

CITY OF LE ROY
COUNTY OF McLEAN, STATE OF ILLINOIS

ORDINANCE NO. 20-10-01-50

**AN ORDINANCE AMENDING TITLE 3; CHAPTER 3 OF THE MUNICIPAL
CODE OF LE ROY, ILLINOIS**

ADOPTED BY THE CITY COUNCIL OF THE CITY OF LE ROY THIS

5th Day of October, 2020

PRESENTED: **October 5, 2020**

PASSED: **October 5, 2020**

APPROVED: **October 5, 2020**

RECORDED: **October 5, 2020**

PUBLISHED: **October 5, 2020**
In Pamphlet Form

Voting "Aye" 7
Voting "Nay" 0
Voting "Abstain" 0

The undersigned being the duly qualified and Acting City Clerk of the City of LeRoy does hereby certify that this document constitutes the publication in pamphlet form, in connection with and pursuant to Section 1-2-4 of the Illinois Municipal Code, of the above-captioned **ordinance** and that such **ordinance** was presented, passed, approved, recorded and published as above stated.

(SEAL)



Vicki Moreland
City Clerk of the City of
Le Roy, McLean County, Illinois

Dated: **October 5, 2020**

ORDINANCE NO. 20-10-01-50

AN ORDINANCE AMENDING TITLE 3; CHAPTER 3 OF THE MUNICIPAL CODE OF LE ROY, ILLINOIS

WHEREAS, the Mayor and City Council of the City of Le Roy, McLean County, Illinois, an Illinois municipal corporation, have reviewed the current parameters of use for a liquor license within the City of LeRoy; and

WHEREAS, the Mayor and City Council of the City of Le Roy have granted current liquor license holders in good standing the opportunity to utilize outdoor sales in response to COVID-19 pandemic restrictions; and

WHEREAS, the Mayor and the City Council wish to codify these changes permanently within the City Code for the betterment of current and future liquor license holders;

NOW, THEREFORE BE IT ORDAINED, by the City Council of the City of Le Roy, Illinois in lawful meeting assembled on Monday, October 5, 2020, as follows:

SECTION 1. Title 3 Business and License Regulations, Chapter 3 Liquor Control, of the Municipal Code of Le Roy, is hereby amended as follows:

§ 3-3-11 Classification Of Licenses; Fees; Restrictions On Licenses.

All licenses shall be and are hereby divided into the following classes:

- A. Class A Licenses: Class A licenses shall authorize the retail sale of alcoholic liquor on the specified premises for consumption on or off the specified premises as follows
 - 1. Class A License: Retail sale of alcoholic liquor on premises specified for consumption on or off the specified premises, not including the right to have Sunday sales. The annual fee for such license shall be \$1,100.
 - 2. Class A-S License: Retail sale of alcoholic liquor on the premises specified for consumption on or off the specified premises, including the right to have Sunday sales. The annual fee for such license shall be \$1,650.
- B. Class B Licenses: Class B licenses shall authorize the retail sale of beer and wine on the specified premises for consumption on or off the premises.
 - 1. Class B License: The retail sale of beer and wine on the specified premises for consumption on or off the premises. The annual fee for such license shall be \$280.50.

2. Class B-S License: The retail sale of beer and wine on the specified premises for consumption on or off the premises, including the right to have Sunday sales. The annual fee for such license shall be \$555.50.
- C. Class C Licenses: Class C licenses shall authorize the retail sale on the premises specified for consumption off the premises of alcoholic liquors as follow:
 1. Class C/I License: Retail sale of alcoholic liquor on premises specified for consumption off the premises, not including the right to have Sunday sales. The annual fee for such license shall be \$550.
 2. Class C/I-S License: Retail sale of alcoholic liquor on premises specified for consumption off the premises, including the right to have Sunday sales. The annual fee for such license shall be \$825.
 3. Class C/II License: Retail sale of beer and fortified wine on the premises specified for consumption off the premises, not including the right to have Sunday sales. The annual fee for such license shall be \$280.50.
 4. Class C/II-S License: Retail sale of beer and fortified wine on the premises specified for consumption off the premises, including the right to have Sunday sales. The annual fee for such license shall be \$555.50.
- D. Class D Licenses:
 1. Class D licenses shall authorize the retail sale of alcoholic liquor for consumption on the specified premises only.
 2. In order to meet the requirements for a Class D license, the holder thereof must be able to prove, on any Sunday during the fiscal year, May 1 through April 30 of the succeeding year, as well as in any given calendar month, that sales of food in the licensed establishment (holding a Class D license) account for at least 65% of the gross retail sales of such establishment, and the sale of alcoholic liquor for consumption on the premises did not exceed 35% of the gross retail sales for said establishment during the designated time period (any Sunday, and any given calendar month).
 3. The annual fee for such license shall be \$1,100.
 4. The City shall have the right, by one of its employees, or by an independent auditor, to audit the license holder's records showing daily sales for any given preceding Sunday for as many as one Sunday in each calendar

month, during any twelve-month period, and also to audit the books and records of any Class D license holder for any designated calendar month (designated by the City) in any City fiscal year up to as many as two months in each fiscal year. The City shall give notice or cause notice to be given to the license holder not less than two weeks in advance of the date on which the audit is intended to be conducted. The audit shall be for a Sunday or month preceding the date the notice is given. Each Class D license holder is hereby required to keep his books and records in sufficient detail to enable an accountant, certified public accountant, or other appropriate auditor to be able to determine that the gross sales for the given time period (a Sunday, or a one calendar month period) meet the 65% minimum gross retail sales of food requirement in order to hold a Class D liquor license. Failure to keep all appropriate financial records in such manner shall be presumed prima facie to establish that the license holder failed to meet the required 65% minimum test. This presumption shall be a rebuttable presumption.

5. Notwithstanding any other provision of this chapter, nor any other provision in any other City ordinance, the holder of a Class D license may sell alcoholic liquor within the terms of said license between the hours of 12:00 noon and 11:00 p.m. on Sundays. Class D liquor license holders, in addition to the foregoing, may sell alcoholic liquor from 12:00 noon on December 31 until 1:00 a.m. on January 1.

6. **Catering: the holder of a Class D liquor license may also serve alcoholic liquors at contracted catering events, but must do so in compliance with any McLean County Health Department rules or regulations. Any revenues or proceeds derived from catering services rendered will be factored in when determining the percentage of gross retail sales received by the license holder.**

E. Class W-P Licenses:

1. Class W-P licenses shall authorize the retail sale of alcoholic liquor on the specified premises for consumption only on the specified premises, said consumption to be in connection with a specified event, such as a wedding, reunion, family gathering or party, office party, and the like, as may customarily be the type of gathering or occasion for which a caterer and for which rented private premises would normally be used in conjunction with each other. It shall be illegal for any person, or other business entity, for compensation, to agree or contract to rent a premises to another person or business entity and, in connection with said rental, to obtain or provide any

type of alcoholic liquor or to mix, pour and/or serve any type of alcoholic liquor at any private party or other type of private gathering of people at the aforesaid rented location within the City without first having obtained a currently valid W-P liquor license, which license shall not be granted other than to holders of a currently valid Class A liquor license, Class C/I* or C/II*, or Class D license. Holders of current Class A, Class C/I* or C/II*, or Class D licenses may provide such services at the premises for which the Class A, C/I*, C/II*, or D license is authorized without obtaining a Class W-P license. Catering shall be deemed to include the acts previously described in this subsection, as well as the following:

- a. The giving away of liquor;
 - b. The dispensing of liquor;
 - c. The providing of mix, ice, water or glasses for the purpose of mixing drinks containing alcoholic liquor for consumption on the same premises;
 - d. The pouring of liquor;
 - e. The providing of "setups" containing alcoholic liquor; and
 - f. The storage of any alcoholic beverage in connection with any of the preceding acts listed.
2. Class W-P licenses shall be granted only to holders of other liquor licenses as previously designated, and sales or dispensation of liquor under the W-P category of licenses shall be limited to the types of liquor which the companion license of the holder (Class A, C/I*, C/II* or D) permits. Class W-P licenses shall be obtained in the same manner and with the same types of information and hearing requirements as are required for other types of licenses issued under this chapter.
 3. Persons or business entities operating under a W-P license may sell liquor to the private person contracting for or obtaining the use of the rental facility for the particular gathering or occasion for use at the gathering or occasion, may provide bartenders and necessary equipment and goods, or may permit the private person or group to provide their own liquor or serving people and equipment (but no sale of liquor by the private person or group to the attendees shall be permitted).
 4. An appropriate certificate of insurance shall be required the same as for other types of liquor licenses issued in accordance with this chapter.

5. The holder of a Class W-P license shall be subject to all of the regulations and requirements of this chapter the same as the holder of any other license issued hereunder, including suspension or revocation by the local liquor control commissioner for the violation of any law directly or indirectly associated with the sale or dispensation of liquor in the City.
6. The annual fee for each license issued under this class shall be \$275 per year.
7. The license will only be granted as to a particular location other than that for which the holder already has a valid license.
8. The license will permit operation on a Sunday at the licensed location only (even though the companion license may not permit Sunday sales), will permit operation at any other time allowed by this chapter, and will permit operation only for a private gathering limited to persons having a common interest in the gathering or occasion and a common association such as through the same employer, a family relation, family and friends of two persons being married, family and friends of persons celebrating a wedding anniversary, birthday, etc. The Sunday hours shall be from 1:00 p.m. to 10:00 p.m. All catering sales shall be subject to the same limitations as the Class D license, in other words, 35% or less from sales of liquor, 65% or more from sales of food and rent of the facility, and a record of the sales of food and liquor and rent receipts shall be kept independent from any other business records or sales of the applicant including from the business for which the companion license has already been granted or is granted at the same time. Such records shall be subject to audit requirements the same as for a Class D license holder.

* In this subsection, Class C/I and Class C/II licenses shall be deemed to include Class C/I-S and Class C/II-S licenses, respectively.

F. Class W-C Licenses:

1. A Class W-C license shall authorize the holder thereof to provide catering services, including supplying, mixing, pouring or serving of alcoholic beverages, provided the holder may charge the person or entity for whom the catering services are being provided (said person or entity being hereinafter referred to as the "contractor") no more than the actual retail price of the alcohol provided by the Class W-C license holder. Any Class W-C license holder who does not have a license to sell alcohol may not charge more for the alcohol than the Class W-C license holder paid for the alcohol.

A Class W-C license does not authorize the sale of alcoholic beverages. Alcoholic beverages provided and served under a Class W-C license authorization may be served on Monday through Saturday from 11:00 a.m. to 1:00 a.m. the following day and from 12:00 noon on Sunday until 1:00 a.m. the following day and at no other time. On December 31 of each year, such services are authorized until 1:00 a.m. the following day.

2. Activities and events at which a Class W-C license shall be considered authority to supply and serve alcoholic beverages shall be specified events such as weddings, reunions, family gatherings or family parties, office parties, and the like, as may customarily be the type of gathering or occasion for which a caterer would normally be used in conjunction with providing food and beverages at a specific event. Catering shall be deemed to include the following:
 - a. The giving away of liquor;
 - b. The dispensing of liquor;
 - c. The providing of mix, ice, water or glasses for the purpose of mixing drinks containing alcoholic liquor for consumption on the same premises;
 - d. The pouring of liquor;
 - e. The providing of "setups" containing alcoholic liquor; and
 - f. The storage of any alcoholic beverage in connection with any of the preceding acts listed.
3. Class W-C licenses shall be obtained in the same manner as all other liquor licenses (including any state licenses) that may be required) and shall be valid for one year. However, in the event the Class W-C license applicant is already the holder of any other City liquor license, in good standing at the time the application is submitted for the W-C license, the requirements for hearing on the application and notice of that hearing, as well as a background check, are hereby waived, and the applicant need not pay the \$110 application fee otherwise required in accordance with Section 3-3-4 of this chapter. In addition to the license, a Class W-C license holder shall, prior to catering any event in the City at which alcoholic beverages shall be served, register the event, at least seven working days prior to the event, with the City Clerk, pay a \$55 registration fee (per event), and provide the following required information on an "event permit application" form:

- a. Location of the event;
- b. Estimated number of people expected to be in attendance;
- c. Name of person or organization sponsoring or holding the event;
- d. Proof of dramshop insurance for the particular premises;
- e. Clear details as to how the consumption of alcoholic beverages by minors will be controlled;
- f. The names and addresses of all employees, officers, directors, shareholders and partners of the applicant who will be pouring, mixing or serving alcoholic beverages during the event; and
- g. If the estimated number expected to attend exceeds 50 persons, information regarding restroom and parking facilities for guests.

Alcoholic beverages may not be provided or served by the Class W-C license holder unless an event permit has been issued by the local liquor control commissioner of the City, which permit will normally be issued, or notice given that it will not be issued, not less than two working days before the event.

4. Class W-C license applications must be signed not only by the applicant, but must also be signed by any employee of the applicant, or any partner, shareholder, officer or director of the applicant, if any of the same shall be actually involved in serving, mixing or pouring alcoholic beverages. No minor employed by the applicant or acting as a director or officer of the applicant, or a partner or shareholder of the applicant shall qualify to serve, mix or pour alcoholic beverages at any catered event.
5. The Class W-C license holder shall immediately cease the sale and serving of alcoholic beverages at any event if the City police department informs the license holder that a violation of any of the following City ordinances has occurred at the event:
 - a. The Class W-C license holder has knowingly served alcohol to a person under the age of 21 at the event in violation of this Code.
 - b. If open and notorious possession or consumption of alcohol by one or more persons leaving the event has occurred and the license holder is aware of the violations or reasonably should have been aware of the violations.
 - c. Complaints from two or more persons or households have been received by

the police department in regard to a nuisance being created by the noise from the event.

6. Any event permit may be denied for any of the following reasons:
 - a. Required information is not provided on the permit application; or
 - b. The application is not timely filed; or
 - c. A prior event sponsored by the individual entity or organization sponsoring the event violated one or more City ordinances or caused a disturbance; or
 - d. A prior event catered by the Class W-C license holder violated City ordinances; or
 - e. The local liquor control commissioner determines that the provisions for parking, restrooms or the prevention of the delivery of alcohol to underage persons are inadequate and that a substantial risk to the public health and welfare would result if the permit were issued.
7. Should an event permit application be denied, the City Clerk shall immediately notify the applicant of the denial. The applicant may request a hearing on the denial which shall be held before the local liquor control commissioner or his designee as soon as practical after the demand for hearing has been made, in writing. An event permit may be revoked by the local liquor control commissioner at any time prior to the event if the local liquor control commissioner receives information which he deems reasonable and trustworthy indicating that the event application contained false information or that circumstances have changed and some or all of the information set forth on the application is no longer true.
8. The City will recognize catering licenses issued by any other issuing authority in McLean County, including the county of McLean, for the purpose of eligibility for Class W-C licenses in the City to the same extent that the other issuing authority recognizes Class W-C licenses issued by the City. Only for Class W-C licenses and only to the extent a reciprocal waiver is granted to residents of Le Roy by the other liquor license granting jurisdiction, holders of similar catering licenses from other jurisdictions need not apply for a City license, need not meet any residency requirement but, upon inquiry, must be able to establish they meet all other requirements to obtain a Class W-C license, and must give proof of holding a valid similar license from some other issuing authority in McLean County. Any violation of

a catering license by a license holder not holding a Class W-C City license occurring in the City may be prosecuted in the City with the sanctions of fines and denial of future Class W-C licenses within the City.

9. The annual license fee for such license shall be \$110 for those persons or entities who do not hold another classification of liquor license, and \$55 for any person having any other type of liquor license issued by the City. A holder of any other liquor license from the City may also own a Class W-C liquor license.

G. Class E Licenses:

1. Class E licenses shall authorize the retail sale of beer manufactured on the premises in its original package for consumption off the premises; and the sale of beer and wine for consumption on the premises. The licensee shall:
 - a. Maintain accurate records as to the total gallons of beer manufactured on the premises and sold for consumption off premises, and provide such records to the local liquor control commissioner upon request;
 - b. Segregate the portion of the licensed premises dedicated to the manufacturing of beer from the remainder of the premises, restricting public access to the manufacturing area except during supervised tours; and
 - c. Comply with all applicable federal, state, and local laws and regulations, including, but not limited to, payment of applicable taxes, procurement of any required federal brewer's notice, Illinois manufacturer's liquor license, Illinois craft brewer's license, and all other required licenses and permits concerning manufacture, packaging, storing, sale, and distribution of alcoholic beverages.
2. The annual fee for such license shall be \$1,750.

§ 3-3-17 Outdoor Sales And Service.

Sales and serving of alcoholic beverages for consumption on the premises shall be allowed in outdoor areas when such areas meet the following conditions and upon application to the local liquor control commissioner for the City who, along with the City Council, shall approve the application upon review of the proposal, to ascertain that the outdoor area and the times that it shall be in use are in accordance with the conditions and specifications hereinafter set forth. Conditions and specifications required for permit to utilize area to serve and sell

alcoholic beverages outdoors are as follows:

- A. License In Good Standing Required: Applicant must already have a City Class A, Class A-S, Class B, Class B-S or Class D license currently in good standing with the City and state.
- B. Request For Outdoor Sales And Service: Formal, written request for an outdoor serving and sales area shall be submitted to the local liquor control commissioner and City Council for approval. **This includes service or delivery to motor vehicles as outlined in Section 3-3-22(B).**
- C. Public Notice: Prior to consideration of the application by the City local liquor control commissioner and by the City Council, notice of the filing of the application and of the date, time and place at which such application shall be formally considered by the local liquor control commissioner and by the City Council shall be given in a newspaper published in the City or if no newspaper is published there, then in a newspaper of general circulation in the City at least once, not less than 10 days prior to the date fixed for formal consideration of the application.
- D. Building Plan Required: A detailed plan of the area intended to be utilized for outdoor liquor sales, serving and consumption shall be submitted to the City local liquor control commissioner and City Council. Such plan shall include a scale drawing of the exterior walls and shrubbery area, including any emergency exits, and all entryways and exitways into and from the interior area of the licensed premises; shall show lighting arrangements (and how that will affect any area beyond the enclosed space), flooring substance and design and roofing (if any proposed).
- E. Screening Requirements:
 - 1. Screening by privacy fences or landscaping 100% opaque from ground level to a height of six feet above ground level must be provided on all open sides of the proposed sales and serving area for all Class A, Class A-S, Class B, and Class B-S license holders. No outdoor sales or serving shall be permitted until all landscaping and/or fencing is in place and complete.
 - 2. Screening by fencing or landscaping from ground level to a height of six feet above ground level must be provided on all open sides of the proposed sales and serving area for all Class D license holders. No outdoor sales or serving shall be permitted until all landscaping and/or fencing is in place and complete.

- F. Access: Access to the outdoor area shall be from the interior of the licensed premises only. Emergency exits from the outdoor area shall be provided if required in accordance with the City building code, and upon adequate evidence being submitted to the City local liquor control commissioner that control of persons attempting to exit or enter through such emergency exit shall be satisfactory so as not to permit the exit or entry of any person other than for emergency reasons.
- G. Hours Of Operation: Hours during which the outdoor area may be occupied by customers of the establishment and alcoholic beverages sold, served and consumed shall be from opening time of the establishment until closing. Each license holder must follow the specific requirements of their respective license classification for hours of operation.
- H. Noise Control:
1. No music shall be allowed in any outdoor area, nor shall the accessways to and from the interior of the licensed premises remain open to such an extent as to permit noise from music or other entertainment being provided inside the interior area of the licensed premises to become a nuisance.
 2. Upon approval of the application, the applicant and all employees of the applicant shall be responsible for controlling noise in the outdoor sales/serving and consumption area. The maximum amount of noise allowed shall be that amount deemed "reasonable". "Reasonable" shall be deemed to mean noise at such a level that complaints are not made by neighbors or other members of the public regarding noise from the outdoor area of the establishment. Upon a complaint being received concerning excessive or unreasonable noise from the outdoor sales/serving and consumption area, investigation shall be made by the City police department. If the investigating officer determines that the complaint was justified and the noise level was excessive or unreasonable, a warning notice shall be issued by the appropriate police official. Upon the issuance of three such warning notices in any calendar year, the City local liquor control commissioner shall promptly give formal, written notice to the owner or manager of the licensed premises that further outdoor sales/serving and consumption privileges are revoked for the remainder of the calendar year. Such notice shall be served by the City police department upon the owner and/or manager of the licensed premises. Failure to promptly abide by the revocation notice shall be deemed cause for further disciplinary proceedings in accordance with the City ordinances, including fine and suspension or revocation of license.

I. Health Regulations: The outdoor sales, serving and consumption area must meet all McLean County health department regulations.

J. Service and Sales on City Property: The City Council and Liquor Commissioner will permit the sale, service, and consumption of alcoholic liquors on city property (sidewalks and parking lots), subject to the following restrictions:

1. Applicants must comply with Paragraphs A, B, C, F, H, and I of this Section.

2. The outdoor seating area must be delineated when service occurs in parking spots or on the roadway itself. Parking blocks, construction barrels, stanchions, and straw bales are all acceptable examples of such delination.

3. Seating areas must be within one hundred (100) feet from the customer entrance of the building, and restroom access must be provided to the customers. Portapotties will not be accepted as a substitution.

4. ADA accessibility must be maintained, including ADA parking spaces.

5. Amplified sound will not be permitted.

6. The proposed outdoor seating area must leave room for safe and adequate vehicle traffic circulation, including any drive-thrus or alleyways.

7. The temporary outdoor seating area must close to the public by 10:00pm.

8. All outdoor furniture (tables, chairs, umbrellas, etc) must be secured to protect from the wind. In the case of extreme weather, all moveable items shall be additionally secured, removed, or placed inside.

9. Alcohol may be served, consumed, and sold at these locations. Open alcohol may not be removed from this area.

10. Temporary signage is permitted, but only during operating hours of the outdoor sales.

11. Applicants must provide a certificate of liability insurance in the amount of \$1,000,000 with the City of LeRoy as the certificate holder.

Failure to abide by the conditions set for in J(1)-J(12) are grounds for license suspension and/or revocation. Nothing in this Section is intended to act as a waiver with regard to the other provisions of this Chapter.

§ 3-3-18 Sanitary Conditions.

- A. Premises: 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 maintained in full compliance with the ordinances regulating the condition of premises used for the storage or sale of food for human consumption. All premises used for the retail sale of alcoholic liquor for consumption on the premises shall provide separate toilets and washstands for male and female patrons and shall maintain the same in a clean and sanitary condition.
- B. Employees: It shall be unlawful for any licensee or for any officer, associate, member, representative, agent or employee of such licensee to employ in any licensed premises any person who is afflicted with, or is a carrier of, any contagious infection or sexually transmitted disease; and it shall be unlawful for any person who is afflicted with, or a carrier of, any such disease to work in or about any premises or to engage in the handling, preparation or distribution of alcoholic liquor.

§ 3-3-22 Prohibited Acts And Conditions.

- A. Sales To Certain Persons: It is unlawful for any licensee or any officer, associate, member, representative, agent or employee of such licensee to sell, give, deliver or serve any alcoholic liquor to any person under the age of 21 years or to any intoxicated person.
- B. Sales To Persons In Motor Vehicles: No licensee, his agent, employee, officer, associate, member or representative shall serve, give or in any manner be concerned with placing any alcoholic liquor in or upon or about any motor vehicle or to any occupant of a motor vehicle, whether such vehicle is moving or parked or is at a curb or in a public place or upon the licensee's premises or other private place ~~except in the original package and with the seal unbroken.~~ **subject to the following restrictions:**

1. Alcoholic liquors must be sole in its original packaging with the seal unbroken. The beverages must be obscured by plastic or paper bags when delivered.

2. Alcoholic liquors must be delivered in parking spaces or drive-thru window specifically designated for such service.

3. The designated parking spaces or drive-thru window must be monitored and recorded continuously by security cameras with sufficient clarity and programming to identify the driver, any passengers, and the license plate of the motor vehicle receiving the delivery.

4. Such recording must be made available to the LeRoy Police Department within twenty-four (24) hours after a request is made.

Failure to abide by the conditions set for in B(1)-B(4) are grounds for license suspension and/or revocation.

- C. Leaving Premises With Open Containers: No licensee or officer, employee, member, representative, associate or agent of a licensee shall permit any person on the licensed premises to leave the licensed premises with any open container containing any alcoholic beverage.
- D. Possession During Prohibited Hours: It shall be unlawful for any licensee to permit or allow any bottle, glass, cup, pitcher, tumbler or other container for or containing alcoholic liquor to remain in the possession of any customer or at any location accessible to customers before or after the hours during which the sale of such alcoholic liquor is permitted.
- E. Gambling: It shall be unlawful for any licensee, or for any officer, associate, member, representative, agent or employee of such licensee to permit or allow anyone to play for money, or other valuable thing, at any game involving cards, dice or checks, or with any other article, instrument or thing whatsoever, which may be used for the purpose of playing or betting upon or winning or losing money or any other thing or article of value or to bet on any game others may be playing upon any premises licensed under this chapter. No gambling device shall be kept or used upon any premises licensed hereunder. Notwithstanding, video gaming terminals may be operated in accordance with the Video Gaming Act, 230 Illinois Compiled Statutes 40/1 et seq., and the regulations of the Illinois Gaming Board promulgated thereunder, at licensed establishments, and nothing in this Code shall be

construed to prohibit video gaming terminals operated at licensed establishments in accordance with the Video Gaming Act.

- F. Disorderly Conduct: No riotous, disorderly, indecent or offensive conduct of any kind shall be allowed in or about the premises licensed hereunder.
- G. Peddling Liquor: It shall be unlawful to peddle alcoholic liquor in the City.
- H. Soliciting Drinks: No licensee shall employ or permit any person to solicit any other person to purchase the solicitor a drink in or about any premises offering alcoholic or malt or vinaceous beverages for sale.
- I. Open Containers In Public: It shall be illegal for any person to have any alcoholic beverage in an open container in his possession on any street or highway or upon any other public property within the City.
- J. Possession, Consumption By Underage Person: It shall be unlawful for any person under the age of 21 years to purchase, accept delivery of, possess or consume any alcoholic liquor in violation of this subsection. The possession and dispensing or consumption by a person under 21 years of age of alcoholic liquor in the performance of a religious service or ceremony, or the consumption by a person under 21 years of age under the direct supervision and approval of the parents or parent or those persons standing in loco parentis of such person under 21 years of age in the privacy of a home, is not prohibited by this subsection.
- K. Compliance With Laws: The maintenance and operation of the licensed premises must at all times comply with all applicable State, County and City Statutes, ordinances, codes, rules, and regulations, including, but not limited to, all City Noise Ordinances and regulations, including Subsection 4-1-5L and Section 5-2-6 of this Code.

SECTION 2. Effective Date. This Ordinance shall be in full force and effect from and after its passage and approval and publication as required by law.

PASSED by the City Council of the City of Le Roy, Illinois, upon the motion made by Dawn Hanafin and seconded by Matt Steffen by roll call vote on the 5th day of October, 2020 as follows

Aldermen elected 8

Aldermen Present 7

Voting Aye:

Dawn Hanafin, Rick Kline, Kyle Merkle, Kelly Lay, Ron Legner, Matt Steffen, Greg Steffen.

Voting Nay:

None

Absent:

Brad Poindexter

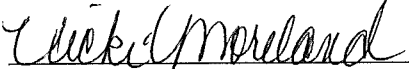
Abstain:

None

Other:

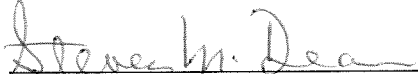
None

And deposited and filed in the office of the City Clerk in said municipality on the 5th day of October, 2020.



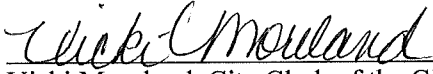
Vicki Moreland, City Clerk of the
City of Le Roy
Mc Lean County, Illinois

APPROVED BY the Mayor of the City of Le Roy, Illinois, this 5th day of October, 2020



Steven M. Dean, Mayor of the City of Le Roy,
Mc Lean County, Illinois

ATTEST: (SEAL)



Vicki Moreland, City Clerk of the City of Le Roy
Mc Lean County, Illinois

CERTIFICATE

I, Vicki Moreland, certify that I am the duly appointed and acting municipal clerk of the City of Le Roy, of McLean County, Illinois.

I further certify that on **October 5, 2020** the Corporate Authorities of such municipality passed and approved **ORDINANCE NO. 20-10-01-50**

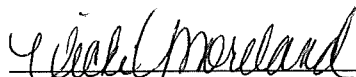
AN ORDINANCE AMENDING TITLE 3; CHAPTER 3 OF THE MUNICIPAL CODE OF LE ROY, ILLINOIS

Which provided by its terms that it should be published in pamphlet form.

The pamphlet form of **Ordinance No. 20-10-01-50**, including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted at the municipal building, commencing on **October 5, 2020** and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the municipal clerk.

Dated at Le Roy, Illinois this 5th day of October, 2020.

(SEAL)


Vicki Moreland
City Clerk of the City of
Le Roy, McLean County, Illinois

STATE OF ILLINOIS)
) SS:
COUNTY OF MCLEAN)

I, Vicki Moreland, do hereby certify that I am the duly qualified and acting City Clerk of the City of Le Roy, McLean County, Illinois, and as such City Clerk that I am the keeper of the records and files of the Mayor and the City Council of said City.

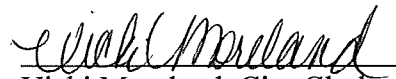
I do further certify that the foregoing is a true, correct and complete copy of an ordinance entitled:

AN ORDINANCE AMENDING TITLE 3; CHAPTER 3 OF THE MUNICIPAL CODE OF LE ROY, ILLINOIS

I do further certify said *ordinance* was adopted by the City Council of the City of Le Roy at a regular meeting on the 5th day of October, 2020 and prior to the making of this certificate the said ordinance was on file with the permanent records of said City where it now appears and remains as a permanent record of said ordinance in the record books.

Dated this 5th day of October, 2020

(SEAL)


Vicki Moreland, City Clerk of the
City of Le Roy,
McLean County, Illinois