

CITY OF LE ROY  
COUNTY OF McLEAN, STATE OF ILLINOIS

**ORDINANCE NO. 07-10-04-50**

**AN ORDINANCE AMENDING TITLE 3 BUSINESS & LICENSE  
REGULATIONS; CHAPTER 3 LIQUOR CONTROL OF THE MUNICIPAL  
CODE OF LE ROY, ILLINOIS, 2003**

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ADOPTED BY THE CITY COUNCIL OF THE CITY OF LE ROY THIS  
**15<sup>th</sup> Day of October 2007**

PRESENTED: **October 15, 2007**

PASSED: **October 15, 2007**

APPROVED: **October 15, 2007**

RECORDED: **October 15, 2007**

PUBLISHED: **October 15, 2007**

In Pamphlet Form

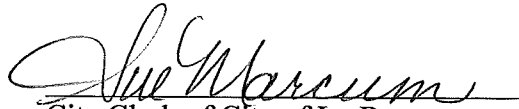
Voting "Aye" 8

Voting "Nay" 0

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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)

  
City Clerk of City of Le Roy

Dated: October 15, 2007

**ORDINANCE NO. 07-10-04-50**

**AN ORDINANCE AMENDING TITLE 3 BUSINESS & LICENSE REGULATIONS; CHAPTER 3 LIQUOR CONTROL OF THE MUNICIPAL CODE OF LE ROY, ILLINOIS, 2003**

**WHEREAS**, City Council of the City of Le Roy , McLean County, Illinois, an Illinois Municipal Corporation, hereinafter referred to as "City" has determined that it is necessary and in the best interests of the city and its residents that a class B-S Liquor License be created; and

**NOW, THEREFORE BE IT ORDAINED**, by the City Council of the City of Le Roy, Illinois in lawful meeting assembled, as follows:

**SECTION 1.** Title 3, Business and License Regulations, of the Municipal Code of LeRoy, Illinois 2003, Chapter 3, Liquor Control, Section 11, Classification of Licenses; Fees; Restriction on Licenses; Subsection B, Class B Licenses (3-3-11-B) be repealed.

**SECTION 2.** Title 3, Business and License Regulations, of the Municipal Code of LeRoy, Illinois 2003, Chapter 3, Liquor Control, Section 11, Classification of Licenses; Fees; Restriction on Licenses; Subsection B, Class B Licenses (3-3-11-B) be added:

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. (Ord. 156, 12-7-1981; amd. Ord. 222, 11-5-1984; Ord. 04-05-02-10, 5-17-2004.)

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 two hundred eighty dollars fifty cents (\$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 five hundred fifty five dollars fifty cents (\$555.50).

**SECTION 3.** Title 3, Business and License Regulations, of the Municipal Code of LeRoy, Illinois 2003, Chapter 3, Liquor Control, Section 16, Location of Licensed Operations; Premises Requirements (3-3-16-A) be repealed.

**SECTION 4.** Title 3, Business and License Regulations, of the Municipal Code of LeRoy, Illinois 2003, Chapter 3, Liquor Control, Section 16, Location of Licensed Operations; Premises Requirements (3-3-16-A) be added:

A. Location Restrictions:

1. No license shall be issued for the sale at retail of any alcoholic liquor within one hundred feet (100') from any school, hospital, home for the aged or indigent persons, or any military or naval station. The one hundred foot (100') from measurement provided in this subsection shall be measured from the outside perimeter of the lot on which the establishment in which alcoholic liquor is permitted to be sold sits to the perimeter of the lot on which the school, hospital, home for the aged or indigent persons, or military or naval station is located. (Ord. 156, 12-7-1981; amd. 2003 Code)
2. Location Restrictions: No license shall be issued for the sale at retail of any alcoholic liquor within one hundred feet (100') from any church. The one hundred foot (100') from measurement provided in this subsection shall be measured from the outside perimeter of the lot on which the establishment in which alcoholic liquor is permitted to be sold sits to the nearest part of any building used for worship service or educational programs and not to property boundaries.

**SECTION 5.** Title 3, Business and License Regulations, of the Municipal Code of Le Roy, Illinois 2003, Chapter 3, Liquor Control, Section 19, Days and Hours of Sales; Emergency Closures: (3-3-19-A), be repealed.

**SECTION 6.** Title 3, Business and License Regulations, of the Municipal Code of Le Roy, Illinois 2003, Chapter 3, Liquor Control, Section 19, Days and Hours of Sales; Emergency Closures: (3-3-19-A), be added:

A. Days And Hours Of Sales: It shall be unlawful to sell or offer for sale at retail any alcoholic liquor in the city between the hours of one o'clock (1:00) A.M. and seven o'clock (7:00) A.M. on any day. Further, for all holders of liquor licenses, except class C/I-S and C/II-S licenses, class A-S licenses, class B-S licenses, and class D licenses, it shall be unlawful to offer for sale at retail any alcoholic liquor in the city between the hours of one o'clock (1:00) A.M. Sunday and seven o'clock (7:00) A.M. on Monday following. As to class A-S and B-S license holders, it shall be unlawful to sell or offer for sale at retail any alcoholic liquor in the city not only between the hours of one o'clock (1:00) A.M. and seven o'clock (7:00) A.M. on any day, but also between the hours of one o'clock (1:00) A.M. Sunday and twelve o'clock (12:00) noon on the same Sunday and nine o'clock (9:00) P.M. Sunday and seven o'clock (7:00) A.M. on Monday following. As to class C/I-S and C/II-S license holders, it shall be unlawful to sell or offer for sale at retail any alcoholic liquor in the city, not only between the hours of one o'clock (1:00) A.M. and seven o'clock (7:00) A.M. on any day, but also between the hours of one o'clock (1:00) A.M. Sunday and nine (9:00) A.M. on the same Sunday, and six o'clock (6:00) P.M. Sunday and seven o'clock (7:00) A.M. on Monday following. It shall be unlawful to keep open for business or to admit the public to any premises in or on which alcoholic liquor is sold at retail during the hours in which the sale of liquor is prohibited.

In the case of restaurants, such establishments may be kept open during such hours, but no alcoholic liquor may be sold to or consumed by the public during such hours, unless such restaurant is the holder of a class D license, in which case, the hours for sales of liquor on Sunday shall be as set forth in connection with the designation for class D license privileges under section 3-3-11 of this chapter, or unless such restaurant is the holder of a class A-S license or a class B-S license, in which case, the hours for sales of liquor on Sundays shall be as set forth in this subsection. (Ord. 847, 6-7-1999)

**SECTION 7.** This ordinance shall be in full force and effect from and after its passage and approval as required by law.

PASSED by the City Council of the City of Le Roy, Illinois, upon the motion made by Butch Cook, and seconded by Dawn Thompson by roll call vote on the 15<sup>th</sup> day of October, 2007, as follows

Aldermen elected 8

Aldermen Present 8

Voting Aye:

Shirley Chancellor, Nancy Bentley, T.A. Whitsitt, Dawn Hanafin, George Cook Jr., Dave McClelland, Dawn Thompson, John Haney

Voting Nay:

None

Absent:

None

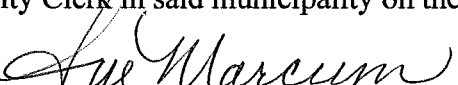
Abstain:

None

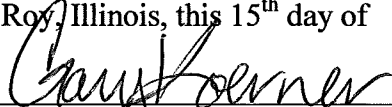
Other:

None

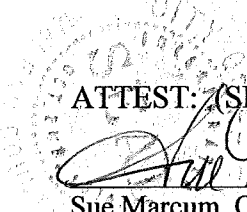
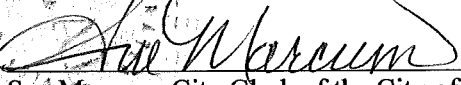
and deposited and filed in the office of the City Clerk in said municipality on the 15<sup>th</sup> day of October, 2007.

  
Sue Marcum, City Clerk of the City of Le Roy  
Mc Lean County, Illinois

APPROVED BY the Mayor of the City of Le Roy, Illinois, this 15<sup>th</sup> day of October, 2007.

  
Gary Koerner Mayor of the City of Le Roy,  
Mc Lean County, Illinois

ATTEST: (SEAL)

  
  
Sue Marcum, City Clerk of the City of Le Roy  
Mc Lean County, Illinois

CERTIFICATE

I, Sue Marcum, 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 15, 2007** the Corporate Authorities of such municipality passed and approved **Ordinance No. 07-10-04-50** entitled:

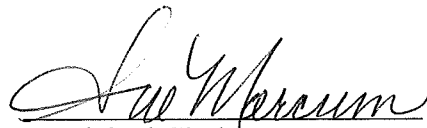
**AN ORDINANCE AMENDING TITLE 3 BUSINESS & LICENSE REGULATIONS; CHAPTER 3 LIQUOR CONTROL OF THE MUNICIPAL CODE OF LE ROY, ILLINOIS, 2003**

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

The pamphlet form of Ordinance No. **07-10-04-50**, 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 15, 2007** 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 15<sup>th</sup> day of October 2007.

(SEAL)

  
Municipal Clerk

STATE OF ILLINOIS        )  
                                  ) SS:  
COUNTY OF MCLEAN     )

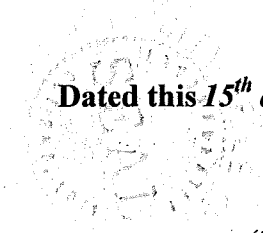
I, Sue Marcum, do hereby certify that I am the duly qualified and acting City Clerk of the City of Le Roy, McLean County, Illinois, and as such City Clerk that I am the keeper of the records and files of the Mayor and the City Council of said City.

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

**AN ORDINANCE AMENDING TITLE 3 BUSINESS & LICENSE REGULATIONS; CHAPTER 3 LIQUOR CONTROL OF THE MUNICIPAL CODE OF LE ROY, ILLINOIS, 2003**

I do further certify said *ordinance* was adopted by the City Council of the City of Le Roy at a regular meeting on the 15th day of October, 2007, 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 15<sup>th</sup> day of October 2007**



(SEAL)

  
City Clerk