

CITY OF LEROY  
COUNTY OF MC LEAN  
STATE OF ILLINOIS

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ORDINANCE NO. 845

AN ORDINANCE AMENDING CHAPTER 34 LIQUOR, OF THE MUNICIPAL CODE OF  
THE CITY OF LEROY, ILLINOIS, 1975 (AS AMENDED)

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ADOPTED BY THE CITY COUNCIL OF THE CITY OF LE ROY THIS 7th  
DAY OF June, 1999.

PRESENTED: June 7, 1999

PASSED: June 7, 1999

APPROVED: June 7, 1999

RECORDED June 7, 1999

PUBLISHED: June 7, 1999

In Pamphlet Form

Voting "Aye" 5

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)



X *Shirley Marcum*

City Clerk of the City of LeRoy,  
McLean County, Illinois

Dated: June 7, 1999.

ORDINANCE NO. 845

AN ORDINANCE AMENDING CHAPTER 34 LIQUOR, OF THE MUNICIPAL CODE OF THE CITY OF LEROY, ILLINOIS, 1975 (AS AMENDED)

WHEREAS, the State of Illinois has previously adopted laws which provide for limited liability companies; and

WHEREAS, liquor license applicants and license holders may wish to have a business organized as a limited liability company in accordance with the laws of the State of Illinois; and

WHEREAS, the Mayor and City Council of the City of LeRoy, McLean County, Illinois, an Illinois municipal corporation, find that it is in the best interests of the residents and of the City of LeRoy that the liquor control provisions of the City of LeRoy be amended to provide that liquor license applicants and license holders may be limited liability companies,

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

Section 1. Section 34.01 DEFINITIONS, sub-C "APPLICANT"., is hereby amended by addition of the following words and punctuation, "all members, managers, and the registered agent in Illinois, of a limited liability company;" after the words and punctuation "and persons holding debenture notes or other obligations, of a corporation;" and before the words "all pesons beneviailly. . ." in the current definition of "APPLICANT".

Section 2. Section 34.01 DEFINITIONS, sub-F "CHANGE OF OWNERSHIP"., sub-3., is hereby amended by addition of the words "or limited liability company," after the words "As to a corporation," and is further amended by addition of the words "or ownership" after the words "of the stock," found in the aforesaid sub-3 of item F. "CHANGE OF OWNERSHIP".

Section 3. Section 34.01 DEFINITIONS, sub-H. "CLUB". sub-2., is hereby amended by addition of the words "or limited liability company" after the words "A corporation" at the beginning of said sub-2. Further, sub-sub-section c. of the aforesaid sub-2. is hereby amended by the addition of the words "or limited liability company" after the words "is chartered as a not-for-profit corporation".

Section 4. Section 34.02 LICENSE REQUIRED is hereby amended by addition of the words and punctuation marks ", limited liability," after the words "In the event the applicant is a corporation", at the beginning of the sixth sentence in the first paragraph of said section. Further, in the same sentence, after the words "all officers," the words "or managers" are hereby added in further amendment of said sentence.

Section 5. Section 34.02 LICENSE REQUIRED is further amended by amendment of sub-section A., by addition of the following words and punctuation at the end of the current sub-section:

and in the case of a limited liability company for profit or club, the date of organization, the objects or purposes for which it was organized, the names and addresses of all managers and other officers, and, if a majority in interest of the ownership of such company is owned by one person, or his, her or its nominees, the name and address of such person;

Section 6. Section 34.02 LICENSE REQUIRED, sub-section D., is amended by addition of the following words and punctuation ", limited liability company," after the word "club" and before the words "or corporation" in the aforesaid sub-section D.

Section 7. Section 34.02 LICENSE REQUIRED, sub-section I., is hereby amended by addition of the words "or limited liability company" after the word "corporation" and before the word "applying" in said sub-section.

Section 8. Section 34.03 DISQUALIFICATION FOR APPLICATION FOR LICENSE, of CHAPTER 34 LIQUOR, of the Municipal Code of the City of LeRoy, Illinois, 1975 (as amended) is hereby amended by the addition of the words and punctuation marks ", or limited liability company" to sub-section H of the aforesaid Section 34.03, after the words "or corporation" and before the words "whose license". The aforesaid Section 34.03 is further amended by re-lettering of sub-sections L. thru Q. as sub-sections N. thru R., and is further amended by addition of new sub-section L as follows:

L. A limited liability company, if any member thereof would not be eligible to receive a license hereunder for any reason other than United States citizenship or residency in the city, or if said limited liability company is not organized in Illinois, unless it is a foreign limited liability company that is qualified under the Illinois Limited Liability Company Act, as amended, to transact business in the State of Illinois;

Section 9. Section 34.05 FACTUAL CRITERIA FOR ISSUANCE OF LIQUOR LICENSE. is amended by redesignating sub-sections 1. thru 13. as sub-sections A. thru M. Section 34.05 is further amended by amendment of sub-section J. by addition of the words and punctuation "limited liability company," after the word and punctuation "corporation," and before the words "or association".

Section 10. Section 34.05A FACTUAL CRITERIA FOR ISSUANCE OF LIQUOR sub-section A by addition of the words "or limited liability company" after the word "corporation" each time the word "corporation" is used in said Section 34.05A.

Section 11. CHAPTER 34 LIQUOR, of the Municipal Code of the City of LeRoy, Illinois, 1975 (as amended), Section 34.09 B. (5). Class W-P Licenses is hereby amended by addition of an asterisk (\*) after the words "Class C/I," and "C/II," where the same appear near the end of the second sentence and in the third sentence in the first paragraph of said sub-sub-section. Further, said sub-sub-section is further amended by inclusion of an asterisk (\*) at the bottom of the first page of said sub-section with the following notation as a footnote:

\*(in this sub-sub-section 5, Class C/I and Class C/II shall be deemed to include Class C/I-S and Class C/II-S licenses, respectively)

Section 12. Sub-section C. of Section 34.31 LOCAL LIQUOR CONTROL COMMISSIONER - DESIGNATION; ENFORCEMENT OF STATE LAW AND LOCAL ORDINANCES, HEARING PROCEDURES, of CHAPTER 34 LIQUOR of the Municipal Code

of the City of LeRoy, Illinois, 1975 (as amended), is hereby amended by addition of the words "and to impose written reprimands and to levy fines as to" after the words "shall have the power to suspend and to revoke" and before the words "any license issued under this chapter for any of the following reasons:" at the beginning of said sub-section C.

Section 13. Section 34.34 of CHAPTER 34 LIQUOR is further amended by addition of the word and punctuation mark "fine," after the word and punctuation mark "reprimand," and before the word and punctuation mark "suspend" at the beginning of the second sentence of said section.

Section 14. Section 34.36 PENALTY is amended by addition of the punctuation mark and words ",or limited liability company" after the word "corporation" and before the words "violating any provision of this chapter," at the beginning of the first sentence of said section. Further, said section is amended by deletion of the word "or" prior to the word "corporation" in the first sentence of said section.

Section 15. This ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as required by law.

PASSED by the City Council of the City of LeRoy, Illinois, upon the motion by Ryan Miles, seconded by Dawn Thompson

\_\_\_\_\_, by roll call vote on the 7<sup>th</sup> day of June, 1999, as follows:

Aldermen elected 6 Aldermen present 5

VOTING AYE:

Steve Dean, Dick Oliver, Dave McClelland, Dawn Thompson, Ryan Miles  
(full names)

VOTING NAY:

None

(full names)

ABSENT:

Ron Litherland

(full names)

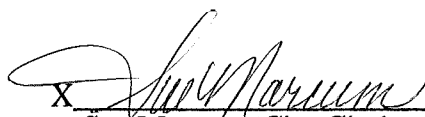
ABSTAIN:

(full names)

OTHER:

(full names)

and deposited and filed in the office of the acting City Clerk in said municipality on the 7<sup>th</sup> day of June, 1999.



Sue Marcum, City Clerk of the City of LeRoy,  
McLean County, Illinois

APPROVED BY the Mayor of the City of LeRoy, Illinois, this 7th day of

June, 1999.

X Robert Rice  
Robert Rice, Mayor of the City of LeRoy,  
McLean County, Illinois

ATTEST: (SEAL)

X Sue Marcum  
Sue Marcum, City Clerk, City of LeRoy,  
McLean County, Illinois

CERTIFICATE

I, Sue Marcum, certify that I am the duly appointed and acting municipal clerk of the City of LeRoy, of McLean County, Illinois.

I further certify that on June 7, 1999, the Corporate Authorities of such municipality passed and approved Ordinance No. 845, entitled:

AN ORDINANCE AMENDING CHAPTER 34 LIQUOR, OF THE MUNICIPAL CODE OF THE CITY OF LEROY, ILLINOIS, 1975 (AS AMENDED),

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

The pamphlet form of Ordinance No. 845, including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted at the municipal building, commencing on June 7, 1999, 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 LeRoy, Illinois, this 7th day of June, 1999

(SEAL)

  
\_\_\_\_\_  
Municipal Clerk

STATE OF ILLINOIS        )  
                                  ) SS:  
COUNTY OF McLEAN        )

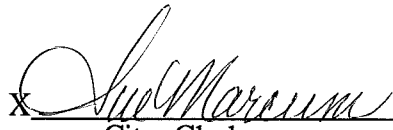
I, Sue Marcum, do hereby certify that I am the duly qualified and acting City Clerk of the City of LeRoy, McLean County, Illinois, and as such acting City Clerk that I am the keeper of the records and files of the Mayor and the City Council of said City.

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

AN ORDINANCE AMENDING CHAPTER 34 LIQUOR, OF THE MUNICIPAL CODE OF THE CITY OF LEROY, ILLINOIS, 1975 (AS AMENDED).

I do further certify said ordinance was adopted by the City Council of the City of LeRoy at a regular meeting on the 7<sup>th</sup> day of June, 1999, and prior to the making of this certificate the said ordinance was spread at length upon the permanent records of said City where it now appears and remains as a faithful record of said ordinance in the record books.

Dated this 7<sup>th</sup> day of June, 1999.

  
\_\_\_\_\_  
City Clerk

