

RESOLUTION NO. 13-1

WHEREAS, the Sangamon County Alcoholic Beverages Ordinance provides in Section 5.04.390 (A) 2(b) and 5.04.020 (7) (a) for a permanent fence of at least eight (8) feet in height enclosing an area designed and permitted for the outside sale of alcoholic beverages;


WHEREAS, the Sangamon County Liquor Committee has reviewed and determined that a decrease in the height requirement of fencing enclosing an area for the outside sale and consumption of alcoholic beverages to six (6) feet in height will not impede or exacerbate the fundamental policy concerns regarding the said enclosures in Sangamon County;

WHEREAS, amendment of the Sangamon County Alcoholic Beverages Ordinance Section 5.04.390 (A) 2 (b) and 5.04.020 (7) (a) is necessary to allow for a reduction in the height requirements for enclosure for an outside area designed for the sale and consumption of alcoholic beverages.

NOW, THEREFORE BE IT RESOLVED by the members of the Sangamon County Board in session this 14th day of November, 2006 that the Sangamon County Alcoholic Beverages Ordinance Section 5.04.390 (A) 2 (b) and 5.04.020 (7) (a) 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

NOV 09 2006


Joe Aiello
Sangamon County Clerk

EXHIBIT "A"

5.04.390A. Beer Garden Permit.

1. In application and payment of an investigation and application fee as set forth in Section 5.04.080, the holder of a Class 1AA, 1BB, 1PC, 1WW, 2AA, 3AA, and 1GG license may be issued a Beer Garden Permit.

2. A Beer Garden Permit shall, upon issuance, entitle the holder of a Class 1AA, 1BB, 1PC, 2AA, 1WW, 3AA, and 1GG license to sell alcoholic liquor as authorized by his primary classification, outside of the permanent structure of his premises under the following conditions:

a. The holder of a Beer Garden Permit must conclude all sales and clear the Beer Garden no later than 10:30 p.m.

b. A permanent fence, not less than six feet in height, made of wood, brick, chain privacy fence or any other similar materials, designed so that a person on either side of the fence is unable to see through the fence to the other side at any point, must enclose the whole area in which alcoholic liquors are served, poured mixed or consumed.

5.04.020 (7)

(a). A permanent fence, not less than six feet in height, made of wood, brick, chain privacy fence or any other similar materials, designed so that a person on either side of the fence is unable to see through the fence to the other side at any point, must enclose the whole area in which alcoholic liquors are served, poured, mixed, or consumed.