

THE VILLAGE OF FLANAGAN

LIVINGSTON COUNTY, ILLINOIS

ORDINANCE

NUMBER __11-1__

AN ORDINANCE ADOPTING LIQUOR CONTROL REGULATIONS
FOR THE VILLAGE OF FLANAGAN

R. JEROME ROCKE, Village President

PAUL INGOLD, Village Clerk

CLAYTON AUGSBURGER

TODD BARTON

DOUG CARLS

BEVERLEY FRIESE

ALLEN HULSE

JASON MONTELLO

Village Trustees

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

on ____4-19_____, 2011

Ancel, Glink, Diamond, Bush, DiCianni & Krafthefer, P.C. – 207 W. Jefferson, Suite 402,
Bloomington, IL 61701

ORDINANCE NO. __11-1_____

AN ORDINANCE ADOPTING LIQUOR CONTROL REGULATIONS

FOR THE VILLAGE OF FLANAGAN

WHEREAS, the Village of Flanagan (hereinafter, the “Village”), an Illinois municipal corporation;
and

WHEREAS, the Illinois Liquor Control Act of 1934, 235 ILCS 5/4-1, sets forth the rights of
municipalities to govern and restrict the sale of alcoholic liquor within their communities; and

WHEREAS, Section 4-2 of the Act provides that the Village has the authority to determine the
number, kind and classification of licenses, for sale at retail of alcoholic liquor, not inconsistent
with the Act, and the amount of local licensee fees to be paid for the various kinds of licenses to
be issues; and

WHEREAS, Section 4-2 of the Act provides that the Village has the authority to regulate or
prohibit the presence of persons under the age of 21 on the premises of licensed retail
establishments of various kinds and classifications where alcoholic liquor is drawn, poured,

mixed or otherwise served for consumption on the premise and to prohibit any minor from drawing, pouring, or mixing any alcoholic liquor in any licensed retail premises; and

WHREAS, Section 4-2 of the Act provides that the Village has the authority to establish such further regulations and restrictions upon the issuance of an operations under local licenses not inconsistent with the law as the public good and convenience may require; and

WHREAS, Section 4-2 of the Act provides that the Village has the authority to provide penalties for the violation of regulations and restrictions relative to the operation of the local license; and

WHEREAS, the Corporate Authorities of the Village of Flanagan have determined that Village Ordinances on alcoholic liquor dealers needed to be up-dated and that provisions were needed to address serving alcoholic liquors under standards acceptable to the public good; and

WHEREAS, the Corporate Authorities believe it is in the best interest of the Village to adopt new provisions governing and regulating alcoholic liquor dealers.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Flanagan, County of Livingston, as follows:

Section 1. Recitals. The foregoing recitals shall be and are hereby incorporated into and made a part of this Ordinance as if fully set forth in this Section 1.

Section 2. Adoption of Liquor Control Regulations. The Village of Flanagan Liquor Control Regulations, attached hereto as Exhibit A, are hereby adopted in their entirety as the regulations on Liquor Control for the Village of Flanagan herein replacing all other and previous ordinances adopted on same.

Section 3. Severability. In the event a court of competent jurisdiction finds this ordinance or any provision hereof to be invalid or unenforceable as applied, such finding shall not affect the validity of the remaining provisions of this ordinance and the application thereof to the greatest extent permitted by law.

Section 4. Repeal and Savings Clause. All ordinances or parts of ordinances in conflict herewith are hereby repealed; provided, however, that nothing herein contained shall affect any rights, actions, or causes of action which shall have accrued to the Village of Flanagan prior to the effective date of this ordinance.

Section 5. Effectiveness. This ordinance shall be in full force and effect from and after passage, approval and publication in pamphlet form as provided by law and the penalty provisions therein shall be effective and commence 10 days after this Ordinance is printed in book or pamphlet form and published by the authority of the corporate authorities.

SO ORDAINED this __19th__ day of _____April_____, 2011, at Flanagan, Livingston County, Illinois.

AYES: 6

NAYS: 0

ABSENT: 0

ABSTAIN: 0

VILLAGE OF FLANAGAN

R. Jerome Rocke, Mayor

Attest:

Paul Ingold, Clerk

EXHIBIT A

LIQUOR CONTROL REGULATIONS