

RESOLUTION NO. 14

**WHEREAS**, the City of Springfield now and for a period of time has allowed the sale of alcoholic beverages on Sunday prior to noon;

**WHEREAS**, the Sangamon County businesses operate under a competitive disadvantage based upon their inability to offer full services to patrons on Sunday before 12:00 noon;

**WHEREAS**, alcoholic beverages are readily available throughout the community before noon on Sunday by businesses licensed by alternative jurisdictions;

**WHEREAS**, a change in the operating hours specified in the Liquor Code would give Sangamon County businesses equal opportunity;

**NOW, THEREFORE BE IT RESOLVED** by the members of the Sangamon County Board in session this 12<sup>th</sup> day of June, 2009 that the Sangamon County Alcoholic Beverages Ordinance Section 5.04.200 and 5.04.210 be amended as provided in Exhibit "A" attached hereto and made a part hereof.

Respectfully submitted,

Sangamon County Liquor Committee



Tom Fraase  
Sangamon County Liquor Committee Chairman

**FILED**

MAY 29 2009



Sangamon County Clerk

EXHIBIT "A"

5.04.200 Hours of sale. A. No person licensed to sell alcoholic liquors under this chapter as a Class 1AA licensee, a Class 1BB licensee, a Class 1PC licensee, Class 1FF licensee or a Class 1GG licensee shall permit such liquors to be sold, given or consumed on the licensed premises between the hours of 1 a.m. and 7 a.m. Monday through Sunday.

B. No such person licensed to sell alcoholic liquors under this chapter as a Class 3AA licensee shall permit such liquors to be sold, given or consumed on the licensed premises between the hours of 3 a.m. and 7 a.m. Monday through Sunday.

C. No such person licensed to sell alcoholic liquors under this chapter as a Class 2AA licensee shall permit such liquors to be sold, given or consumed on the licensed premises between the hours of 2 a.m. and 7 a.m. Monday through Sunday.

D. Persons licensed to sell beer/wine under this chapter as a Class 1E licensee and a Class 1WW licensee shall not permit such beer/wine to be sold between the hours of 1 a.m. and 7 a.m. Monday through Sunday.

E. No person licensed to sell beer/wine under this chapter as a Class 1RR licensee shall permit beer to be sold, given or consumed on the licensed premises except between the hours of 11 a.m. and 11 p.m. Monday through Sunday.

F. No person licensed to sell alcoholic liquor as a Class 1K licensee shall permit alcoholic liquor to be sold, given or consumed except between the hours of 12 p.m. and ending not later than 1:00 a.m. on the following calendar date.

G. No person licensed to sell alcoholic liquors under this Chapter as a Class 1DD licensee and a Class 1CC licensee shall permit such liquors to be sold, given or consumed on the licensed premises between the hours of 12 a.m. and 7 a.m. Monday through Sunday.

H. On January 1<sup>st</sup> of each year no person licensed to sell alcoholic liquors under this chapter

shall permit such liquors to be sold, given or consumed on the licensed premises between the hours of 3 a.m. and 7 a.m. of any day.

5.04.210 Hours public denied access to premises.

A. No person shall remain or be permitted to remain on any premises licensed under a Class 3AA license after 3:30 a.m. of any day. The doors of the licensed premises shall be locked promptly at 3:30 a.m. of any day.

B. No person shall remain or be permitted to remain on any premises licensed under a Class 1AA, 1BB, 1PC, 1FF and 1GG license after 1:30 a.m. of any day except January 1<sup>st</sup> of each year or be admitted thereto before 7:00 a.m. of any day. The doors of the licensed premises shall be locked promptly at 1:30 a.m. every day except January 1<sup>st</sup> of each year.

C. No person shall remain or be permitted to remain on any premises licensed under a Class 2AA license after 2:30 a.m. of any day except January 1<sup>st</sup> of each year or be admitted thereto before 7:00 a.m. of any day.

D. The doors of a licensed premises shall remain locked during the balance of the time the business of selling of alcoholic liquors is not permitted to be transacted upon such premises, provided, however; any licensed premises that is also a Hotel/Motel dining room, or restaurant or club as defined in this chapter and so certified by the

County Board Chairman in the manner provided in Section 5.04.230 of this chapter, may remain open to the public during the aforesaid hours that sale of alcoholic liquor is prohibited, for the purpose of serving food and nonalcoholic beverages, but only on condition that during the closed hours, the Hotel/Motel dining room, restaurant or club complies with the following requirements:

1. All alcoholic beverages must be either removed from view or placed behind doors or slides, or screens or counters or shades, or other apparatus clearly indicating that such beverages are not presently offered for sale;
2. No wine list or liquor list shall be displayed or placed on any table or counter;
3. A sign shall be displayed prominently and reading: "CLOSED HOURS, NO ALCOHOLIC LIQUORS SOLD OR SERVED";
4. No alcoholic liquors shall be sold, donated, bartered, exchanged, served or consumed there during closing hours.

E. On New Year's Day of each year, that is, January 1<sup>st</sup>, no person shall remain or be permitted to remain on any premises licensed for the sale of alcoholic liquors after 3:30 a.m. The doors shall be locked promptly at 3:30 a.m. of each New Year's Day, and shall remain locked during the balance of the time the business of selling alcoholic liquors is not permitted to be transacted upon such premises.

F. Any licensed premises certified by the Local Liquor Control Commissioner in the manner provided in Section 5.04.220 of this chapter, to be a retail establishment where the sale of an alcoholic liquor is not the principal business may remain open to the public during the aforesaid hours that sale of alcoholic beverages is prohibited for the purpose of conducting its lawful business other than the sale of alcoholic liquor, but only on condition that during the closed hours the retail establishment complies with the following requirements:

1. All alcoholic beverages in the licensed premises must be within the designated locations or enclosures defined in Section 5.04.220 of this chapter and either removed from view, or placed behind doors, or slides, or screens, or counters, or shades, or other apparatus, clearly indicating that such beverages are not presently offered for sale;
2. A sign shall be displayed prominently reading: "CLOSED HOURS, NO ALCOHOLIC LIQUORS SOLD OR SERVED";
3. No alcoholic liquors shall be sold, donated, bartered, exchanged, served or consumed therein during the closed hours.

G. Nothing contained in this section shall be construed as granting any licensee the privilege to sell alcoholic during the aforesaid closing hours; and any licensee not certified by the Local Liquor Control Commissioner to be, in fact, a Hotel/Motel dining room, restaurant, club or retail establishment where the sale of alcoholic liquor is not the principal business must keep its doors locked and the public barred therefrom during the closed hours.

H. Nothing contained in this section shall be construed as requiring any adult clerk in a licensed premises where the sale of alcoholic liquors is not the principal business to be limited in duties solely relating to the sale of alcoholic liquor.

I. Nothing herein contained shall be construed as permitting any employee under the age of 21 to handle, mix, sell, exchange, serve, or in any way take part in a licensee's business of selling alcoholic liquors.