant. (Ord. 2016-11, 9-6-2016)

4-2-9: RECORD OF LICENSES ISSUED:

The village clerk shall keep a complete record of all such licenses issued and shall furnish the chief of police with a copy thereof. Upon revocation or suspension of any license, the village clerk shall immediately give written notice thereof to the chief of police. (Ord. 1987-01, 4-6-1987)

4-2-10: DISPOSITION OF FEES:

- A. Payment To Village Officials; Fund: All such fees shall be paid to the local liquor control commissioner at the time application is made and shall forthwith be turned over to the village clerk. In the event the license applied for is denied, the fee shall be returned to the applicant. If the license is granted, then the nonrefundable fee shall be deposited in the

general corporate fund or in such other fund as shall have been designated by the trustees by proper action.

- B. Proration Of Fee: Where a license is granted after the expiration of any portion of any license year, the license fee shall be prorated.
- C. Fee Nonrefundable: No portion of the fee paid shall be refundable. (Ord. 2000-07, 4-4-2000)

4-2-11: COMPLIANCE WITH STATE AND FEDERAL STATUTES:

All licensees under the terms hereof shall at all times fully comply with the provisions of all applicable federal and state laws and statutes. (Ord. 1987-01, 4-6-1987)

4-2-12: LICENSE TERMS, TRANSFER AND RENEWAL:

- A. Terms Of Licenses: All licenses under the provisions of this chapter shall be for a term of one year to begin on May 1 and to end on April 30 of each year; provided, that where application is made after expiration of any portion of any license year, a license may be issued for the remainder thereof.
- B. Transfer Of License: A license shall be a purely personal privilege good for a period not to exceed one year after issuance unless sooner revoked. Said license shall not constitute property. The license shall not be subject to attachment, garnishment or execution. Nor shall said license be alienable or transferable, either voluntarily or involuntarily, or encumbered or hypothecated. Such license shall cease upon the death of the licensee and shall not descend by the laws intestacy or by will. The executors or administrators of the estate of any deceased licensee, and the trustee of any bankrupt licensee, when such estate consists in part of an alcoholic liquor business may continue the business pursuant to order of the court, and may exercise the privileges of the deceased or bankrupt licensee after the death of such decedent or bankrupt, until the expiration of such license, but in no event longer than six (6) months after the date of death or bankruptcy.

C. **Renewal Of License:** Any licensee may renew his license at its expiration, provided the licensee is qualified to receive a license; and provided further, that the premises for which said renewal license sought is suitable for such purpose; provided further, that the renewal privilege herein provided for shall not be construed as a vested right. The local liquor control commissioner has the right from time to time to decrease the number of licenses to be issued within the village. (Ord. 1987-01, 4-6-1987)

4-2-13: TERMINATION OF LICENSE:

A. **Business Terminated; Surrender License:** In the event a licensee hereunder permanently ceases doing business, his license shall be deemed to have terminated and he shall as soon as possible thereafter surrender his license to the local liquor control commissioner who shall advise the board of trustees of such surrender at the next regular meeting of the board. Said licensee shall not be entitled to a refund of the license fee for that period of the license term during which the licensee shall not operate under such license.

B. **Cease Business For Limited Period:**

1. In the event a licensee hereunder ceases doing business for a period of fifteen (15) consecutive days, he shall thereby be considered to have permanently terminated his business. Upon the expiration of said fifteen (15) day period, he shall surrender his license to the local liquor control commissioner. The local liquor control commissioner shall advise the board of such surrender at the next regular meeting of the village board.
2. Said licensee shall not be entitled to a pro rata refund of the license fee.
3. In the event any licensee desires to request any extension of the fifteen (15) day period, he shall advise the local liquor control commissioner of such desire in writing, prior to the expiration of such fifteen (15) day period. The local liquor control commissioner may, in his discretion, grant extensions of time, with the consent of the village board, during which extension said license shall not terminate. (Ord. 2000-07, 4-4-2000)

4-2-14: DRINKING LIQUOR ON VILLAGE PROPERTY; PERMIT:

A. **Prohibition:** No person, organization, association, partnership, corporation or other entity shall possess, consume, sell or transport liquor in any park or village owned property in the village.

- B. Exceptions: Notwithstanding the foregoing, alcoholic beverages may be consumed and possessed in any park or village owned property (except the civic building and village streets): 1) during the village's annual festival and weekend street dance during Labor Day weekend of each year from eight o'clock (8:00) A.M. to ten o'clock (10:00) P.M. on Saturday, Sunday and Monday; from twelve o'clock (12:00) noon until eleven o'clock (11:00) P.M. Saturday, Sunday on Kennebec Street north of Main Street; and 2) at family or group picnics or functions, provided a permit is first obtained from the village clerk.
- C. Application For Permit; Conditions: No such permit shall be issued until the applicant for such permit has first presented a signed application and affidavit in a form prescribed by the village clerk, which application and affidavit shall set forth the following information:
1. That the applicant is at least twenty one (21) years of age.
 2. A description of the function at which alcohol will be served.
 3. A statement that liquor will not be served to any person under the age of twenty one (21).
 4. A statement that liquor will not be served to anyone inebriated by the effects of alcohol or drugs.
 5. The date and hours of the function, together with a statement that alcohol will only be served during daylight hours.
 6. The park and location within the park at which liquor will be served.
 7. A statement that no liquor will be sold or purchased in the park.
 8. The applicant's name, address and telephone number.
 9. A statement that the number of people participating in the function shall not exceed safe capacity.
 10. A statement that no fee is to be charged to attend said picnic or function, and that no ticket, chance, raffle ticket is required to be purchased in order to attend said picnic or function.
 11. A statement that the applicant, if representing an organization, association, partnership, corporation or other entity that he is an officer of same and that the organization, association, partnership, corporation, or entity has given him express approval to prepare, sign and submit said application and affidavit.
 12. A statement that the applicant and the organization, association, partnership, corporation or other entity agree to indemnify and hold the village, its officers and employees harmless from all liability for damage to property of the village and others,

and for injury to persons arising from said picnic or function, including dram shop liability.

- D. Permit Denial: No permit shall be issued if, in the opinion of the village clerk, village president or board of trustees, it would be inappropriate, improper or illegal for such applicant to have liquor in the park and/or village owned property.
- E. Limitation On Number: No person, organization, association, partnership, corporation or other entity shall be entitled to more than one such permit per calendar year.
- F. Permit Fee: A nonrefundable permit fee of ten dollars (\$10.00) shall be paid with each application.
- G. Insurance: The applicant shall submit with his application a general liability insurance policy insuring the applicant, and showing the village as additional insured with limits of not less than one million dollars (\$1,000,000.00). Said insurance shall insure the applicant and village from all manner of liability for property damage and injury or death to persons arising from or incident to said event. (Ord. 2000-13, 8-1-2000)

4-2-15: LOCATION RESTRICTIONS:

- A. Near Church, School, Hospital: No license shall be issued for the sale at retail of any alcoholic liquor within one hundred feet (100') of any church, school, hospital, home for the aged, home for indigent persons, home for veterans or veterans' wives and children, military installation or base, undertaking establishment or mortuary.
- B. Liquor Zone: Establishments licensed under the provisions of this chapter shall be permitted only in zoning district classification business as defined in the Maple Park zoning ordinance.
- C. Change Of Location: A license issued hereunder shall permit the sale of alcoholic liquor only in the premises described in the license. Such location may be changed only when permitted by the local liquor control commissioner. Such permission shall be in writing. No change of location shall be permitted unless the proposed new location is in

compliance with the provisions and regulations of this chapter and the zoning ordinance of the village. (Ord. 1987-01, 4-6-1987)

4-2-16: HOURS OF OPERATION:

A. Hours Specified:

1. Licensees may conduct business operations in accordance with this chapter and laws of the state of Illinois on Monday through Thursday between the hours of six o'clock (6:00) A.M. and one o'clock (1:00) A.M., of the following day; and on Friday and Saturday between the hours of six o'clock (6:00) A.M. and two o'clock (2:00) A.M., of the following day; and on Sunday between the hours of eleven o'clock (11:00) A.M. and eleven o'clock (11:00) P.M. It shall be unlawful to sell or offer for sale, at retail, any alcoholic liquor in the village of Maple Park between the hours of two o'clock (2:00) A.M. and eleven o'clock (11:00) A.M. on Sunday and between the hours of eleven o'clock (11:00) P.M. Sunday and six o'clock (6:00) A.M. on Monday. (Ord. 2011-12, 11-1-2011)
2. However, during the village's annual festival and street dance during Labor Day weekend, licensees may conduct business from eleven o'clock (11:00) A.M. on Sunday until twelve o'clock (12:00) midnight. (Ord. 2014-10, 4-1-2014)

- B. Public Prohibited During Closing Hours: It shall be unlawful to sell or offer for sale, at retail or to give away any alcoholic liquor or to admit the public to or permit the public to remain within, or to permit the consumption of alcoholic liquor in or upon, the licensed premises at times other than as above specified. Violation of this provision shall constitute cause for suspension or revocation of licenses issued pursuant to this chapter. (Ord. 2000-13, 8-1-2000)

4-2-17: PREMISES REQUIREMENTS:

- A. Sanitary Conditions: All premises used for the sale of alcoholic liquor or for the storage of such liquor for sale shall be kept in a clean and sanitary condition and shall be kept in full compliance with the ordinances and laws regulating the condition of premises used for the storage or sale of food for human consumption.

B. View From Street:

1. In premises which are licensed for the sale of alcoholic liquor for consumption on the premises (other than a restaurant, hotel or club), no screen, blind, partition or other obstruction shall be permitted in the windows or upon the doors of such premises which shall prevent a clear view into the interior of such licensed premises from the street, road and sidewalk, and no booth, screen, blind, partition or other obstruction nor any arrangement of lights or lighting shall be permitted in or about the interior of such premises which shall prevent a clear view of the entire interior from the street, road and sidewalk.
2. All rooms where liquor is sold for consumption on the premises shall be continuously lighted during business hours by natural light or artificial white light so that all parts of the interior of the premises shall be clearly visible.
3. In case the view into any such licensed premises are wilfully obstructed by the licensee or if he wilfully permits an obstruction, then such license shall be subject to revocation.
4. In order to enforce the provisions of this section, the local liquor control commissioner shall have the right to require the filing of plans, drawings and photographs depicting the interior design and layout of all such establishments. (Ord. 1987-01, 4-6-1987)

4-2-18: MINORS, RESTRICTIONS:

A. Prohibited Acts:

1. No person engaged in the retail sale of alcoholic liquor, or any other person, shall sell, give or deliver alcoholic liquor to any person under the age of twenty one (21) years.
2. It shall be unlawful for any person under the age of twenty one (21) years to purchase, accept delivery, attempt to purchase or accept delivery of, or have possession of any alcoholic liquor in the village.
3. It shall be unlawful for any owner or occupant of any premises located within the village to knowingly allow a minor to remain on such premises while in the possession of alcoholic liquor or while consuming alcoholic liquor.
4. It shall be unlawful for any parent or guardian to knowingly suffer or permit any minor child of which he or she may be the parent or guardian to violate any provision of this chapter.

B. Allowing Minor On Premises; Exception: It shall be unlawful for any holder of a retail liquor license or his or her agent or employee to allow any person under the age of twenty one (21) years to be on the licensed premises. This subsection shall not apply to

any minor who is accompanied by his or her parent or guardian, or to any licensed premises having as its principal business the sale of food. (Ord. 1987-01, 4-6-1987)

C. False Representation By Minor: It shall be unlawful for any person under the age of twenty one (21) years to misrepresent his or her age for the purpose of purchasing, ordering, attempting to purchase or otherwise procuring or attempting to procure, or obtaining alcoholic liquor in any tavern or in any other place in the village where alcoholic liquor is sold. Upon conviction or the violation of this subsection, a fine of up to seven hundred fifty dollars (\$750.00) may be imposed.

D. Display Of Warning: In every tavern or other place in the village where alcoholic liquor is sold, there shall be displayed at all times in a prominent place a printed card which shall be supplied by the village clerk and which shall read substantially as follows:

WARNING TO MINORS

You are subject to a fine up to \$750.00 under the Liquor Control Ordinance of the Village of Maple Park if you purchase alcoholic liquor or misrepresent your age for the purpose of purchasing or obtaining alcoholic liquor.

(Ord. 1987-01, 4-6-1987; amd. 2004 Code)

E. Bartending Or License Issuance: It shall be unlawful for any minor under the age of twenty one (21) years to tend bar or to be issued a liquor license.

F. Pouring Or Mixing Liquor: It shall be unlawful for any minor under the age of twenty one (21) years to draw, pour or mix any alcoholic liquor in any licensed premises.

G. License Suspension Or Revocation: In addition to all other fines and penalties herein provided, the local liquor control commissioner may suspend or revoke the license of any licensee for any violation of this section.

H. Parental Responsibility: It shall be unlawful for any parent or guardian to permit his or her child to violate any of the provisions of this chapter.

- I. Providing Liquor To Minor: It shall be unlawful for any person to sell, give or deliver alcoholic liquor to any person under twenty one (21) years of age. (Ord. 1987-01, 4-6-1987)

4-2-19: INSPECTIONS; RIGHT OF ENTRY:

It shall be unlawful to refuse to grant admittance to the premises for which a license has been issued at any time upon the verbal request of any police officer authorized by the local liquor control commissioner for the purpose of making an inspection of such premises, or any part thereof. (Ord. 1987-01, 4-6-1987)

4-2-20: SAFETY ENDANGERED, NOTIFY POLICE:

Failure of the licensee to report any case where public peace or safety is likely to be endangered to the police shall be cause for suspension and/or revocation of a liquor license. (Ord. 1987-01, 4-6-1987)

4-2-21: DESIGNATED DANCING AREA:

Dancing shall be limited to one area designated for such purpose in the diagram which accompanies the application for a liquor license. Licensee shall not permit dancing other than in the area so designated. (Ord. 1997-17, 9-2-1997)

4-2-22: SOUND AMPLIFICATION RESTRICTION:

It shall be unlawful for any licensee to permit or allow any noise or sound to be amplified outside the bounds of a structure on the premises if a residence is within five hundred feet (500') of the premises. (Ord. 1997-17, 9-2-1997)

4-2-23: PROHIBITED ACTS:

- A. Peddling: It shall be unlawful to peddle alcoholic liquor in the village. (Ord. 1987-01, 4-6-1987)
- B. Harboring Criminals: It shall be unlawful for any licensee to harbor, conceal, aid or assist any fugitive from justice. (Ord. 1997-17, 9-2-1997)
- C. Sales To Intoxicated Persons, Habitual Drinkers: It shall be unlawful for any holder of a liquor license to sell, deliver or give any alcoholic liquor to any intoxicated person or to any person known to him to be an habitual drunkard, spendthrift, insane, mentally ill, mentally deficient or in need of mental treatment.
- D. Diseased Employees: It shall be unlawful to employ in any premises used for the retail sale of alcoholic liquor any person who is afflicted with or who is a carrier of any contagious, infectious or venereal disease; and it shall be unlawful for any person who is afflicted with or is a carrier of any such disease to work in or about any premises or to engage in any way in the handling, preparation or distribution of such liquor. (Ord. 1987-01, 4-6-1987)
- E. Free Dispensing: Free dispensing of alcoholic liquor by any licensee is prohibited.
- F. Prostitution And Lewdness:
1. It shall be unlawful for any licensee hereunder to allow or permit any soliciting for prostitution or lewdness on the licensed premises.
 2. The following kinds of conduct are prohibited:
 - a. The performance of acts, or simulated acts, of sexual intercourse, masturbation, sodomy, bestiality, oral copulation, flagellation or any sexual acts.
 - b. The actual or simulated touching, caressing or fondling of the breast, buttocks, anus or genitals.
 - c. The actual or simulated displaying of the breasts, buttocks, pubic hair, anus, vulva or genitals. The aforesaid body parts shall be covered by opaque material which does not permit viewing of said body parts.
 - d. The permitting, by a licensee, of any person to remain in or upon the licensed premises who exposes to public view his or her entire breasts or genitals, vulva or anus.

- e. The displaying of moving pictures or photographic slide presentations depicting acts or simulated acts of sexual intercourse, masturbation, sodomy, bestiality, oral copulation, flagellation, or any sexual act.
- f. Employees shall not have bodily contact with patrons and patrons shall not be permitted to purchase beverages for employees. For purposes of this subsection, the term "employees" shall include independent contractors performing services on the licensed premises and employees of any independent contractors performing services on the licensed premises. (Ord. 1997-17, 9-2-1997)

4-2-24: LICENSE REVOCATION OR SUSPENSION; HEARING:

- A. Revocation: Licenses granted hereunder may be revoked by the local liquor control commissioner for the violation of any part or portion of this chapter, or of the Illinois liquor control act², or of any valid resolution or ordinance enacted by the village, or of any applicable rule or regulation established by the local liquor control commissioner or any violation of the criminal code of the state of Illinois which occurs on the licensed premises or any violation of the criminal code of the state of Illinois which occurs off the licensed premises where said violation involves or relates to the sale or consumption of alcoholic beverages on the licensed premises.
- B. Suspension: Licenses granted hereunder may be suspended by the local liquor control commissioner for a period not exceeding thirty (30) days for the violation of any part or portion of this chapter, or of the Illinois liquor control act, or of any valid resolution or ordinance enacted by the village, or of any applicable rule or regulation established by the local liquor control commissioner or by the state liquor commission or any violation of the state of Illinois criminal code which occurs on the licensed premises or any violation of the criminal code of the state of Illinois which occurs off the licensed premises where said violation involves or relates to the sale or consumption of alcoholic beverages on the licensed premises. (Ord. 1997-17, 9-2-1997)
- C. Hearing; Notice: No license shall be revoked or suspended except after a public hearing by the local liquor control commissioner. A five (5) day written notice shall be given to the licensee notifying him of said hearing and his right to appear and defend. If the local liquor control commissioner determines after such hearing that the license should be revoked or suspended, he shall serve a copy of the written order of suspension or revocation upon the licensee within five (5) days of the hearing. Said order shall state the reasons for the revocation or suspension.

- D. Complaint And Hearing: Any five (5) residents of the village shall have the right to file a complaint with the local liquor control commissioner stating that any licensee, subject to the jurisdiction of the local liquor control commissioner, has been or is violating the provisions of the Illinois liquor control act, or the rules and regulations issued pursuant thereto, or violating any of the provisions of this chapter. Such complaints shall be in writing in the form prescribed by the local liquor control commissioner and shall be signed and sworn to by the parties complaining. The complaint shall contain a detailed description of the alleged violation. If the local liquor control commissioner is satisfied that the complaint substantially charges a violation and that from the facts alleged there is a reasonable cause for such belief, he shall set the matter for hearing. Notice of said hearing shall be served upon the licensee notifying him of the time and place of such hearing and of the matters alleged in the complaint. (Ord. 1987-01, 4-6-1987)

4-2-25: PENALTY:

- A. Any person, partnership, corporation, not for profit association or other organization, other than the holder of the liquor license under this chapter, who violates, disobeys, omits, neglects or refuses to comply with, or resists the enforcement of, any provision of this chapter, shall be subject to a penalty as provided in section [1-4-1](#) of this code for each offense, and each day upon which such violation continues shall constitute a separate offense.
- B. Any holder of a liquor license under this chapter who violates, disobeys, omits, neglects or refuses to comply with, or resists the enforcement of, any provision of this chapter, shall be subject to a fine not to exceed one thousand dollars (\$1,000.00) for the first violation within a twelve (12) month period, one thousand five hundred dollars (\$1,500.00) for the second violation within a twelve (12) month period, and two thousand five hundred dollars (\$2,500.00) for the third or subsequent violation within a twelve (12) month period. The assessment of a fine shall not preclude, in addition, the suspension of the licensee's liquor license as provided for in this chapter or any other enforcement action or remedy against the licensee as shall be authorized by this code or law. (Ord. 08-06, 10-7-2008)