

for city

CITY OF LeROY

ILLINOIS

ORDINANCE NO. 243

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

ADOPTED BY THE

CITY COUNCIL

OF THE

CITY OF LeROY

THIS 6th DAY OF May, 19 85.

Published in pamphlet form by authority of the
City Council of the City of LeRoy, McLean County,
Illinois, this 6th day of May,
19 85.

ORDINANCE NO. 243

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

WHEREAS, the Mayor and City Council of the City of LeRoy, McLean County, Illinois, an Illinois municipal corporation, hereinafter referred to as "CITY", have determined that it is within the scope of the authority of the City Council of CITY and it is appropriate that the City Council make provision for certain outdoor activities to be held in connection with the Sesquicentennial Celebration of the founding of the City of LeRoy, Illinois, and

WHEREAS, application has been made to the City Council for the holding of an outdoor sale of food and alcoholic beverages on the dates of June 28, 29 and 30, 1985, in connection with the last weekend celebration of the aforesaid LeRoy Sesquicentennial, and

WHEREAS, said application has included certain conditions and provisions which the applicants have requested be made a part of any grant of permission to undertake the aforesaid privileges during and on said dates, and

WHEREAS, the City Council deems it within its police authority, vested in it by the State of Illinois, and in its authority to provide for the safety, health and welfare of the residents of the CITY,

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

Section 1. A SPECIAL LICENSE - OUTDOOR SALES OF ALCOHOLIC BEVERAGES FOR CHARITABLE PURPOSES is hereby granted by the City of LeRoy and the liquor commissioner of said CITY is hereby directed to grant such special license to the following applicants to be held in connection with the regular liquor sales licenses already held by said applicants, said license to be deemed to fully incorporate all provisions of this ordinance and to be valid only for the dates as herein set forth and the times as herein set forth and for the purposes as herein set forth:

Oldstate Bankinn, Inc.,
Mollie Morehead, Inc., doing business under the name of Mollie's
D.J.'s, Inc., Place,
John Bill Mullins, d/b/a The Fuzzy Duck, and
Leland Dehm, d/b/a The Station,

or such of those preceding businesses and sole proprietors as choose to participate in the privilege granted by the aforesaid special license.

Section 2. The conditions of the grant of this special license are as follows:

A. Sales of alcoholic beverages and prepared foods may be made by the holders of this special license under the grant of privilege contained within the licenses otherwise held by the aforesaid purveyors, or such of those as choose to participate in the

activities granted by this special license, and this special license shall not be deemed to be the creation of an additional class of license under the provisions of Chapter 34, Liquor, Municipal Code of LeRoy, 1975 (as amended), but instead an expansion of the current licensee's privileges.

B. The privileges granted by the aforesaid special license shall be carried out under the auspices and with the use of the facilities of Oldstate Bankinn, Inc., and the sales permitted hereunder shall be made and contained within an area to be bounded by snow fence or other suitable fencing or barricading material within the block of Chestnut Street bounded on the north by the south right-of-way line of Center Street and bounded on the south by the north right-of-way of alley between Center & Pine Sts. and within the enclosure of such barricaded areas which shall enclose one large tent for serving purposes as well as a suitable area outside of the tent if necessary for additional tables or standing area, and one small tent to be used for preparation and serving purposes, said tent to be located adjoining to and near the rear entrance of Oldstate Bankinn, LeRoy, Illinois, and the large tent to be located on the public right-of-way known as South Chestnut Street and previously defined by the boundaries as aforesaid. Permission is hereby granted to the special licensees to erect a tent and fencing and barricading materials as herein described on or about June 28, 1985, and the same shall be removed not later than June 30, 1985, in the evening hours.

C. The hours of operation of this specially licensed sales facility shall be not longer than the hours of operation granted under Chapter 34, Liquor, Municipal Code of LeRoy 1975 (as amended), for the opening of liquor sales establishments, as to the hours of operation on Friday and Saturday, June 28 and June 29, 1985, and shall not be longer than the hours of operation granted for Class D liquor license holders under the aforesaid Chapter as to Sunday, June 30, 1985.

D. The permission and privileges hereby granted shall be considered a one time event only, and are expressly granted and permitted on the condition that there be a written agreement between the purveyors as herein set forth, or those purveyors as herein set forth who choose to participate in this special license, with the LeRoy Sesquicentennial Committee to the effect that proceeds from the sale of prepared food and prepared beverages, including prepared alcoholic beverages, made within the facility as herein described, to the extent that such proceeds would be payable for hours of voluntary labor donated by the Sesquicentennial Committee or its adjunct charitable committees and organizations assisting it in the preparation and presentation of the organized events for the LeRoy Sesquicentennial celebration occurring on the aforesaid dates, be donated to the LeRoy Sesquicentennial Committee.

E. The businesses and holders of this special license shall be considered to act in concert and as a group, and shall be entitled to make such division of the normal and usual profits that would be obtained for the sale of food and beverage items as permitted by this ordinance in such manner as they may agree.

F. The holders of this special license and privilege as granted hereunder shall make such provision for the control of persons partaking of the food and beverages provided at the aforesaid facility and

the control of persons in and about the facility in a manner such as shall be acceptable to the City Marshall and city liquor commissioner, including provision of controlled access and exit ways to the facility and from the facility, respectively, such ways to be controlled by one or more adult persons at all times the facilities are opened and food and beverage sales are undertaken. Further, the holders of the special license and privileges granted hereunder shall be required to provide such safety and security precautions as may be required under Chapter 34 of the Municipal Code of LeRoy, Illinois 1975 (as amended), and any other CITY ordinances that may be applicable.

Section 3. That all of the provisions of Chapter 34, Liquor, of the Municipal Code of LeRoy, Illinois 1975 (as amended), shall apply the same as if the aforesaid sales were held on the premises of any of the purveyors previously named in this ordinance.

Section 4. That any other provisions of any other CITY ordinance which may be in opposition to the special license and privileges granted hereunder are hereby preceded as to this special license for the facility location as herein provided and for the liquor license holders choosing to participate in the aforesaid, and for the dates only as aforesaid.

Section 5. That this ordinance shall be in full force and effect from and after its publication in pamphlet form.

PASSED by the City Council of the City of LeRoy, on the 6th day of May, 1985.

Aldermen elected 6

Aldermen present 6

AYES Patrick Derby, Gary Builta, Michael Hanafin, Jerry Davis, Michael Hillard
David King
NAYS None

Juanita Dagley
Juanita Dagley, City Clerk
of the City of LeRoy, Illinois

APPROVED by the Mayor of the City of LeRoy, Illinois, this 6th day of May, 1985.

Jack Moss
Jack Moss, Mayor of the City
of LeRoy, Illinois

ATTEST:

(seal)

Juanita Dagley
Juanita Dagley, City Clerk
of the City of LeRoy, Illinois

CERTIFICATE

I, JUANITA DAGLEY, certify that I am the duly elected and acting municipal clerk of the City of LeRoy, McLean County, Illinois.

I further certify that on May 6, 19 85, the Corporate Authorities of such municipality passed and approved Ordinance No. 243, entitled:

AN ORDINANCE AMENDING CHAPTER 34, LIQUOR, MUNICIPAL CODE 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. 243, including the Ordinance and a cover sheet thereof was prepared, and a copy of such Ordinance was posted in the municipal building, commencing on May 6, 1985, 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 6th day of May, 19 85.

(seal)

Juanita Dagley
Municipal Clerk

