

ORDINANCE NO. 1643-2014

AN ORDINANCE AMENDING ORDINANCE NO. 190, "THE REVISED CODE," CHAPTER 21, LIQUOR, ARTICLE II, LICENSING, SECTION 21-2-5 (A) AND ARTICLE III, REGULATIONS, SECTIONS 21-3-1 AND 21-3-29.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAIRVIEW HEIGHTS, ILLINOIS:

SECTION 1. AMENDMENT. Amendment of Ordinance No. 190, "The Revised Code", Chapter 21, Article II, Licensing, Section 21-2-5 (A) LICENSES FOR LEGACY LIQUOR ESTABLISHMENTS reading as follows:

"21-2-5 (A) LICENSES FOR LEGACY LIQUOR ESTABLISHMENTS.

1. A legacy liquor establishment is defined as any liquor establishment that has been in continuous operation at the same location in Fairview Heights under its current name since at least 1980.
2. A legacy liquor establishment may apply for any appropriate class of license. A legacy liquor license fee shall be \$425.00 annually, instead of the amount listed in 21-2-5, above."

Be and the same is hereby amended as follows:

"1. A legacy liquor establishment is defined as any liquor establishment that has been in continuous operation at the same location in Fairview Heights under its current name for at least 30 years from the date of Liquor License renewal.

2. A legacy liquor establishment may apply for any appropriate class of license. A legacy liquor license fee shall be \$425.00 annually, instead of the amount listed in 21-2-5, above."

SECTION 2. AMENDMENT. Amendment of Ordinance No. 190, "The Revised Code," Chapter 21, Article III, Regulations, Section 21-3-1, HOURS reading as follows:

"21-3-1 HOURS.

- A. A Class "A" liquor license shall entitle the licensee to sell at retail, alcoholic liquor and beverages and to operate and keep open between the hours of six o'clock (6:00) A.M. and one o'clock (1:00) A.M. on the succeeding day, on any day of the week, except that on Friday and Saturday of each week, the licensee may sell at retail alcoholic liquor and beverages between the hours of six o'clock (6:00) A.M. and two o'clock (2:00) A.M. on the succeeding day and with the further exception that no

Class "A" licensee shall sell any alcoholic liquor or beverages before the hour of ten o'clock (10:00) A.M. on Sundays after the close of business from the preceding day.

- B. A Class "B", same as "A", except and with the further exception that no Class "B" licensee shall sell any alcoholic liquor or beverages before the hour of eight o'clock (8:00) A.M. on Sundays after the close of business from the preceding day.
- C. A Class "C", same as "A".
- D. A Class "D" license shall entitle the licensee to sell at retail alcoholic liquor and beverages between the hours of ten o'clock (10:00) A.M. and one o'clock (1:00) A.M. on the succeeding day, on any day of the week, except that on Friday and Saturday of each week the licensee may sell at retail alcoholic liquor and beverages between the hours of ten o'clock (10:00) A.M. and two o'clock (2:00) A.M. on the succeeding day.

No alcoholic liquor shall be sold, possessed or consumed within a licensed premises, or upon the property containing a licensed premises, outside the hours of permitted sales. No customers shall remain within a licensed premises outside of the hours of permitted sales.

The times referred to above shall mean Daylight Savings Time when the same is in effect in the City, and upon cessation of Daylight Savings Time, shall mean Central Standard Time. (See 235 ILCS Sec. 5/4-1)"

Be and the same is hereby amended as follows:

"21-3-1 HOURS.

- A. A Class "A", Class "E" or Class "F" liquor license shall entitle the licensee to sell at retail, alcoholic liquor and beverages and to operate and keep open between the hours of six o'clock (6:00) A.M. and one o'clock (1:00) A.M. on the succeeding day, on any day of the week, except that on Friday and Saturday of each week, the licensee may sell at retail alcoholic liquor and beverages between the hours of six o'clock (6:00) A.M. and two o'clock (2:00) A.M. on the succeeding day and with the further exception that no Class "A" licensee shall sell any alcoholic liquor or beverages before the hour of ten o'clock (10:00) A.M. on Sundays after the close of business from the preceding day.
- B. A Class "B", same as "A", except and with the further exception that no Class "B" licensee shall sell any alcoholic liquor or beverages before the hour of eight o'clock (8:00) A.M. on Sundays after the close of business from the preceding day.
- C. A Class "C", same as "A".

- D. A Class "D" license shall entitle the licensee to sell at retail alcoholic liquor and beverages between the hours of ten o'clock (10:00) A.M. and one o'clock (1:00) A.M. on the succeeding day, on any day of the week, except that on Friday and Saturday of each week the licensee may sell at retail alcoholic liquor and beverages between the hours of ten o'clock (10:00) A.M. and two o'clock (2:00) A.M. on the succeeding day.

No alcoholic liquor shall be sold, possessed or consumed within a licensed premises, or upon the property containing a licensed premises, outside the hours of permitted sales. No customers shall remain within the premises of a Class "A" licensed establishment.

The times referred to above shall mean Daylight Savings Time when the same is in effect in the City, and upon cessation of Daylight Savings Time, shall mean Central Standard Time. (See 235 ILCS Sec. 5/4-1)"

SECTION 3. AMENDMENT. Amendment of Ordinance No. 190, "The Revised Code," Chapter 21, Article III, Regulations, by adding in Section 21-3-29, RESERVED reading as follows:

"21-3-29 CONSUMPTION AT CERTAIN LOCATIONS PERMITTED

"Consumption of alcoholic liquor shall be permitted within the rules and restrictions of this Code in the public parks within the City, as part of any neighborhood or block party as authorized by the City of Fairview Heights, or as part of any scheduled function within the Fairview Heights Recreation Room."

SECTION 4. PASSAGE. This Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

READ FIRST TIME: June 3, 2014

READ SECOND TIME: Waived

READ THIRD TIME: June 3, 2014

PASSED: June 3, 2014

APPROVED: June 6, 2014

PUBLISHED: June 7, 2014



Gail D. Mitchell
GAIL D. MITCHELL – MAYOR
CITY OF FAIRVIEW HEIGHTS

ATTEST:

Mark T. Kupsy
MARK T. KUPSKY – CITY CLERK

ROLL CALL ON ALDERMEN VOTING "YEA"

BONNIE CROSSLEY
DENNIS BARICEVIC
SCOTT GREENWALD
CAROL WARNER
JUSTIN GOUGH

JOSHUA FRAWLEY
PAT BAESKE
LINDA ARNOLD
ROGER LOWRY
DENISE WILLIAMS

SPONSORED BY: LAW ENFORCEMENT
AND PUBLIC PROTECTION COMMITTEE

CERTIFICATION

STATE OF ILLINOIS)
ST. CLAIR COUNTY) ss.
CITY OF FAIRVIEW HEIGHTS)

I, MARK T. KUPSKY, do hereby certify that as the City Clerk of the City of Fairview Heights, Illinois, I am the keeper of the Records, Minutes, Ordinances and other Books, Records and Papers of the City, and that the foregoing is a true and correct copy of Ordinance No. 1643-2014, AN ORDINANCE AMENDING ORDINANCE NO. 190, "THE REVISED CODE," CHAPTER 21, LIQUOR, ARTICLE II, LICENSING, SECTION 21-2-5 (A) AND ARTICLE III, REGULATIONS, SECTIONS 21-3-1 AND 21-3-29, passed at the City Council Meeting June 3, 2014 and approved by the Mayor June 6, 2014.

WITNESS, my hand and the Corporate Seal of the City of Fairview Heights, Illinois this 6th day of June, 2014.



Mark T. Kupsky
MARK T. KUPSKY, CITY CLERK

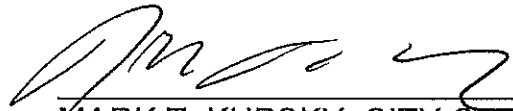
AFFIDAVIT

STATE OF ILLINOIS)
) ss
COUNTY OF ST. CLAIR)

BE IT ACKNOWLEDGED, that I, Mark T. Kupsky, duly qualified City Clerk of the City of Fairview Heights, Illinois, and as such Official, I am the keeper of the records and files of the Municipality and the Corporate Authorities and, as the City Clerk I do affirm that on June 7, 2014, there was published in the Belleville News Democrat, a Public Notice stating Ordinance No. 1643-2014 was available for review at various locations within the City limits of Fairview Heights, Illinois. Available in pamphlet form, was a true and correct copy of Ordinance No. 1643-2014, AN ORDINANCE AMENDING ORDINANCE NO. 190, "THE REVISED CODE," CHAPTER 21, LIQUOR, ARTICLE II, LICENSING, SECTION 21-2-5 (A) AND ARTICLE III, REGULATIONS, SECTIONS 21-3-1 AND 21-3-29, passed at the City Council Meeting June 3, 2014 and approved by the Mayor June 6, 2014, made available for public inspection at Fairview Heights Public Library, 10017 Bunkum Road, Fairview Heights, IL, Fairview Heights City Office, 10025 Bunkum Road, Fairview Heights, IL and Associated Bank, 6550 North Illinois, Fairview Heights, IL.

IN WITNESS WHEREOF, I hereunto affix my official signature and the

Official Seal of the City of Fairview Heights, this 17th day of June, 2014.


MARK T. KUPSKY, CITY CLERK

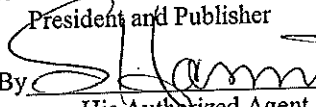


CERTIFICATE OF PUBLICATION

STATE OF ILLINOIS)
COUNTY OF ST. CLAIR) ss.

This is to certify that the undersigned Jay Tebbe is the president and publisher of the NEWS-DEMOCRAT a public and English secular newspaper of general circulation, which has been regularly published daily in the City of Belleville, County of St. Clair and State of Illinois, for at least one year prior to the first publication of the notice hereinafter mentioned, and that a notice of which the annexed is a true printed copy, has been published in said newspaper ONCE, the publication thereof having been made in the issue of said newspaper, published on June 7, 2014.

PUBLIC NOTICE
The City of Fairview Heights has made available for public review Ordinance No. 1441-2014, AN ORDINANCE AMENDING ORDINANCE NO. 190, THE REVISED CODE, CHAPTER 21, LIQUOR, ARTICLE II, LICENSING, SECTION 21-2-3 (A) AND ARTICLE III, REGULATIONS, SECTIONS 21-3-1 AND 21-3-2.
L-P1246922 (JULY 7)

JAY TEBBE
President and Publisher
By 
His Authorized Agent

Publisher's fee: \$30.09