

Ordinance 2013-04

AN ORDINANCE AMENDING ARTICLE TWO, CHAPTER THREE, SECTION 1:
CLASSES, SUBSECTION G: CLASS G

BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF PECATONICA, ILLINOIS:

Section 1. Article Two: Alcoholic Liquors, Chapter Three: Licenses Classes and Fees, Section 1: Classes, Subsection G: Class G of the Municipal Code of Pecatonica is hereby amended to delete Subsection G and to insert in place thereof the following:

G. Class G

1. A Class G license shall constitute a special limited license and shall be designated a liquor permit. A Class G permit shall authorize the retail sale of beer, wine and spirits on the specified premises listed in the application to the Liquor Commissioner. The fee for a Class G liquor permit shall be one hundred and fifty dollars (\$150.00), which shall be deposited with the application.
 - a. A Class G permit shall entitle the holder to dispense beer, wine and spirits for not more than three consecutive specified days; however, the holder of such permit may not exceed the time and hours established in Section 1, A., 2. a and b for other licenses. The holder of a Class G permit shall be required to submit proof to the proper Village authorities that the holder of the license also possesses the appropriate State license prior to the use of the permit issued under this article.
 - b. A Class G liquor permit shall be available to profit and not-for-profit or charitable institutions as defined by the State Statutes and/or defined by the Internal Revenue Code. The fee for a charitable or not-for-profit institution for a license under this section shall be zero dollars. A fee for a holder of a Class G license issued under this section for an organization which is not characterized as charitable or not-for-profit shall be one hundred and fifty dollars (\$150.00).
 - c. In no event shall more than four (4) Class G liquor permits be issued during any one (1) calendar year to any one (1) licensee.
 - d. Sufficient evidence of dram shop liability insurance and acceptable indemnification to the Village must be provided to the Liquor Commissioner with the applicant permit.

- e. The type of permit or license granted under this section, known and referred to as a Class G license, shall be a permissive license, and shall entitle the holder to the privilege of selling beer, wine and spirits pursuant to all Code requirements the same as any other liquor license; however, the holder of this permit, upon acceptance of the permit, specifically waives any and all claims or rights that he may obtain in being granted this special permit, and specifically authorizes the President of the Village or his delegate, to revoke the permit at any time with probable cause; and upon acceptance of this type of permit, and consents to all requirements, including the requirement of immediate forfeiture without reason.

- f. The Liquor Commission and the Liquor Commissioner may require such additional requirements, and may promulgate such rules and regulations as they deem advisable, and specific authorization is hereby given to the Liquor Commissioner and the Liquor Commission to carry out the intent of this section, and to require the applicant and the permit holder to satisfy all such regulations as they deem advisable to protect the public interest.

- g. A permit issued under this section shall be valid notwithstanding any special use permit requirements of the Zoning Ordinance to the contrary.

Section 2. This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law. This Ordinance shall be published in pamphlet form.

PASSED by the Village Board this ____ day of _____, 2013.

APPROVED by the President of the Village Board this ____ day of _____, 2013.

Daniel Barber, Village President

ATTEST:

Dana Ryall, Village Clerk

Ayes: __ Nays: __ Absent: __ Abstain: __

Sager: _____ Metz: _____ Smull: _____
Heister: _____ Foster: _____ Eytalis: _____