

ORDINANCE NO. 25-16

AN ORDINANCE AMENDING TITLE 3, BUSINESS REGULATIONS, CHAPTER 9, LIQUOR, OF THE VILLAGE OF MANTENO MUNICIPAL CODE

BE IT ORDAINED by the President and Board of Trustees of the Village of Manteno, as follows:

Section 1

That Title 3, Business Regulations, of the Village of Manteno Municipal Code, be amended by changing Chapter 9, Liquor, to read as follows:

CHAPTER 9

LIQUOR

...

3-9-2: LICENSE REQUIRED:

It shall be unlawful for any person to sell or offer for sale at retail, or outside of one's personal residence to permit the consumption of, any alcoholic liquor in the Village: (a) without a liquor license issued by the State of Illinois; (b) without a liquor license issued by the Village of Manteno; (c) at a location, place, or premises other than as described in the liquor license; or, (d) in violation of the terms of such liquor license.

3-9-3: APPLICATIONS:

(A) An application for a liquor license shall be made in conformity with the general requirements of this code relating to applications for licenses.

(b) Such applications shall be delivered to the village clerk on forms provided by the village, who shall forward and deliver to the president of the board of trustees, as local liquor control commissioner, to perform an investigation and background check of the applicant, and a decision on the approval or denial of said license.

(c) Applications for liquor licenses shall be signed by the applicant, if an individual, or by a duly authorized agent thereof, if an entity, verified under oath, and shall include: (a) such information as will allow the local liquor control commissioner to investigate and determine that no grounds exist for the denial thereof pursuant to Sections 6-2, 6-11, 6-12, or 6-25 of the Liquor Control Act of 1934 (the "Act"), as amended from time to time, including fingerprint samples; (b) proof of dram shop liability insurance having the limits prescribed by Section 6-21 of the Act; (c) payment of the applicable

license fee; and (d) such other information or documentation as may be required by the licensee to qualify for such license.

(d) Except for applications for new licenses during the course of the license year, every application for renewal of a liquor license shall be completed and in the hands of the local liquor control commissioner at least fifteen (15) days prior to the beginning of the license year.

(e) An application for a Class SE-NP or SE-FP license shall be completed and in the hands of the local liquor control commissioner at least thirty (30) days prior to the special event it relates.

(e) No license shall be issued hereunder until such application has been fully completed, signed, investigated, and then only when the local liquor control commissioner shall approve the same in writing.

3-9-4: FEE:

Retail licenses for the sale of alcoholic liquor shall be divided into the following classes for which the following fees shall be paid:

(A) Class A license shall authorize the retail sale on the premises specified of alcoholic liquor for consumption on the premises as well as other retail sales of such liquor. The annual fee for such license shall be one thousand one hundred twenty five dollars (\$1,125.00).

(B) Class B license shall authorize the retail sale of alcoholic liquor, but not for consumption on the premises where sold. The annual fee for such license shall be one thousand five hundred dollars (\$1,500.00).

(C) Class C license shall authorize the retail sale of alcoholic liquor only in conjunction with the sale of food and shall be served at tables and allowing for no sale across the bar to any patrons, except for banquets at which liquor may be served across the bar to those patrons attending the organized function. The annual fee for such license shall be seven hundred fifty dollars (\$750.00).

(D) Class O license shall authorize a holder of a class A or class C liquor license to sell alcoholic liquor for consumption outside of the permanent enclosed structure containing the licensed premises in a location designated by the liquor commission. A holder of a class B license shall not be eligible for a class O license. The annual fee for such license shall be five hundred fifty dollars (\$550.00).

(E) Class D license shall authorize the retail sale on the premises specified of the alcoholic liquor for consumption on premises where food is sold. Alcoholic liquor shall only be served at tables or other designated areas, but shall not be sold across a bar to any patrons sitting or standing thereat for any period exceeding what is necessary for

the patron to order and obtain the product sold. The annual fee for such license shall be one thousand one hundred twenty-five dollars (\$1,125.00).

(F) Class E license shall authorize the retail sale or complimentary distribution of the beer, wine and champagne, by single glass only, for consumption on the licensed premises only, when the principal business on the licensed premises is a spa, beauty salon or barbershop, or at an art gallery, art studio, or other place of business while instructing an artistic/culinary experience event involving customer/patron participation. The sale, service and consumption of alcoholic beverages shall be limited to those supplied by the licensee to customers/patrons of the principal business use while receiving such services or while participating in an artistic or culinary experience event. The annual fee for such license shall be five hundred dollars (\$500.00).

(G) Class F license shall authorize the retail sale or complimentary distribution of beer, wine, champagne, or alcoholic liquor in its original can or bottle, for consumption off the licensed premises only, together with the packaged sale of sweets, fruits, or other edible arrangements, as a part of a home occupation. The annual fee for such license shall be three hundred dollars (\$300.00).

(H) Class SE-NP (Non-Profit Special Event) license shall authorize the retail sale of alcoholic liquor for consumption on-premises at special events organized and held by governmental and/or not-for-profit organizations or entities. A Class SE-NP license shall also be available to for-profit entities provided they are a sponsor of the special event organized or held by governmental and/or not-for-profit organizations or entities. A Class SE-NP license shall designate the location, date, and hours of validity. The local liquor control commissioner may authorize the holder of a Class SE-NP license to sell and deliver alcoholic liquor on Sunday prior to nine o'clock (9:00) A.M., but no earlier than eight o'clock (8:00) A.M. The fee for such license shall be zero dollars (\$0.00) per day.

(I) Class SE-FP (For-Profit Special Event Supplemental) license shall supplement a Class A license and shall authorize the retail sale of beer and wine, only, for consumption on-premises at a special event organized and held by the Class A license holder. A Class SE-FP license shall designate a location other than the underlying licensed premises and the dates of validity. The fee for such license shall be one-hundred dollars (\$100.00) per day.

In the event that any application for an annual license hereunder shall be made for a period of less than six (6) months by an applicant who or which shall not have been previously engaged in the sale of alcoholic liquor within the village, such application shall be accompanied by a fee of fifty percent (50%) of the annual fee.

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3-9-14: LIMITATION:

(a) There shall not hereafter be issued within the corporate limits of the village more than nine (9) class A licenses; eight (8) class B licenses; two (2) class C licenses; two (2) class D licenses; ten (10) class E licenses; three (3) Class F licenses; zero (0) Class SE-NP licenses; and zero (0) class SE-FP licenses. The number of Class O licenses shall be limited by the underlying class of licenses they supplement.

(b) The number of licenses authorized by this section for all classes shall remain at the number set forth above; provided, however, that any license forfeited, revoked, voided, or expired without timely renewal shall automatically reduce the number of licenses of the particular class authorized and available by the total number so forfeited, revoked, voided, or expired.

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3-9-16: EXPIRATION:

(A) All annual liquor licenses issued in conformity with this chapter shall, without exception, expire at twelve o'clock (12:00) midnight on April 30 following the date of issuance.

(B) All Class SE-NP and SE-FP licenses shall expire in accordance with the terms of the particular license.

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3-9-21: CONDITIONS ON CLASS D LICENSE:

A Class D license is subject to the following conditions and limitations:

(A) Hours: No Class D licensee shall permit to be sold or given away any alcoholic liquor between the hours of two o'clock (2:00) A.M. and six o'clock (6:00) A.M. on Monday, Tuesday, Wednesday, Thursday, Friday and Saturday of each week, and between the hours of two o'clock (2:00) A.M. and nine o'clock (9:00) A.M. on Sunday of each week.

(B) Closing: A Class D license holder shall clear the premises of all patrons at or prior to two thirty o'clock (2:30) A.M. unless such patrons are engaged in legal commercial activity which does not involve the sale or consumption of alcoholic liquor.

3-9-22: CONDITIONS ON CLASS E LICENSE:

A Class E license is subject to the following conditions and limitations:

(A) Hours: A Class E licensee shall permit the sale, delivery or consumption of beer, wine and champagne during the principal business' hours, but in no event earlier than nine o'clock (9:00) A.M. and no later than eleven o'clock (11:00) P.M. on Monday through Sunday of each week.

(B) Closing: A Class E license holder shall clear the premises of all customers/patrons at or prior to eleven thirty o'clock (11:30) P.M. unless such patrons are engaged in legal commercial activity that does not involve the sale, delivery or consumption of alcoholic liquor.

(C) Video Gaming: No video gaming or video gaming terminal shall be permitted or allowed in or on a Class E licensed premises.

(D) Food Service: No food shall be prepared in or on a Class E licensed premises except in conjunction with a culinary experience event through which customers/patrons participate by preparing food for their own consumption.

(E) Signs: No advertisement, sign or any other external indicia of the Class E licensee, the Class E licensed premises, or the primary business use, shall contain an express or implicit reference to alcoholic beverages being sold, delivered, or available for consumption.

(F) Prohibited Licensees: No person or premises holding or having a liquor license of any other class shall be permitted to simultaneously hold or have applicable to it a Class E license.

3-9-23: PENALTY:

(A) Any person found in violation of any provision of this chapter shall be fined not less than \$100 not more than \$750 for each offense. Each violation and each day a violation occurs or is allowed to continue shall constitute a separate and distinct offense.

(B) In addition to or in lieu of a fine, a licensee found in violation of any provision of this chapter may have his/her/its liquor license non-renewed, suspended, or revoked.

(C) The fines, penalties, and remedies provided for above are in addition to and not exclusive of any other remedy available to the Village as provided by applicable law.

3-9-24: DENIAL, NON-RENEWAL, SUSPENSION, REVOCATION:

In addition to or in lieu of imposing a fine for a violation of this chapter, the local liquor control commissioner is authorized to deny, not renew, suspend, or revoke a liquor license of any applicant/licensee for any of the following reasons:

(A) The applicant/licensee is not authorized to hold a liquor license under the Act;

(B) The applicant/licensee failed to supply or update information, documentation, or fees required for the issuance or renewal of said liquor license;

(C) Any fraud, misrepresentation or false statement by the applicant/licensee contained in or supplementing any application for a liquor license;

(D) The licensee, or his agents or employees, violates any United States, State of Illinois, County of Kankakee, Village of Manteno, or local liquor control commissioner statute, ordinance, regulation, rule or order related to the sale of alcoholic liquor, its business operations, or the licensed premises, including the provisions of this chapter;

(E) Failure by licensee to timely pay any fee, fine, tax, or penalty owed to the Village arising from or relating to its operations on the licensed premises.

(F) The business operations of the licensee on the licensed premises constitute a nuisance or a hazard or danger to the public health, safety, or welfare.

Section 2

If any section, paragraph, clause, or provision of this ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this ordinance.

Section 3

All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed insofar as they conflict herewith.

Section 4

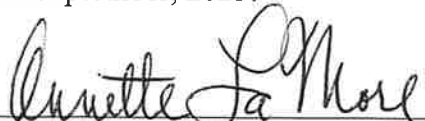
This ordinance shall be immediately in full force and effect after the passage, approval, and publication. This ordinance is authorized to be published in pamphlet form.

PASSED by the Board of Trustees of the Village of Manteno, Illinois and deposited in the office of the Village Clerk this 15th day of September, 2025.

DEPOSITED with the Village Clerk this 15th day of September, 2025.


KERRI ROLNIAK, Village Clerk

APPROVED by me this 15th day of September, 2025.


ANNETTE LAMORE, Village President

I DO HEREBY CERTIFY that this Ordinance was, after its passage and approval, published in pamphlet form by authority of the Village of Manteno, in accordance with law, this 15th day of September, 2025.


KERRI ROLNIAK, Village Clerk