

Chapter 1

LIQUOR LICENSE

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5-1-1: Definitions

Unless the context otherwise requires, the following terms shall be construed according to the definition given.

Alcoholic Liquor. All spirits, wine, beer, ale, or other liquid containing more than one half (1/2) of one percent (1%) of alcohol by volume, which is fit for beverage purposes.

Bartender. Any person who attends a bar and/or draws, pours, or mixes any alcoholic liquor in any licensed premises.

Convenience Store.	Any retail establishment offering for sale food products, household items, commercial products associated with minor auto servicing, and other goods commonly associated with the same, including the retail dispensing of vehicular fuels.
First-time Applicant.	An applicant for a license who is not a current holder of any type of liquor license within the City. In the case of a change of identity of a business entity which holds a current license and is reapplying due to the change of identity only, it will be the decision of the liquor commissioner whether the change is significant enough to consider the applicant to be a “first-time applicant”.
Liquor Commissioner.	The Mayor of the City, who shall have those powers as set forth in Chapter 235 of the Illinois Compiled Statutes.
Manager or Agent.	An individual person, not a corporation, partnership or other business entity, who is designated on the license application and who is the representative of the license holder authorized to receive notice of any actions taken under this ordinance. A person shall be limited to acting as a manager or agent for one license holder only.
Package Store.	Any establishment or separated partition thereof which is intended primarily for the sale of alcoholic liquor for consumption off the premises and there is no alcoholic liquor sold for consumption on the premises.
Residency.	A location where the license holder lives and uses as a home, with all the necessary furniture, equipment, and fixtures normally needed for that purpose.
Restaurant.	Any public place kept, used, maintained, advertised, and held out to the public as a place where meals are actually 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.
Retail Sale.	The sale for consumption, and not for resale.
Special Events:	One, two or three day events in the nature of public celebrations, commemorations or gathering to observe particular holiday or similar activities.

5-1-2: License Required

It shall be unlawful to sell or offer for sale at retail any alcoholic liquor without having a retail liquor dealer's license, or if in violation of the terms of such license, or if in violation of any provision contained in this ordinance. It shall be unlawful to permit the consumption of alcoholic liquor on the premises of a business establishment or organization without having a retail liquor dealer's license, except as permitted by State law.

5-1-3: Application

Application for such licenses shall be made to the Mayor in writing, signed by the applicant(s) if an individual or co-partnership, or by a duly authorized agent thereof, if a club or corporation, verified by oath or affidavit. The application shall contain the following information and statements:

- A. In the case of an individual, the name, age, and address of the applicant; in the case of a co-partnership, the persons entitled to share in the profits thereof; and, in the case of a for profit corporation or a club, the date of incorporation, the objects for which it was organized, the names and addresses of the officers and directors, and, if a majority in interest of the stock of such corporation is owned by one person or his nominees, the name and address of such person.
- B. A corporate applicant must submit valid Articles of Incorporation showing approval by the Secretary of State of Illinois or a valid Certificate of Authority to do business within Illinois, also approved by the Secretary of State of Illinois. In the event that any applicant is doing business under a different name, such applicant must show written proof that the Illinois Assumed Business Name Act, 805 ILCS 405/0.01 et seq., has been satisfied.
- C. The citizenship of the applicant, his place of birth, and, if a naturalized citizen, the date and place of his naturalization.
- D. The character of business of the applicant and, in the case of a corporation, the objects for which it was formed.
- E. The length of time that said applicant has been in business of that character or, in the case of a corporation, the date of which its charter was issued.
- F. Written proof of the applicant's ownership, lease, or other right to occupy and use the premises which is to be operated under the license. This proof shall include the deed of ownership, written lease, or such other documentation satisfactory to the City on this issue. No sub-lessee shall be eligible for issuance of a liquor license.
- G. The location and description of the premises or place of business which is to be operated under such license. Blueprints or an accurate sketch diagram designating all physical locations where alcoholic liquor will be dispensed, sold, or consumed shall accompany such application.
- H. A statement whether the applicant has made similar application for a similar other license for a premises other than described in this application and the disposition of such application.

I. A statement that 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 the laws of this state.

J. Whether a previous license by any state or subdivision thereof or by the federal government has been revoked and, if so, the reasons therefore.

K. A statement that the applicant will not violate any of the laws of the State or of the United States or any provision of this Ordinance in the conduct of his place of business.

L. In the event that any of the information supplied on the original application should change for any reason during the effective period of the license, the license holder shall, within seven (7) days of the change, complete and submit to the City an amended application containing the changed information. Such amended application shall conform in all respects to the terms and provisions of this Section 5-1-3 and the Ordinance in general.

M. First-time applicants shall be required to pay, by separate payment, a \$1,000.00 administrative processing fee, which shall be in addition to the license fee set forth in Section 5-1-7. This administrative processing fee shall be nonrefundable, notwithstanding the provisions of Section 5-1-9 of this Ordinance. This fee shall not be charged to Class F Special Events applicants.

N. In order to be considered for issuance, an application for a Class F Special Events License must be filed within forty-five (45) days of the start of the special event for which the license is sought.

5-1-4: Adequate Sanitary Facilities

Applicants shall be required to have adequate and separate toilet and sanitary facilities for both men and women in the proposed establishment or in any existing establishment. Such facilities must be maintained in a sanitary and healthful condition and shall be subject to inspection by the duly appointed municipal authorities.

5-1-5: Restriction on License

No license shall be issued to:

A. A person who is not a resident of the City for a period of six (6) months prior to the filing of the application unless said person appoints a manager or agent as set forth in subsection K. hereof. Residency shall be required to be proven by written evidence. A valid driver's license, voter's registration card, or other documentation satisfactory to the Liquor Commissioner showing residency shall be sufficient to establish this requirement. The City shall have the right to conduct periodic inspections of the stated residence of the license holder to show that such residency continues to exist as submitted.

For purposes of this ordinance and, in the case of an applicant which is a corporation or partnership, a person who lives within twenty (20) statute miles of the intersection of State and First Streets shall be considered a resident.

The Liquor Commissioner shall have the right to grant variances of the distance requirement set forth in Section 5-1-5:A. of this Ordinance. In order to be eligible for a variance, an applicant or license holder must file a written request setting forth the reasons the variance is requested. The Liquor Commissioner shall consider the reasons set forth in the written request and any other relevant factors, and the decision to grant or deny the variance shall be at the Liquor Commissioner's discretion. The variance shall be for such period of time and upon such conditions as the Liquor Commissioner shall require. No variance shall be allowed for a period exceeding twelve months beyond the date of issuance of the license, or that would extend the distance set forth in this Section beyond thirty (30) statute miles of the intersection of State and First Streets.

- 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 unless the Liquor Commissioner determines that such person has been sufficiently rehabilitated to warrant the public trust after considering matters set forth in that person's application and the commissioner's investigation. The burden of proof of sufficient rehabilitation shall be on the applicant.
- 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 license issued under the provisions of this Ordinance has been revoked for cause. This condition shall not be applicable after the passage of one (1) year from the date of the revocation in the discretion of the Liquor Commissioner.
- 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 or director thereof, or any stockholder or stockholders owning in aggregate more than five percent (5%) of the stock of such corporation, would not be eligible to receive a license hereunder for any reason other than citizenship or residency within the political subdivision. However, the corporation must have a manager or agent who is legally authorized to accept notices, summons, and other legal documents and who complies with the requirements of subsection K. hereof.

K. A person whose place of business is conducted by a manager or agent unless the manager or agent satisfies all of the qualifications set forth in this Ordinance, including citizenship and residency, and for whose acts and omissions the license holder is legally responsible. It shall be the responsibility of the manager or agent to submit written proof of residency in the same manner as set forth in subparagraph A. of this Section.

A manager or agent under this Section must be an individual person, not a corporation, partnership, or other business entity. A person shall be limited to acting as a manager or agent for one liquor license holder.

L. A person who has been convicted of a violation of any federal or state law concerning the manufacture, possession, or sale of alcoholic liquor or shall have forfeited his bond to appear in court to answer charges for any such violation.

M. A person 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 to be issued.

N. Any law enforcing public official, any mayor, any alderman, any member of the council or commission, any president of a village board of trustees, any member of a village board of trustees, or any president or member of a 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.

O. Any person, association, or corporation not eligible for a state retail liquor dealer's license.

5-1-6: Term; Effective Date of New Fee Schedule

Each such license shall terminate on April 30 next following its issuance period except for Special Events Licenses (Class F), which shall terminate on the date shown on such license. In no event shall a Class F license be issued for a period longer than three (3) days.

Any change in the fee schedule for liquor licenses in the City of Geneseo, Henry County, Illinois, shall become effective immediately upon their adoption by the City Council of said City. Upon the adoption of any new fee schedule all current liquor licenses of the City of Geneseo shall be subject to the following:

A. If the fee paid for a particular class of license is subsequently increased later in the same year, the liquor licensee shall pay to the City the additional fee due under the new fee schedule for the particular class of license he holds.

B. If the fee to be paid for a particular license is subsequently decreased later in the same year, each liquor licensee shall be refunded any excess fee he may have previously paid.

Hereafter in all cases in which the holder or holders of a license granted by the City shall voluntarily discontinue the business for which such license was granted before the expiration of such license, the following terms shall apply:

1. If the license was granted before November 1st and the applicant paid the full license fee:
 - a. Such holder or holders shall be entitled to a refund of one-half (½) of the license fee if the discontinuation of the business for which the license was granted occurred before November 1st.
 - b. Such holder or holders shall not be entitled to any refund of the license fee if the discontinuation of the business for which the license was granted occurred after November 1st.
2. If the license was granted before November 1st and the applicant paid only the first installment of the fee, pursuant to Section 5-1-9:C., such holder or holders shall not be entitled to any refund of the license fee, but will not be charged for the second installment of the fee if the discontinuation of the business for which the license was granted occurred before November 1st.
3. If the license was granted after November 1st, such holder or holders shall not be entitled to any refund of the license fee.

5-1-7: Classification; Fee

Such licenses shall be and are hereby divided into six (6) classes, to wit:

A. Class A (General) license, which shall authorize the retail sale, within the premises described in the license, of alcoholic liquor for consumption on the premises specified, as well as other retail sales of such liquor as set forth in the following paragraph. The annual fee for such license shall be seven hundred fifty dollars (**\$750.00**).

If a Class A license holder engages in the retail sale of alcoholic liquor other than the sale of liquor for consumption on the premises, the license holder shall sell alcoholic liquor in its original container or containers or package with the seal unbroken only from the bar(if any) in the license holder's establishment and/or from an alcoholic display case, either refrigerated or non-refrigerated. The license holder shall pay a supplemental retail liquor sale fee in the amount of two hundred fifty dollars (\$250.00) together with the original license fee of seven hundred fifty dollars (\$750.00) if he engages in the retail sale of alcoholic liquor other than the sale of liquor for consumption on the premises.

B. Class B (Package Store) license, which shall authorize the retail sale of alcoholic liquor not for consumption on the premises where sold. The annual fee for such license shall be one thousand dollars (**\$1,000.00**).

This license classification shall exclude convenience stores as defined in Section 5-1-1 of this Title.

C. Class C (Restaurant, Beer and Wine On Premises Only) license, which shall authorize the retail sale in restaurants of beer and wine for consumption on the premises specified only. The annual fee for such license shall be seven hundred fifty dollars (**\$750.00**).

D. Class D (Restaurant, Alcoholic Liquor on Premises Only) license, which shall authorize the retail sale in restaurants of alcoholic liquor for consumption on the premises only. The annual fee for such license shall be seven hundred fifty dollars (**\$750.00**).

E. Class E (Other Business, Beer and Wine Only) license, which shall authorize the retail sale on the premises specified of beer and wine not for consumption on the premises where sold, in establishments which also offer other retail merchandise. For this purpose, "establishments which also offer other retail merchandise" shall mean any form of business entity which offers merchandise other than alcoholic beverages for retail sale. The annual fee for such licenses shall be seven hundred fifty dollars (**\$750.00**).

This classification shall include convenience stores as defined in Section 5-1-1 of this Title.

F. Special Events (Class F) License, which shall authorize the retail sale on the premises specified of beer and wine for limited time periods for special events. (\$250.00).

5-1-8: Number of Licenses Issued

It is hereby declared the policy of the City of Geneseo to limit the total number of liquor licenses to a maximum of twenty-seven (27) licenses, including all classifications, and, the total number of licenses which may be from time to time outstanding shall in no event exceed twenty-seven (27) in number, which shall be distributed among the classifications as follows:

Class A - General	Twelve
Class B - Package Store	One
Class C - Restaurant, Beer and Wine On Premises Only	Two
Class D - Restaurant, Alcoholic Liquor On Premises Only	Two
Class E - Other Business (Beer and Wine Only)	Ten

Class F: Two at any given time. No person or organization shall receive more than two Class F Special Events Licenses per calendar year.

5-1-9: Payment; Disposition of Fees

Upon an original application for a license, the license fee shall be paid as follows, depending on the time the original application is filed:

- A. If the original application is filed between the dates of May 1st and October 31st, the license fee shall be the full amount as set forth in this ordinance for the class for which application is made.
- B. If the original application is filed between the dates of November 1st and April 30th, the license fee shall be one-half (1/2) of the amount set forth in this ordinance for the class for which application is made.

- C. The license fee for original applications filed between the dates of May 1st and October 31st and for renewal applications may be paid in two equal installments, the first installment being due at the time application is filed with the City Clerk and the second installment being due on or before October 31st.

All such fees shall be paid to the office of the City 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 fee shall be deposited in the General Fund or in such other fund as shall have been designated by the City Council by proper action. The above time frames shall not apply to Class F Special Events Licenses, and the fee set forth in SECTION 5-1-7 (F) is payable at the time that the application for such license is made.

5-1-10: Consumption on Premises

It shall be unlawful for anyone not having a Class A, C, D or F license to sell or offer for sale any alcoholic liquor for consumption on the premises where sold or to permit the same to be consumed on the premises where sold.

5-1-11: List

The Mayor shall keep or cause to be kept a complete record of all such licenses issued by him and shall furnish the Clerk, Treasurer, and Chief of Police each with a copy thereof. Upon the issuance of any new license or the revocation of any old license, the Mayor shall give written notice of such action to each of these officers within forty-eight (48) hours of such action.

5-1-12: Transfer of License

A license shall be purely a personal privilege, good for not to exceed one year after issuance, unless otherwise provided or sooner revoked as in this Chapter provided, and shall not constitute property; nor shall it be subject to attachment, garnishment, or execution; nor shall it be alienable or transferable, voluntarily or involuntarily, or subject to being encumbered or hypothecated. Such license shall not descend by the laws of testate or interstate devolution, but shall cease upon the death or dissolution of the licensee, provided that executors and administrators of the estate of any deceased licensee and the trustee of any insolvent or bankrupt licensee, when such estate consists in part of alcoholic liquor, may continue the business of the sale of alcoholic liquor under order of the appropriate court and may exercise the privileges of the deceased or insolvent or bankrupt licensee after the death of such decedent or such insolvency or bankruptcy until the expiration of such license, but not longer than six (6) months after the death, bankruptcy, or insolvency of such licensee.

Any licensee may renew his license at the expiration thereof provided he is then qualified to receive a license and the premises for which such renewal license is sought are suitable for such purpose and, provided further, that the renewal privilege herein provided for shall not be construed as a vested right which shall in any case prevent the Mayor and City Council from decreasing the number of licenses to be issued in any particular classification within the City.

5-1-13: Change of Location

A retail liquor dealer's license shall permit the sale of alcoholic liquor only in the premises described in the application and license. Such location may be changed only upon the written permit to make such change issued by the Mayor. No change of location shall be permitted unless the proposed new location is a proper one for the retail sale of alcoholic liquor under the laws of this State and the provisions of this Chapter. Permission to change location shall not be construed as a change in the classification of any license.

5-1-14: Sanitary Conditions

All premises used for the retail sale of alcoholic liquor or for the storage of such liquor for such sale shall be kept in a clean and sanitary condition and shall be kept in full compliance with the provisions of this Chapter, regulating the condition of premises used for the storage or sale of food for human consumption.

5-1-15: Location Restrictions

No license shall be issued for the sale at retail of any alcoholic liquor within one hundred feet (100') of any church, school, hospital, undertaking establishment, home for aged or indigent persons or veterans, their wives or children or any military or naval station, provided that this prohibition shall not apply to hotels offering restaurant service, regularly organized clubs, bowling alleys, restaurants, food shops, or other places where sale of alcoholic liquor is not the principal business carried on, if such place of business exempted shall have been established for such purposes prior to the taking effect of this Chapter. This restriction shall not apply to Special Events (Class F) Licenses. Notwithstanding any ordinance to the contrary, a Special Events License (Class F) may conduct its activities on public sidewalks, streets or other areas if so approved by the Liquor Commissioner and made part of the license issued. In such case, the license holder shall provide liability and dram shop insurance in amounts acceptable to the Liquor Commissioner naming the City of Geneseo as an additional insured party for the event for which the license is issued, and shall further hold the City of Geneseo harmless from all liability arising in whole or part from the operation of such event.

The location and area set aside for the sale of alcohol under a Class F Special Events Liquor License must be bounded in all sides by double fencing with only one (1) entrance and exit. Anyone seeking entrance into that area must provide valid identification of legal age to drink, and be admitted only after being issued an identifying bracelet.

5-1-16: Closing Hours: Class A (General)

It shall be unlawful for any Class A licensee to sell or offer for sale any alcoholic liquor at hours other than the following:

9:00 a.m. to 12:00 midnight Monday through Thursday

9:00 a.m. to 1:00 a.m. Friday and Saturday

12:00 noon to 12:00 midnight Sunday

However, Class A licensees may remain open until two o'clock (2:00) a.m. on New Years Eve. It shall be unlawful for such Class A licensees to remain open to the public for a period in excess of fifteen (15) minutes after the prohibited hours for a grace period after closing to clear out the

patrons. No alcoholic beverage shall be consumed by any customers of said establishment and, further, the establishment will be responsible for the removal of alcoholic beverages from the customer areas fifteen (15) minutes after the prohibited hours.

5-1-17: Closing Hours: Restaurants (Class C and D)

It shall be unlawful for any Class C or D licensee to sell or offer for sale any alcoholic liquor at hours other than the following:

- 9:00 a.m. to 12:00 midnight Monday through Thursday
- 9:00 a.m. to 1:00 a.m. Friday and Saturday
- 12:00 noon to 12:00 midnight Sunday

However, Class C and D licensees may remain open until two o'clock (2:00) a.m. on New Years Eve. Such restaurants may, during prohibited hours, keep open for service of food, but no liquor shall be served in or taken to the part so kept open during such prohibited hours. No alcoholic beverage shall be consumed by any customers of said establishment and, further, the establishment will be responsible for the removal of alcoholic beverages from the customer areas fifteen (15) minutes after the prohibited hours.

5-1-18: Hours for Sale of Package Goods

It shall be unlawful for any license holder described herein below to sell alcoholic liquor for consumption off the premises (i.e., package goods sales) other than at the times listed herein below:

A. Holders of Class A (General) licenses shall not sell alcoholic liquor for consumption off the license holder's premises other than at the following times:

- 9:00 a.m. to 12:00 midnight Monday through Thursday
- 9:00 a.m. to 1:00 a.m. Friday and Saturday
- 12:00 noon to 12:00 midnight Sunday

B. Holders of Class B (Package Store) and Class E (Other Business, Beer and Wine Only) licenses shall not sell alcoholic liquor for consumption off the license holder's premises other than at the following times:

- 9:00 a.m. to 10:00 p.m. Monday through Thursday
- 9:00 a.m. to 12:00 midnight Friday and Saturday
- 12:00 noon to 10:00 p.m. Sunday

5-1-19: Closing Hours: Special Events (Class F)

Class F License holders shall be allowed to sell alcoholic liquor only during the hours which are specifically approved by the liquor commissioner and set forth in the license.

5-1-20: New Years Eve, Thanksgiving Eve

In addition to the hours specified in this Chapter, whenever the last day of the year falls on Sunday all Class A (General) and Class C and D (Restaurant) license holders shall have the right to sell or offer for sale alcoholic liquor between the hours of 12:00 noon on such day and two o'clock (2:00) a.m. the following morning.

In addition to the hours specified in this Chapter, all Class A (General) and Class C and D (Restaurant) license holders shall have the right to sell or offer for sale alcoholic liquor between the hours of 12:00 midnight Thanksgiving Eve and one o'clock (1:00) a.m. the following morning.

5-1-21: Unobstructed View

In premises upon which the sale of alcoholic liquor for consumption upon the premises is licensed (other than a restaurant, hotel, motel, club, or any recreational facility other than one situated on the first or ground floor), no screen, blind, curtain, partition, article, or thing shall be permitted in the windows or upon the doors of such licensed premises, or inside such premises, which shall prevent a clear view into the interior of such licensed premises from the street, road, or sidewalk at all times and no booth, screen, partition, or other obstruction or any arrangement of lights or lighting shall be permitted in or about the interior of such licensed premises which shall prevent a full view of the entire interior of such premises from the street, road, or sidewalk, and said premises must be so located that there shall be a full view of the entire interior of such premises from the street, road, or sidewalk. All rooms where liquor is sold for consumption upon 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. In case the view into any such licensed premises required by the foregoing provision shall be willfully obscured by the licensee or by him willfully suffered to be obscured or in any manner obstructed, then such license shall be subject to revocation in the manner herein provided. In order to enforce the provisions of this Section, the local commissioner shall have the right to require the filing with it of plans, drawings, and photographs showing the clearance of the view as above required.

5-1-22: Restrictions

A. No licensee, his or its agent, or employee shall sell, give, or deliver alcoholic liquor to any person who may not consume or possess alcoholic liquor under the laws of the State of Illinois.

B. No licensee, his or its agent, or employee shall employ or permit any person under the age of twenty-one (21) years to act as bartender or to attend bar and/or to draw, pour, or mix any alcoholic liquor in any licensed premises; provided, that the provisions of this subsection shall not be construed to prevent employment of persons who are at least eighteen (18) years of age as servers or wait staff for the purpose of serving food and alcoholic liquor on the licensed premises.

C. Persons who are at least eighteen (18) years of age shall be authorized to make the retail sale of alcoholic liquor in its original container or containers or package with the seal unbroken from the license holder's establishment, not for consumption on the premises, only if a person of twenty-one (21) years of age or older acting in a supervisory capacity is present at the time. This section shall not be construed to allow persons under twenty-one (21) years of age to attend bar or act as bartender.

5-1-23: Gambling

No licensee shall have or keep in his, their, or its possession or use or operate on any or all portions of such premises on which intoxicating liquor is sold any machine, device, or other thing of any nature or kind with which money or any other thing of value may in any manner be played or staked. Activities authorized by State law and City licenses shall be exempt from the prohibitions of this Section when offered in areas restricted or removed by a border from the area where alcohol is sold.

5-1-24: Access to Areas Where Liquor is Sold or Consumed

It shall be unlawful for any person who, because of his or her age, may not lawfully consume wine or beer under the laws of the State of Illinois to be present on the premises of a licensee hereunder, provided that this Section shall not be construed to prohibit said person from being present in any area reserved primarily for the service of food or other accommodation not involving the sale or consumption of alcoholic liquor.

It is further declared unlawful for any licensee, his or its agent, or employee to allow any such person to be present in such prohibited area, as aforesaid.

5-1-25: Entertainment License

In addition to any liquor licenses issued pursuant to this Ordinance, the Mayor may issue an entertainment license for a fee of two hundred dollars (\$200.00) payable annually and which expires on April 30 next following issuance. For the purposes of this Ordinance, entertainment is defined as "the providing of music, dancing, or other visual or audio performances by an individual, group, or mechanical means (with the exception of jukeboxes, televisions, or radios) for the viewing, listening, or participation of public audiences". A license shall not be required for entertainment for private affairs such as wedding or graduation receptions.

Every establishment or person to whom an entertainment license is issued must be the holder of a liquor license. However, it is not mandatory that an entertainment license be issued at the time that a liquor license is issued. Establishments holding an entertainment license must observe all provisions of this Ordinance in regard to liquor licenses. Entertainment must cease at the closing time set forth in this Ordinance regarding the sale of liquor for the particular establishment. The entertainment must be of such a nature so as not to be excessively noisy, offensive, or to interfere with surrounding businesses or residents.

Notwithstanding the above provisions, the Mayor of the City may also issue a special entertainment license at a fee of twenty-five dollars (\$25.00) for a period of duration not to exceed five (5) days after the effective date, at his discretion.

5-1-26: Violation of Ordinance and Revocation

Any violation of this Ordinance or applicable provisions of State law pertaining to the sale of alcoholic liquor shall subject the violator to any one or more of the following penalties:

- A. A fine of not less than fifty dollars (\$50.00) nor more than one thousand dollars (\$1,000.00).
- B. Suspension of the violator's liquor license for a period of not more than ten (10) days.
- C. Revocation of the violator's license.
- D. Any other penalty provided by State law.

The local liquor commissioner may revoke any liquor license for any violation of any provision of this Chapter or for any violation of any State law pertaining to the sale of alcoholic liquor or any applicable rule or regulation established by the State Liquor Control commission which is not consistent with the law. Prior to any disciplinary action, the local liquor commissioner shall inform the licensee of his right to a public hearing to contest the imposition of a proposed disciplinary action. If the licensee does not request such a hearing within three days after the licensee's receipt of the written notice, then the proposed disciplinary action shall be imposed. A licensee shall receive not less than three days' written notice of the date and place of the public hearing. Notice shall be considered served by means of certified delivery to either the resident manager, an employee of the licensee on duty at the licensed establishment, or by affixing the written notice at the primary entryway of the licensed establishment.

Revocation of a liquor license also revokes any entertainment license held by the licensee. An entertainment license can be revoked separately from the liquor license by the Mayor. Revocation of an entertainment license is mandatory upon the second such violation.

In the event that a violation of this Ordinance is observed during the operation of a Class F Special Events License, the Geneseo Police Department shall have the right to suspend or terminate the right of such license holder to continue to operate in addition to any other penalty provided herein.

5-1-27: Public Meetings: Notice Requirements

A. Notice of public meetings which involve any proposed change in the number, kind, and/or classification of liquor licenses shall be given in accordance with the following provisions:

1. At least one week prior to such public meeting, general notice shall be published in the Geneseo Republic; and
2. At least one week prior to such public meeting, notice shall be mailed to all persons owning property and all residents residing within two hundred fifty feet (250') of the property for which the liquor license is sought.

B. The notice required by Section A. shall contain the following information:

1. The name of the board, committee, or other City body which is holding the public meeting;
2. The date, time, and location of the public meeting;
3. The name, address, and telephone number of the Chairman of the Board, committee, or other City body which is holding the public meeting; and
4. A brief summary of the party making the request, the location of the property for which the license is sought, and the nature of the license sought.

C. Public meetings which involve any proposed change in the number, kind, and/or classification of liquor licenses shall include all meetings of the Geneseo City Council, Public Safety Board, or other City body subject to the provisions of the Illinois Open Meetings Act currently in effect and as hereafter amended.

D. Any applicant whose request for a new license or a license change requires a public hearing as set forth in this Section shall pay, in addition to all other fees and costs set forth in this ordinance, a hearing fee of two hundred dollars (\$200.00) to the office of the City Clerk at the time the request is made.