

Chapter 4. ALCOHOLIC LIQUORS*

* Cross References: Alcoholic liquor in places having public entertainment with music, § 6-18; dance hall provisions not applicable to alcoholic liquor establishments, § 6-32.

State Law References: Alcoholic liquors generally, Ill. Rev. Stat. Ch. 43.

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ARTICLE I. IN GENERAL

Sec. 4-0. Jurisdiction. The following provisions of article I shall apply only in the unincorporated area of Whiteside County. (Res. No. 29, 7-22-86)

Sec. 4-1. Definitions. The following words and phrases, when used in this chapter, shall have the meanings respectively ascribed to them:

Alcohol means the product of distillation of any fermented liquid, whether rectified or diluted, whatever may be the origin thereof, and includes synthetic ethyl alcohol. It does not include denatured alcohol or wood alcohol.

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. The provisions of this chapter shall not apply to alcohol used in the manufacture of denatured alcohol produced in accordance with Acts of Congress and regulations promulgated thereunder, nor to any liquid or solid containing one-half of one percent or less, of alcohol by volume. No tax provided for herein shall apply to wine intended for use and used by any church or religious organization for sacramental purposes, provided that such wine shall be purchased from a licensed manufacturer or importing distributor.

Beer means a beverage obtained by the alcoholic fermentation of an infusion or concoction of barley, or other grain, malt and hops in water, and includes, among other things, beer, ale, stout, lager beer, porter and the like.

Building. Any structure having a roof supported by columns or walls and intended for shelter, housing or enclosure of any individual, process, equipment, goods or materials of any kind or nature. Building shall include an outside area which is directly accessible from and adjacent to the building so long as the outside area has an enclosure of at least six feet in height, and is no more than 1,500 square feet in area. All fences shall be constructed of ornamental iron, wood, stone or picket, shall be maintained in good repair and shall be painted or treated in such other fashion so as to maintain a neat appearance at all times. Wooden posts shall be treated with a wood preserver before being placed underground. All portions of wood fence exposed above ground shall either be painted or treated with a wood preservation. All gates shall be installed so that they open outward, and shall have a self-closure and self-closing lock to hold the gate shut at all times when not in use.

With the exception of E-1 licenses amplified music is permitted within an enclosed outside area of the building if the sound created does not exceed 60 Decibels from the property line of the nearest hospital, medical center, retirement home, or nearest single or multiple family residential property from 9:00 AM to 10:00 PM. No live music or DJ's are permitted in the outside area of the building.

E-1 license holders may allow live, recorded or amplified music if the sound created does not exceed 60 Decibels from the property line of the nearest hospital, medical center, retirement home, or nearest single or multiple family residential property. No live, recorded, or amplified music shall be permitted outside the licensed premises between the hours of 10:00 o'clock PM and 9:00 AM.

Club means 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 or consumption of alcoholic liquors, kept, used and maintained by its members through the payment of annual dues, and owning, hiring or leasing a building or space in a building, of such extent and character as may be suitable and adequate for the reasonable and comfortable use and accommodation of its members and their guests and provided with suitable and adequate kitchen and dining room space and equipment and maintaining a sufficient number of servants and employees for cooking, preparing and serving food and meals for its members and their guests; provided, that such club files with the local liquor control commissioner at the time of its application for a license two copies of a list of names and residences of its members, and similarly files within ten days of the election of any additional member his name and address; and, provided further, that its affairs and management are conducted by a board of directors, executive committee or similar body chosen by the members at their annual meeting and that no member or any officer, agent or employee of the club is paid or directly or indirectly receives in the form of salary or other compensation any profits from the distribution or sale of alcoholic liquor to the club or the members of the club or its guests introduced by members beyond the amount of such salary as may be fixed and voted at any annual meeting by the members or by its board of directors or other governing body out of the general revenue of the club.

Culinary area means a room, space or other area with food service equipment within a liquor establishment intended, designed and used in the preparation of meals, other than only a counter with a hot plate, microwave oven or similar warming device.

Deliver or delivery means the actual constructive or attempted transfer of alcoholic liquor for beverage purposes, with or without consideration.

Distributor means any person, other than a manufacturer or nonresident dealer licensed under this act, who is engaged in this state in purchasing, storing, possessing or warehousing any alcoholic liquors for resale or reselling at wholesale, whether within or without this state.

Foreign importer means anyone other than a nonresident dealer licensed under this act who imports into this state, from any point outside the United States, any alcoholic liquors other than in bulk for sale to a licensed importing distributor.

Importing distributor means the person other than a nonresident dealer licensed under this act who imports into this state, from any point in the United States outside this state, whether for himself or for another, any alcoholic liquors for sale or resale, or for use in the manufacture, preparation or compounding of products other than alcoholic liquors, or who imports into this state, from any point in the United States outside this state, for consumption in any one calendar year, more than one gallon of such liquors.

Meal means any raw or cooked edible substance, not including iced beverages or prepackaged foods, prepared in a culinary area intended for use or sale in whole or in part for human consumption.

Original package means any bottle, flask, jug, can, cask, barrel, keg, hogshead or other receptacle or container, whatsoever, used, corked or capped, sealed and labeled by the manufacturer of alcoholic liquor, to contain and to convey any alcoholic liquor.

Restaurant means any public place kept, used, maintained, advertised and held out to the public as a food service establishment, as defined by the Whiteside County Health Department, which has a culinary area approved by the health department used in the preparation of meals.

Retailer means a person who sells, or offers for sale, alcoholic liquor for use or consumption and not for resale in any form.

Sale means any transfer, exchange or barter in any manner, or by any means whatsoever, including the transfer of alcoholic liquors by and through the transfer or negotiation of warehouse receipts or certificates, and includes and means all sales made by any person, whether principal, proprietor, agent, servant or employee. The term "sale" includes any transfer of alcoholic liquor from a foreign importer's license to an importing distributor's license even if both licenses are held by the same person.

Sell at retail and sale at retail refer to and mean sales for use or consumption and not for resale in any form.

Spirits means any beverage which contains alcohol obtained by distillation, mixed with water or other substance in solution, and includes brandy, rum, whiskey, gin or other spirituous liquors and such liquors when rectified, blended or otherwise mixed with alcohol or other substances.

To sell includes to keep or expose for sale and to keep with intent to sell.

Wine means any alcoholic beverage obtained by the fermentation of the natural contents of fruits, or vegetables, containing sugar, including such beverages when fortified by the addition of alcohol or spirits.

Keg shall mean any metal, wooden, plastic, paper or other container designed to hold four (4) or more gallons of liquid and actually contains any amount of alcoholic liquor.

(Res. of 1-15-76, § 1; Ord. No. 17, § 1, 9-28-82; Res. No. 29, 7-22-86; Res. No. 17, 12-16-86; Res. No. 6, 2-19-91; Ord. No. 18, 6-19-01; Ord No. 16 11-17-09; Ord. No. 2 6-17-14)

Cross References: Definitions and rules of construction generally, § 1-2.

State Law References: Similar definitions, Ill. Rev. Stat. Ch. 43, § 95.01 et seq.

Secs. 4-2, 4-3. Reserved.

Editors Note: Sections 4-2 and 4-3, pertaining to dancing in alcoholic liquor establishments and prohibiting the peddling of alcoholic liquors in the county, respectively, and derived from §§ 11 and 12 of a resolution adopted Jan.

15, 1976; and from a resolution of July 22, 1980, have been deleted by Res. No. 29, passed and adopted July 22, 1986.

Sec. 4-4. Closing hours.

It shall be unlawful for anyone to sell or offer for sale at retail, or deliver to the public, any alcoholic liquor in the county between the hours of 1:00 a.m. and 6:00 a.m. of any day. No person shall consume alcoholic liquor on licensed premises during the hours in which the sale or delivery thereof is prohibited. No licensee or agent of any licensee shall permit the consumption of alcoholic liquor on licensed premises at a time when the sale or delivery thereof is prohibited.

(Res. of 1-15-76, § 13; Res. of 6-19-79; Res. of 8-19-80; Res. No. 29, 7-22-86; Res. No. 36, 9-19-89; Res. No. 6, 2-19-91; Res. No. 14, 5-16-00)

State Law References: Authority for this section, Ill. Rev. Stat. Ch. 43, § 129.

Sec. 4-5. Taverns serving meals during closing time. All taverns serving meals or lunches are required to leave the doors of such taverns unlocked while serving meals during hours after closing time. (Res. of 1-15-76, § 17)

Sec. 4-6. Reserved.

Editors Note: Former § 4-6, prohibiting the consumption of alcoholic liquor in public places, and derived from § 14 of a resolution enacted Jan. 15, 1976; and from Res. No. 22, adopted July 21, 1981, has been deleted by the provisions of Res. No. 29, passed and adopted July 22, 1986.

Sec. 4-7. Gambling. No licensee under this chapter shall permit gambling in or upon the premises where his place of business is located, nor shall such licensee have or permit upon his premises any slot machine, punch board or game of chance in any form whatsoever. Nothing in this section or any other section of Whiteside County's Code shall be construed to prohibit participation in video gaming (as permitted by the Illinois Video Gaming Act, 230 ILCS 40/1 et seq.), the state lottery or in any bingo games as authorized and licensed by the state. Further, nothing in this section or any other section of Whiteside County's Code shall be construed to prohibit the possession of devices permitted in connection with video gaming (as permitted by the Illinois Video Gaming Act, 230 ILCS 40/1 et seq.), the state lottery and bingo games as authorized and licensed by the state.

(Ord. no. 4; 7/17/2012)

State Law References: Gambling and related offenses, Ill. Rev. Stat. Ch. 38, § 28-1 et seq.; bingo license and tax act, Ill. Rev. Stat. Ch. 120, § 1101 et seq.; lottery act, Ill. Rev. Stat. Ch. 120, § 1151 et seq.

Sec. 4-8. Prohibited conduct on licensed premises. The following kinds of conduct on premises in this county licensed to sell alcoholic liquor are prohibited:

- (1) The performance of acts, or simulated acts, of sexual intercourse, masturbation, sodomy, bestiality, oral copulation, flagellation, or any sexual acts which are prohibited by law;
- (2) The actual or simulated touching, caressing or fondling on or of the breast, buttocks, anus or genitals;
- (3) The actual or simulated displaying of the breasts, pubic hair, anus, vulva or genitals;
- (4) The permitting by a licensee of any person to remain in or upon the licensed premises who exposes to public view any portion of his or her breasts, pubic hair, anus, vulva or genitals;
- (5) The displaying of obscene films or pictures as prohibited by chapter 38, section 11-20, Illinois Revised Statutes;
- (6) The permitting or allowing of any prostitution, soliciting for prostitution or other acts of prostitution;
- (7) The permitting of any acts of disorderly conduct, quarreling, fighting, tumultuous conduct, or loud or unusual noises. (Res. of 7-22-80)

Sec. 4-9. Posting of warning to persons under twenty-one. Every tavern, liquor store, or other place in the county where alcoholic liquor is sold shall display at all times in a prominent place a printed card which shall be issued by the county clerk and which shall read substantially as follows:

WARNING TO PERSONS UNDER 21

You are subject to a fine up to \$200.00 under the Whiteside County Code if you purchase alcoholic liquor, or misrepresent your age for the purpose of purchasing or obtaining alcoholic liquor.

(Res. of 4-15-76, § 19)

Sec. 4-10. Misrepresentation of age. No person under 21 years of age shall misrepresent his or her age for the purpose of purchasing or obtaining alcoholic liquor in any tavern, liquor store or other place in the county where alcoholic liquor is sold. (Res. of 1-15-76, § 18)

Sec. 4-11. Minors on licensed premises. It shall be unlawful for any person under age 18 at any time to attend any bar or to draw, pour, mix or serve any alcoholic liquor in any licensee's retail premises.

(Res. of 1-15-76, § 20)

Sec. 4-11.1. Reserved.

Editors Note: Res. No. 29, passed and approved July 22, 1986, deleted § 4-11.1, concerning the possession, consumption and purchase of alcoholic liquors by minors. Former § 4-11.1 was derived from Res. No. 17, §§ 2-4, adopted Sept. 28, 1982.

Sec. 4-12. Violations; penalty. [Except as otherwise provided,] any person violating any provision of this chapter shall be fined not less than \$100.00 or more than \$500.00 for each violation.

(Res. of 1-15-76, § 22; Res. No. 17, 6-19-01)

Secs. 4-13--4-25. Reserved.

ARTICLE II. LICENSE

Sec. 4-26. Required. No person shall sell at retail, or deliver to the public with or without consideration, alcoholic liquor for beverage purposes in the unincorporated area of Whiteside County without first having obtained a license in accordance with this chapter, except as otherwise provided in this article; provided, that nothing herein contained shall prevent any duly licensed practicing physician or dentist from possessing or using any alcoholic liquor in strict practice of his profession, or any hospital or other institution caring for sick and diseased persons from possessing and using alcoholic liquor for the treatment of bona fide patients of such hospital or other institution; provided further, that any drugstore employing a licensed pharmacist may possess and use alcoholic liquors in the concoction of prescriptions of duly licensed physicians; and provided further, that the possession and dispensation of wine by any authorized representative of any church for the purpose of conducting any bona fide rite or religious ceremony conducted by such church shall not be prohibited by this article. (Res. of 1-15-76, § 2; Res. No. 29, 7-22-86)

State Law References: Authority for local licenses, Ill. Rev. Stat. Ch. 43, § 113.

Sec. 4-27. Application.

(a) Applications for licenses under this article shall be made to the local liquor control commissioner of the county in writing signed by the applicant if an individual, or by a duly authorized agent thereof if a corporation, verified by oath or affidavit, and shall contain the following information and statement:

- (1) The name, age and address of the applicant in the case of an individual; in the case of a copartnership, the persons entitled to share in the profits thereof; and in the case of a corporation or a club as defined in this chapter, the date of the 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;
- (2) The citizenship of the applicant, his place of birth, and if a naturalized citizen, the time and

- place of his naturalization;
- (3) The character of business of the applicant, and in case of a corporation, the objects for which it was formed;
 - (4) The length of time that the applicant has been in business of that character, or in case of a corporation, the date on which its charter was issued;
 - (5) The location and description of the premises or place of business which is to be operated under such license;
 - (6) A statement whether the applicant has made similar application for a similar other license on premises other than described in this application and the disposition of such application;
 - (7) A statement that the 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 chapter;
 - (8) That he will not violate any of the laws of the state or laws adopted by the county board or amendments thereto, pertaining to alcoholic liquors, in the conduct of his place of business;
 - (9) Whether a previous license by any state or subdivision thereof, or by the federal government, has been revoked and the reasons therefor;
 - (10) That he has not received or borrowed money or anything else of value, and that he will not receive or borrow money or anything else of value (other than merchandising credit in the ordinary course of business for a period of not to exceed 90 days, as herein expressly permitted under chapter 43, section 122 of the Illinois Revised Statutes), directly or indirectly from any manufacturer, importing distributor, or distributor or from any representative of any such manufacturer, importing distributor or distributor, nor be a party in any way, directly or indirectly, to any violation by a manufacturer, distributor, or importing distributor of chapter 43, section 123 of the Illinois Revised Statutes;
 - (11) A copy of the written, signed lease or rental agreement or other written authority for the use of the location if the applicant is not the owner of said location;
 - (12) A statement setting forth the purpose for the issuance of said license;
 - (13) A statement setting forth the applicant's arrangements for crowd control;
 - (14) A certificate of insurance showing evidence of dram shop insurance coverage;
 - (15) A request for specific times and dates for the term of said license.
- (b) In addition to the foregoing information, such applications shall contain such other and further information as the local liquor control commissioner may, by rule not inconsistent with law, prescribe.

(Res. of 1-15-76, § 3; Res. of 5-12-77; Res. No. 22, 5-17-83; Res. No. 29, 7-22-86; Res. No. 6, 2-19-91; Res. No. 10, 6-17-97)

Sec. 4-28. Deposit with application.

- (a) First time applicants. All applications for a license, except for Class F, shall be accompanied with a surety bond, together with cash or an acceptable check sufficient in amount to cover the first installment license fee. Such fee may be prorated if the installment period is less than six months. In addition, all first time applicants for "A", "B", "D", "E", or "G" licenses shall submit a nonrefundable application fee equal to 25 percent of the annual cost of the license for which application is being made.
- (b) Renewing applicants. All applications for a license, except for Class F, shall be accompanied with a surety bond, together with cash or an acceptable check sufficient in amount to cover the next installment license fee. (Res. of 1-15-76, § 4; Res. of 8-19-80; Res. No. 29, 7-22-86; Res. No. 10, 6-17-97)

Sec. 4-29. Bonds. Every applicant for a license, except for Class F, shall file with his application a joint

and several bond in the amount of \$500.00 for a Class B, Class D and Class G license and \$1,000.00 for a Class A or Class E license, payable to the people of the state for the use of the county, executed by a surety company that will be acceptable to the liquor control commissioner of the county. The bond shall be conditioned upon true and faithful compliance by the licensee with all the provisions of this chapter as adopted and as the same may be amended. The condition of the obligation shall be as follows:

"The condition of the above obligation is such that if the above bounden (Name of licensee) or his (its) successors, heirs, executors or administrators, as the case may be, who has filed a petition with the liquor control commissioner of the County of Whiteside and State of Illinois, wherein the above bounden has petitioned for a license for the sale at retail of alcoholic liquors, does comply with all the provisions of an Act entitled "An Act Relating to Alcoholic Liquors" approved January 31, 1934, in force February 1, 1934, as adopted by the State of Illinois, and all amendments hereinafter made thereto, and does further comply with all the provisions of a resolution entitled "A Resolution Relating to the Sale of Alcoholic Liquors in Whiteside County" and all amendments thereto as adopted and passed by the County Board of Whiteside County, then this obligation shall be void, otherwise to remain in full force and effect."

(Res. of 1-15-76, § 5; Res. of 8-19-80; Res. No. 29, 7-22-86)

Sec. 4-30. Classification of licenses; fees. Licenses under this article shall be and hereby are divided into five classes, to wit:

- (1) Class "A" license shall entitle the licensee to make package sales and package sale only of alcoholic liquor at retail in original packages. It shall be unlawful to consume the alcoholic liquor on the premises described in the license and it is further unlawful for such licensee to sell alcoholic liquor in any other form other than in original packages, and it shall be further unlawful for such licensee to permit the consumption of any alcoholic liquor on the premises whether such alcoholic liquor shall be purchased there or shall have been brought to the premises from some other place. The Class "A" license fee shall be \$1,200.00 per annum; payable annually in advance. If the applicant so desires, the fee may be payable semiannually in installments of \$600.00 in advance. In the event of such payment in installments, the license issued shall cover only the period for which payment is made in advance.
- (2) Class "B" license shall entitle the licensee to sell at retail draught and bottled beer for consumption in the building on the premises where sold. It shall be unlawful, however, for the licensee to sell or possess any other alcoholic liquor in the building on the premises, described in the license in any manner or form; and it shall be further unlawful for the licensee to permit the consumption in the building on the premises of any alcoholic liquor except beer. The annual fee for a Class "B" license shall be \$200.00 per annum; payable in advance. If the applicant so desires, the fee may be payable semiannually in installments of \$100.00 in advance. In the event of such payments in installments, the license issued shall cover only the period for which payment is made in advance.
- (2.5) Class "C" licenses shall permit the holders of such license to sell beer and wine only by the package for consumption off the premises. The annual fee shall be \$500.00; and if the applicant so desires, the fee may be payable semiannually in installments of \$250.00 in advance. If payments are made in installments, the license issued shall cover only the period for which payment is made in advance.
- (3) Class "D" license shall be granted only to clubs qualified as such under Article 1, Paragraph 2, Subsection 24 of the Illinois Liquor Control Act (Ill. Rev. Stat. Ch. 43, § 95.24) Class D license shall permit such licensee to sell beer, brandy, rum, whiskey, gin and other spirituous liquors and wines by the drink for consumption in the building on the premises; the annual license fee for such Class D licenses shall be \$1,000.00. If the applicant so desires, the fee may be payable

semiannually in installments of \$500.00 in advance. In the event of such payments in installments, the license issued shall cover only the period for which payment is made in advance.

- (4) Class "E" licenses shall permit the holders of such licenses to sell beer, brandy, rum, whiskey, gin, and other spirituous liquors and wines by the drink and any such drink so sold must be consumed in the building on the premises. It shall also permit the holder to sell such alcoholic liquor by the package for consumption off the premises. The annual license fee shall be \$1,500.00; if the applicant so desires, the fee may be payable semiannually in installments of \$750.00 in advance. If payments are made in installments, the license issued shall cover only the period for which payment is made in advance.

b. Class E-1 licenses shall be granted only to holders of a Class E license who maintain premises of an area of at least five acres for use by its patrons and who maintain adequate off-street parking facilities for its patrons. Class E-1 licenses shall permit the holders of such licenses to sell beer, brandy, rum, whiskey, gin, and other spirituous liquors and wines. The annual license fee shall be \$10.00.

- (5) Class "F" licenses may be issued for a limited period of time for the purpose of allowing the licensee to raise funds for charitable, educational or civic purposes. Class F licenses shall be granted only to bona fide not-for-profit corporations. Class F licenses shall permit the holder to sell beer and wine, by the drink only, and any such drinks must be consumed on the premises.

A Class F license is valid for one continuous two-day event during any continuous three-day period reflected in the application and subject to the provisions of section 4-4. The license fee shall be \$25.00. No applicant shall be granted more than three Class F licenses in a calendar year. No Class F license shall be granted for overlapping or consecutive time periods for any one location or event.

- (6) Class "G" "Caterers" shall authorize the sale and delivery of alcoholic beverages either on-sight or off-sight of the licensed premises and shall be issued only to a person or entity who is a caterer-retailer that holds a current Retail Food Permit issued by the Whiteside County Health Department and whose principal place of business is within Whiteside County. Further, that the licensed premises shall be that location where the principal place of business is situated and all sales of alcoholic beverages made pursuant to the class "G" license shall be deemed to have been made at the licensed premises. The annual fee for a Class "G" license shall be \$250.00 per annum; payable in advance. If the applicant so desires, the fee may be payable semiannually in installments of \$125.00 in advance. In the event of such payments in installments, the license issued shall cover only the period for which payment is made in advance. (Res. of 1-15-76, § 7; Res. of 5-12-77; Res. of 5-22-79; Res. of 6-19-79; Res. of 7-22-80; Res. No. 22, 5-17-83; Res. No. 29, 7-22-86; Res. No. 6, 2-19-91; Res. No. 12, 6-18-91; Ord. No. 10, 5-20-97; Res. No. 10, 6-17-97; Res. No. 14, 5-16-00; Ord. No. 2 6-17-14)

State Law References: Power to classify licenses and levy fees, Ill. Rev. Stat. Ch. 43, § 110.

Sec. 4-31. Term.

- (a) Except for Class F, licenses under this article shall be issued to cover a period running from July first in one year to July first in the following year, such license to terminate on the thirtieth day of June next following its issuance. Whenever any owner or members of an original firm or partnership, which is a licensee under this article, ceases to carry on business, the license issued under this article shall be returned, handed over and surrendered to the county liquor control commissioner for revocation and cancellation. The county liquor control commissioner shall have the right to assign and issue such revoked and cancelled liquor license.

- (b) If the license is not used by the licensee within a period of 60 days from the date of issuance of license, the license is subject to revocation within the discretion of the county liquor control commissioner and provided that if the license is issued and used by the licensee and during the period of license the licensee ceases to use the license for a period of 60 days, the license is subject to revocation within the discretion of the county liquor control commissioner.

(Res. of 1-15-76, § 6; Res. of 5-22-79; Res. of 9-18-80)

Sec. 4-32. Number of total licenses.

No more than an aggregate total of 20 licenses exclusive of Class D, E-1, and F licenses shall be issued, and be in full force and effect at any one time.

(Res. of 1-15-76, § 8; Res. of 6-19-79; Res. of 8-19-80; Mo. of 4-17-84; Mo. of 3-16-10)

Sec. 4-33. Separate applications. A separate license for each location must be secured by an applicant desiring to carry on a licensed business at more than one location. (Res. of 1-15-76, § 9)

Sec. 4-34. Record of licenses. The county liquor control commissioner shall keep or cause to be kept a complete record of all licenses issued and shall furnish the county clerk, treasurer, sheriff and state's attorney of the county with a copy thereof, upon the issuance of any new licenses or the revocation of any old licenses, and the local liquor control commissioner shall give or cause to be given a written notice to such officers within ten days thereafter. (Res. of 1-15-76, § 10)

Sec. 4-35. (Ord. No. 2 6-17-14)

Sec. 4-36 Keg Registration Requirements

(a) Registration/Return Procedure.

All retail sales/purchasers of any keg in the County of Whiteside subject to this Chapter 4 for off site consumption must comply with the following registration, documentation and labeling requirement and restrictions imposed by this ordinance:

1. Purchasers shall provide a current government issued photo identification with the purchaser's name, address, and individual identification number to the seller who shall then record and document that information in a log. The log shall also contain the individual keg identification assigned to the keg by the seller, and include the date of sale and indicate that the photo identification that was produced was matched to the purchaser. The log shall also contain some identifier of each person, owner/employee who sold to each purchaser. This information shall be kept by the seller for minimum period of six months from the date of sale;
2. Sellers shall assign, record and attach to each retail keg sold for off site consumption an individual keg registration label/sticker, at or before the time of sale to the purchaser, and the label/sticker shall also include a prominent warning thereon that it is illegal to alter, damage or remove the label/sticker from the keg;
3. Sellers of keg alcohol shall obtain the individual keg identification label/stickers from the Whiteside County Sheriff's Department which shall record to whom the label/stickers are distributed and shall restrict the distribution of the label/stickers to licensed alcoholic retailers. The Sheriff's Department shall keep a copy of a record of such distribution.
4. Sellers shall collect a deposit in an amount set by the retailer for each keg. Purchasers shall return kegs to the retail seller where it was purchased with the individual keg registration label/sticker attached, intact and legible on or before sixty (60) days from the date of sale or the deposit shall be forfeited.
5. Sellers shall record the date on which the keg is returned, who returned the keg and indicate whether the keg identification label/sticker is present or absent by notation on the log;
6. Sellers shall remove or otherwise invalidate the individual keg identification label/stickers from the kegs when they are returned. The old label/stickers are to be destroyed;
7. Sellers shall produce keg registration logs/records to law enforcement upon request.

(b) Keg Possession Requirements/Restrictions.

No person shall possess a keg container of alcoholic beverage which was purchased within Whiteside County from a person or entity subject to this chapter for consumption, after the effective date of this Ordinance without an intact and legible individual keg identification label/sticker attached as required herein, except for retail sellers of keg alcohol and liquor license holders, or if the keg was purchased at a location where such a label/sticker was not required, without proof of purchase for the keg, including the name and address of the seller.

(c) Keg Sticker/Label Prohibitions.

No person shall alter, damage, destroy or remove the individual keg label/sticker which is described and required by this ordinance or any ordinance of the City of Morrison or any ordinance of any other governmental entity after it has been attached to the keg, except for retail sellers of keg alcohol.

No licensee under the provisions of this chapter shall, either individually or through his or her agents or employees permit any person to purchase a keg without compliance with this section with all requirements of this section and all other applicable provisions of the Chapter 4 of the Whiteside County Code.

(Ord N. 16, 11-17-2009)

Sec. 4-37 Suspension and Revocation

Suspension and Revocation: The local Liquor Control Commissioner may revoke or suspend a license issued by the Liquor Control Commissioner if that Commissioner determines that the licensee has violated any of the provisions of the Liquor Control Act or any valid ordinance or resolution enacted by the County Board or any applicable rule or regulation established by the local Liquor Control Commissioner or the State Commission which is not inconsistent with the law. However, no such license shall be so revoked or suspended except after a public hearing by the local Liquor Control Commissioner with a three (3) day written notice to the licensee affording the licensee an opportunity to appear and defend.

If the local Liquor Control Commissioner has reason to believe that any continued operation of a particular licensed premises will immediately threaten the welfare of the community, he may, upon the issuance of a written order stating the reason for such conclusion, and without notice or hearing, order the licensed premises closed for not more than seven (7) days, giving the licensee an opportunity to be heard during that period; except that, if such licensee shall be also engaged in the conduct of another business or businesses on the licensed premises, such order shall not be applicable to such other business or businesses.

The local Liquor Control Commissioner shall, within five (5) days after such hearing, if he determines after such hearing that the license should be revoked or suspended, state the reason or reasons for such determination, and prepare a written order of revocation or suspension, and shall serve a copy of such order upon the licensee within said five (5) days.(Ord. No. 2 6-17-14)