



ORDINANCE NO. 1018

**AN ORDINANCE AMENDING THE VILLAGE OF MACKINAW
MUNICIPAL CODE SAID MUNICIPAL CODE BEING ORDINANCE
513 OF THE VILLAGE OF MACKINAW TO PROVIDE
AMENDMENTS RELATING TO CHAPTER 113: ALOCHOLIC
BEVERAGE AND LIQUOR CONTROL**

Published in pamphlet form by authority of the Village President and
Board of Trustees of the Village of Mackinaw.

March 15, 2022

STATE OF ILLINOIS)
COUNTY OF TAZEWELL) SS
VILLAGE OF MACKINAW)

CERTIFICATE OF ORDINANCE

I, the undersigned, do hereby certify that I am the duly appointed, qualified and acting Village Clerk of the Village of Mackinaw, Tazewell County, Illinois (the "Issuer"), and as such official I am the keeper of the records and files of its President and Board of Trustees (the "Corporate Authorities").

I do further certify the foregoing constitutes a full, true and complete excerpt from the proceedings of the regular meeting of the Corporate Authorities held on the *14TH day of March 2022*, insofar as same relates to the adoption of *Ordinance No. 1018*, entitled:

AN ORDINANCE AMENDING THE VILLAGE OF MACKINAW MUNICIPAL CODE SAID MUNICIPAL CODE BEING ORDINANCE 513 OF THE VILLAGE OF MACKINAW TO PROVIDE AMENDMENTS RELATING TO CHAPTER 113: ALCOHOLIC BEVERAGE AND LIQUOR CONTROL

A true, correct and complete copy of which ordinance (the "Preliminary Ordinance" or "Ordinance") as adopted at such meeting appears in the transcript of the minutes of such meeting. The Preliminary Ordinance was adopted and approved by the vote and on the date therein set forth.

I do further certify the deliberations of the Corporate Authorities on the adoption of such Preliminary Ordinance were taken openly and was on the agenda at least 48 hours before the meeting at which it was adopted, that the adoption of such ordinance was duly moved and seconded, that the vote on the adoption of such ordinance was taken openly and was preceded by a public recital of the nature of the matter being considered and such other information as would inform the public of the business being conducted, that such meeting was held at a specified time and place convenient to the public, that notice of such meeting was duly given to all of the news media requesting such notice, that such meeting was called and held in strict compliance with the provisions of the Open Meetings Act of the State of Illinois, as amended, and the Illinois Municipal Code, as amended, and that the Corporate Authorities have complied with all of the applicable provisions of such Act and such Code and their procedural rules in the adoption of such ordinance.

The pamphlet form of *Ordinance No.1018*, including the ordinance and a cover sheet thereof, was prepared and a copy of such Ordinance was posted for public inspection in the municipal building, the Mackinaw United States Post Office, and the Mackinaw Library commencing on *March 15, 2022* and continuing for at least ten days thereafter. The original ordinance was adopted by the Board of Trustees of the Village of Mackinaw at a regular meeting, attended by **five** members of the Board, and approved by the President, as said Ordinance appears on file in my office and as the same is recorded in the Book of Ordinances of said Village.

IN TESTIMONY WHEREOF, I have hereunto set my hand and the official seal of said Village of Mackinaw, Illinois, this **25th day of March 2022**.



Village Clerk

ORDINANCE NO. 1018

AN ORDINANCE AMENDING THE VILLAGE OF MACKINAW MUNICIPAL CODE SAID MUNICIPAL CODE BEING ORDINANCE NO. 513 OF THE VILLAGE OF MACKINAW TO PROVIDE AMENDMENTS RELATING CHAPTER 113: ALCOHOLIC BEVERAGE AND LIQUOR CONTROL

BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MACKINAW:

SECTION 1: §113.10 of the Village Code of the Village of Mackinaw is hereby amended by interlineation to insert new definitions which shall be as follows:

BEER GARDEN. Means any outdoor eating or drinking area directly adjacent to and contiguous to an existing licensed facility. Includes: Outdoor cafes, patios, and adjacent decks.

MINORS. For the purpose of this Chapter means all person under the age of twenty-one (21) years of age.

PREMISES. Means the area within a building for which a license to sell alcoholic liquor is issued and which is actually used in connection with the storage, preparation, and sale of alcoholic liquor, but specifically excluding any outside areas such as patios, open porches, roof tops, balconies, stoops, sidewalks, yards, driveways, parking lots and similar outside areas.

PRIVATE FUNCTION. Means a pre-arranged private party, function, or event for a specific social or business occasion, either by invitation or reservation, and not open to the general public, where the guests in attendance are served in a room, or area designated and used exclusively for the private party, function, or event.

PUBLIC FUNCTION. Means a pre-arranged function or event for a specific social business, sporting, entertainment, or similar occasion, which is open to the public, when admission is charged or donation is requested including activities such as concerts, exhibitions, receptions, plays or festivals. A public function must have a Class G, G-1, H or I license.

TAVERN. Means every building or structure, licensed under this Article which is kept, used, maintained, advertised, or held out to the public, as a place where alcoholic liquor is sold and consumed on the licensed premises as the primary monetary function of the business.

SECTION 2: §113.60 of the Village Code is hereby amended by interlineation to insert new license classifications; fees which shall be as follows:

<p>Class A-1. Applicant must have a valid Class A license. A supplemental license may be obtained for the retail sale of alcoholic beverages in an outdoor beer garden or café adjacent to the licensed premises. The annual fee for this supplemental license will be \$100.00 annually. To apply for this supplemental license, the licensee shall file its request in writing with the Liquor Control Commission to be approved by the Village of Mackinaw Trustees. The request shall include a scale drawing of the proposed outdoor facility which shall, at a minimum, include the following:</p> <ul style="list-style-type: none"> a. A method by which the area shall be confined to prohibit the removal of alcoholic liquor and constrict noise to the approved area. b. A reasonably substantial structure across which alcoholic liquor shall be served which shall afford bartenders reasonable protection from patrons unless the outdoor facility is serviced directly by the indoor licensed premises. c. The locations of at least two exits from the area, only one of which shall be through a building or, in the case of a patio, deck, open porch, balcony or rooftop facility, such exits. 	<p>\$100.00</p>
<p>Class G-1. A Class G-1 license shall authorize the sale of alcoholic liquor for consumption on the premises as a part of a public activity or special event approved by the Board of Trustees for a non-license holder applicant. This period of the license shall not exceed four (4) days.</p>	<p>\$ 50.00</p>

SECTION 3: §113.360 of the Village Code of the Village of Mackinaw is hereby amended by deleting the existing §113.360 Curb Service Prohibited and marking it as “Reserved”.


SECTION 4: If any section or part of this Ordinance is held invalid, it shall not affect the validity of the remainder of this Ordinance.

SECTION 5: This Ordinance shall take effect 10 days after publication thereof as provided by law.


SECTION 4: Ordinance No. 513 of the Village of Mackinaw, as amended by this Ordinance, shall remain in full force and effect and all previous amendments to Ordinance No. 513 shall remain in force and effect except as modified by this Ordinance.

PASSED in due form on a roll call vote by the Board of Trustees of the Village of Mackinaw at a duly held meeting on the 14th day of March, 2022.

APPROVED: 


Josh Schmidgall – Village President

ATTEST:


Lisa Spencer – Village Clerk

AYES:	<u>5</u>
NAYES:	<u>0</u>
ABSENT:	<u>1</u>