

CHAPTER 23

LIQUOR

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23.01 DEFINITIONS.

Unless the context otherwise requires, the following terms as used in this chapter shall be construed according to the definitions given below:

Alcohol: Alcohol means the product of distillation of any fermented liquid, whether rectified or diluted, whatever may be the origin thereof, and includes synthetic ethyl alcohol. It does not include denatured alcohol or wood alcohol.

Alcoholic liquor: Alcoholic liquor includes alcohol, spirits, wine and beer, and every liquid or solid, patented or not, containing alcohol, spirits, wine or beer, and capable of being consumed as a beverage by a human being. *(Ord. 2016-21; 7/7/16)*

Beer: Beer means a beverage obtained by the alcoholic fermentation of an infusion or concoction of barley, or other grain, malt, and hops in water, and includes, among other things, beer, ale, stout, lager beer, porter and the like.

Bowling alley: A recreational area or facility contained within a building and so constructed as to permit the public to engage in the recreational form commonly known as bowling and constructed primarily for use in connection with such recreational pursuit.

Club: A corporation organized under the laws of this state, not for pecuniary profit, solely for the promotion of some common object other than the sale or consumption of alcoholic liquors, kept, used and maintained by its members through the payment of annual dues, and owning, hiring or leasing a building or space in a building, of such extent and character as may be suitable and adequate for the reasonable and comfortable use and accommodation of its members and their guests and provided with suitable and adequate kitchen and dining room space and equipment and maintaining a sufficient number of servants and employees for cooking, preparing and serving food and meals for its members and their guest; provided, that such club files with the local liquor control commissioner at the time of its application for a license under this Act two copies of a list of names and residences of its members, and similarly files with 10 days of the election of any additional member his or her name and address; and, provided further, that its affairs and management are conducted by a board of directors, executive committee, or similar body chosen by the members at their annual meeting and that no member or any officer, agent, or employee of the club is paid, or directly or indirectly receives, in the form of salary or other compensation any profits from the distribution or sale of alcoholic liquor to the club or the members of the club or its guests introduced by members beyond the amount of such salary as may be fixed and voted at any annual meeting by the members or by its board of directors or other governing body out of the general revenue of the club. *(Ord. 2016-21; 7/7/16)*

Commissioner or Liquor Commissioner: The Local Liquor Control Commissioner as defined in 235 ILCS 5/4-2. *(Ord. 2012-15; 8/16/12)*

Country club: A recreational area with buildings or structures used in conjunction therewith for the primary use of members and their guests as the case may be, all of which is established for recreational and entertainment purposes and used in conjunction, with recreational pursuits or games, e.g. golf, tennis, etc.

Golf course: A recreational area with or without clubhouse facilities primarily for the use of members and their guests or the general public as the case may be, engaging in a form of recreation or game commonly known as golf.

Hotel: Every building or other structure kept, used, maintained, advertised and held out to the public to be a place where food is actually served and consumed and sleeping accommodations are offered for adequate pay to travelers and guests, whether transient, permanent or residential, in which 25 or more rooms are used for the sleeping accommodations of such guests and having one or more public dining rooms where meals are served to such guests, such sleeping accommodations and dining rooms being conducted in the same building or buildings in connection therewith and such building or buildings, structure or structures being provided with adequate and sanitary kitchen and dining room equipment and capacity. All public dining rooms, banquet rooms, meeting rooms, room service areas, mini-bars, and other locations within or adjacent to a hotel in which alcoholic liquors are stored, offered for sale, or sold at retail shall be considered part of the hotel's licensed premises if those locations within or adjacent to the hotel are owned and managed by the hotel operator. *(Ord. 2016-21; 7/7/16)*

Original package: Original package means any bottle, flask, jug, can, cask, barrel, keg, hogshead or other receptacle or container whatsoever, used, corked or capped, sealed and labeled by the manufacturer of alcoholic liquor, to contain and to convey any alcoholic liquor.

Package store: Every building or other structure kept, used, maintained, advertised and held up to the public where alcoholic liquors are sold at retail, not for medicinal purposes and not for consumption on the premises, in the original and unbroken packages only.

Premises: The interior of a building having a valid occupancy permit. *(Ord. 2007-10)*

Restaurant: Any public place kept, used, and maintained, advertised and held out to the public as a place where meals are served, and where meals are actually and regularly served, without sleeping accommodations, such space being provided with adequate and sanitary kitchen and dining room equipment and capacity and having employed therein a sufficient number and kind of employees to prepare, cook, and serve suitable food for its guests. *(Ord. 2016-21; 7/7/16)*

Retail sale: This sale for use or consumption and not for resale in any form.

Sale: Sale means any transfer, exchange or barter in any manner, or by any means whatsoever, including the transfer of alcoholic liquors by and through the transfer or negotiation of warehouse receipts or certificates, and includes and means all sales made by any person, whether principal, proprietor, agent, servant or employee. The term "sale" includes any transfer of alcoholic liquor from a foreign importer's license to an importing distributor's license even if both licenses are held by the same person.

Spirits: Spirits means any beverage which contains alcohol obtained by distillation, mixed with water or other substance in solution, and includes brandy, rum, whisky, gin, or other

spirituous liquors, and such liquors when rectified, blended or otherwise mixed with alcohol or other substances.

Wine: Wine means any alcoholic beverage obtained by the fermentation of the natural contents of fruits, or vegetables, containing sugar, including such beverages when fortified by the addition of alcohol or spirits, as above defined.

23.02 LICENSES REQUIRED. It shall be unlawful for any person to engage in the business or occupation of the retail sale of alcoholic liquor without first having obtained a license therefor in accordance with the terms and provisions of this chapter. No person shall be deemed fully licensed until a license has been actually issued and delivered to the applicant therefor. A separate license shall be required for each location, place or premises where such business or occupation is proposed to be carried on, whether or not under the same roof or on the same premises, or at the same street address, provided that nothing herein contained shall be construed as to prevent any hotel or club licensed under the provisions of this section from serving alcoholic liquors to its guests or members in any room of such licensed hotel or club, if such liquor so served shall be kept in and served from a licensed location, place or premises, in said hotel or club, and further if the serving of such liquor is not in violation of this chapter.

23.03 LICENSE CLASSIFICATIONS; FEES; NUMBER OF LICENSES.

(a) Classes: Liquor licenses shall be divided into the following classes:

1. Class A shall only permit the retail sale of alcoholic liquor for consumption either on or off the licensed premises.
2. Class A-1 shall permit, in a restaurant with an existing Class A license, the service and consumption of open alcohol on the outdoor premises in which the business lawfully operates otherwise in conformity with the requirements of the existing Class A license and the Municipal Code. *(Ord. 2016-08; dated 3/17/16)*
3. Class B shall only permit the retail sale of alcohol liquor for consumption only on the licensed premises.
4. Class B-1 shall permit product sampling, subject to the following:
 - i. the total quantity of the sampling package, regardless of the number of containers in which the alcoholic liquor is being served, shall not exceed one ounce of distilled spirits, four ounces of wine or 16 ounces of beer
 - ii. product sampling shall not be in violation of 235 ILCS 5/6-28(b) and (c) regarding happy hours.
 - iii. possess a current Class A or Class B license
5. Class B-2 shall permit, in a restaurant with an existing Class B license, the service and consumption of open alcohol on public sidewalks adjacent to the specified premises. The terms and conditions of any Class B-2 license include such rules regarding the sale of alcoholic liquor as shall generally apply under the ordinances of the village along with the following: 1) all liquor service shall cease no later than ten

o'clock (10:00) P.M., and liquor consumption shall cease no later than ten thirty o'clock (10:30) P.M.; 2) patrons shall be seated at the tables on the public sidewalk when consuming alcohol, which shall be served only by a server from the restaurant; 3) there shall be no carryout service, and beer, wine and liquor shall not be served in bottles; 4) service of alcohol shall be incidental to the service of meals and shall only take place for patrons ordering meals or appetizers; 4) annual approval of the layout and maximum number of tables and chairs by the local liquor control commissioner; 5) construction and maintenance of such separation of the service area from a reasonable area left remaining for pedestrian traffic by a wall, fence, divider, chain or other device as shall be approved by the local liquor control commissioner; and the Class B-2 license shall expire November 1 of each calendar year. To qualify for a B-2 public sidewalk license, an applicant must first be issued and holds a Class B license (the basic license). The B-2 license is supplemental to and in addition to the basic license and does not replace the basic license. *(Ord. 2016-08; dated 3/17/16)*

- 6. Class C shall permit the retail sale of only distilled spirits (beer and wine) for consumption on the licensed premises.
- 7. Class D shall authorize the retail sale of packaged alcoholic liquor for consumption off the licensed premises where more than 50 percent of the public sales area of said premises is devoted to alcoholic liquor.
- 8. Class D-1 shall permit product sampling served to a consumer in one day of up to three samples, consisting of no more than (i) one-quarter ounce of distilled spirits, (ii) one ounce of wine, or (iii) two ounces of beer on the licensed premises.
- 9. Class D-2 shall authorize the retail sale of packaged alcoholic liquor for consumption off the licensed premises where more than 50 percent of the public sales area for such premises is devoted to goods and commodities other than alcoholic liquor.
- 10. Class E shall permit, in a restaurant, the operation of a microbrewery and the retail sale, for consumption off the licensed premises, of packaged spirits (beer) produced on the premises, and the retail sale of alcoholic liquor for consumption on the licensed premises.

(b) Number of Licenses Issued; License Fees: *(Ord. 2016-20; dated 7/7/16)*

Liquor License Classification	License Fee	Maximum Number of Licenses Available
Class A	\$1,800	4 license(s)
Class A-1	\$200	1 license(s)
Class B	\$1,275	6 license(s)
Class B-1	\$350	0 license(s)
Class B-2	\$200	1 license(s)
Class C	\$1,000	2 license(s)

Class D	\$1,100	2 license(s)
Class D-1	\$350	0 license(s)
Class D-2	\$800	4 license(s)
Class E	\$1,275	0 license(s)

Upon issuance of a local liquor license by the Local Liquor Control Commissioner with the approval of the Village Board the Village Clerk is hereby directed to amend this subsection of the Village Code to increase the number of liquor licenses accordingly. Any time a license issued is revoked or voluntarily surrendered; the Village Clerk is hereby directed to amend this subsection of the Village Code to reduce the number of authorized licenses in such classification accordingly. (*Ord. 2016-21; 7/7/16*)

(c) Special Event Permit: The Commissioner may grant a special event permit to any non-profit organization or club located within the Village, such as a church, order or lodge, veterans organization, civic organization or other similar organization, authorizing the sale of alcoholic beverages approved by the Commissioner at any picnic, club or similar function sponsored by such organization or club or similar function sponsored by such organization or club. The following restrictions are applicable for a special event permit:

1. No more than two such special event permits shall be issued to any one such organization or club during a one-year period. An event shall be limited to no more than three consecutive days.
2. A permit fee of \$100 per day shall be payable by the permittee upon the issuance of a special event permit.
3. All sales and consumption pursuant to the special event permit issued in accordance with this Section 23.03(c) shall be conducted within an enclosed area; such area shall have only one combined and controlled entrance and exit area and shall be adequately lighted.
4. Any alcoholic beverages sold pursuant to a special event permit must be consumed within the area described in the permit.
5. All sales and consumption pursuant to the special event permit shall be conducted only during the hours specified on the permit.
6. Unless specifically provided otherwise, all requirements of this Chapter 23 shall apply to permits granted under this Section 23.03(c).
7. Proof of receiving a state special event retailer's liquor license shall be required prior to the event.

(d) Special Use Permit: The Commissioner may issue a special use permit to an Illinois-licensed liquor retailer to transfer a portion of its inventory approved by the

Commissioner from its licensed retail premises to a designated site for a special event authorizing the sale of alcoholic beverages. The following restrictions shall be applicable to a special use permit:

1. A special use permit must be obtained for each location and cannot exceed three days in duration.
2. A permit fee of \$100 per day shall be payable by the permittee upon the issuance of a special use permit
3. All sales and consumption pursuant to the special use permit issued in accordance with this Section 23.03(d) shall be conducted within an enclosed area; such area shall have only one combined and controlled entrance and exit area and shall be adequately lighted.
4. Any alcoholic beverages approved by the Commissioner sold pursuant to a special use permit shall only be consumed within the area described in the permit.
5. All sales and consumption pursuant to the special use permit shall be conducted only during the hours specified on the permit.
6. Unless specifically provided otherwise, all requirements of this Chapter 23 shall apply to permits granted under this Section 23.03(d).
7. Proof of receiving a state special use permit liquor license shall be required prior to the event.

(e) Outdoor Consumption Permit: *(Ord. 2007-10)* The Commissioner may permit outdoor consumption of alcoholic liquor limited to any licensee in an outdoor area contiguous to and accessible from the Premises subject to the following restrictions:

1. The permit shall be limited to not more than 15 consecutive or nonconsecutive days per calendar year.
2. The outdoor area shall i) be contiguous to the Premises; ii) not include any public right of way or sidewalk areas; iii) shall not be closer than 25 feet to any public street.
3. The outdoor area shall prevent patrons from exiting the permitted area with alcoholic liquor or passing alcoholic liquor outside of the permitted area.
4. Application for the outdoor consumption permit shall include the proposed layout of the outside area, security, hours, lighting and description of amplification of music to be played (“Proposed Plans”).
5. The Commissioner shall have the right to modify or restrict any of the Proposed Plans for the health, safety and welfare of the public.

6. A permit fee of \$20.00 per day shall be paid at the time the outdoor use permit is issued.

7. The outside consumption permit may be suspended by the Chief of Police if it is determined that a public disturbance has been created. The suspension shall be reviewed by the Commissioner, upon written request by the licensee. Upon review, the suspension may be reversed, extended or the permit and/or the license may be revoked pursuant to Section 23.33 herein.

(f) **Beer Garden:** (*Ord. 2007-10*) Class A, B, C and E permit holders shall be permitted to allow consumption of alcoholic liquor sold at retail both in the Premises and interior and in an adjoining contiguous exterior area, subject to the following conditions being maintained by the licensee:

1. The outside area shall be enclosed by a wall, fence or structure designed to be decorative and to prevent unauthorized entry. The maximum height of such fence or wall shall be eight feet.

2. The outside area shall have ingress and egress only for emergency purposes and for handicap accessibility.

3. The outside area shall not have a covered roof, although umbrellas, awnings, screening and the like may be allowed, and a limited roof structure may be permitted over any service bar.

4. A service bar or service window for the service of alcoholic beverages may be permitted in the outside area.

5. The operation of any sound amplification equipment including, but not limited to loudspeaker systems, jukeboxes, amplified radio broadcasts and the like, operating in the outside area of the licensed premises, shall be limited to the time period between 12 noon and 10:30 p.m. local time Sunday through Thursday and 12 noon to 12 midnight local time Friday and Saturday.

6. Outside meal seating will be permitted; however, no alcohol shall be served or consumed in the outside seating area later than 12 midnight Sunday through Thursday and 1 a.m. Friday and Saturday.

7. The outside area seating capacity, when combined with the indoor seating capacity, shall meet the requirements of the Illinois Plumbing Code and Village plumbing ordinances with regard to restroom facilities.

8. The use of the outside area may be suspended by the Chief of Police if it is determined that a public disturbance has been created. The suspension shall be reviewed by the Commissioner, upon written request by the licensee. Upon review,

the suspension may be reversed, extended or the beer garden permit and/or the licensee may be revoked pursuant to Section 23.33 herein.

9. Such other requirements as may reasonably be imposed by the Commissioner, taking into account the unique circumstances of the licensee's premises and location.

23.04 APPLICATIONS FOR LICENSES. Each applicant for license as provided under Section 23.03 of this Chapter shall submit an application therefor, said application to be accompanied by the annual license fee together with a certificate of dram shop insurance coverage, to be maintained for the period of the license. *(Ord. 1988-4)*

23.05 EXPIRATION OF LICENSES, PRORATING FEES. All licenses provided for by this chapter shall terminate and expire on April 30 next after the issuance thereof. In the event that application for license is made after the first day of any month, the applicant is entitled to receive a license for the number of months intervening between the date of application and the last day of April, prorated, but fractions of a month shall be counted as a whole month, all licenses to be dated and payable from the first of the month.

23.06 LICENSES; CONDITIONS, REVOCATION, FORFEITURE. All licenses issued in pursuance of this chapter shall contain the recital and express condition that the person on accepting the same does so subject to all the provisions of this chapter, and of any and all ordinances of the Village of Richmond, and any person licensed under the provisions of this chapter who shall be convicted of a violation under this chapter, before any court, shall there by forfeit such license, and license shall be from and after such conviction absolutely null and void, and such license shall not be deemed continued or kept in force by reason of any appeal from the judgment rendered upon such conviction; and the person holding, or to whom was issued, any such license which shall have been forfeited, shall also forfeit to the Village of Richmond all sums of money paid in advance for such license.

23.07 LICENSES; RESTRICTIONS ON LICENSES. Issuance of licenses to certain persons shall be prohibited in accordance with 235 ILCS 5/6-2. *(Ord. 2007-1)*

23.08 LOCATION. No license shall be issued under the terms and conditions of this chapter for the sale at retail of any alcoholic liquor within a distance of 100 feet of any church, school, or hospital. No person shall hereafter engage in the business of retailer of any alcoholic liquor within a distance of 100 feet of any undertaking establishment or mortuary.

23.09 LICENSES; RESTRICTIONS AS TO PREMISES. *(Ord. 2007-10)* No license for the sale of alcoholic liquor shall be granted from the Premises of any residential property use.

23.10 LICENSES; TRANSFER AND RENEWAL.

(a) All licenses issued hereunder shall be a purely personal privilege, good for not to exceed one year after their issuance, unless sooner revoked as in this chapter provided, and shall not constitute personal property of the holders thereof, nor shall they be subject to attachment, garnishment, or execution, nor shall they be alienable or transferable, voluntarily

or involuntarily, or subject to being pledged, mortgaged or otherwise encumbered or hypothecated. Such licenses shall not pass or descend by the laws of testate or intestate devolution, but shall cease upon the death of the licensee, provided that the executors or administrators of the estate of any deceased licensee, and the trustee or receiver of any insolvent or bankrupt licensee, which such estate consists in part of alcoholic liquors, under order of the appropriate court, may exercise the privileges of such deceased, insolvent, or bankrupt licensee after the death of such decedent or such insolvency or bankruptcy until the expiration of such license. A prorata refund shall be made of that portion of the license fees paid for any period in which the licensee shall be prevented from operating under such license in accordance with the provisions of this section.

(b) Any licensee may renew his license at the expiration thereof provided such applicant or applicants are then qualified to receive a license and the premises for which such renewal is sought are suitable for such purposes; and provided further that the renewal period herein provided for shall not be construed as a vested right.

(c) Any licensee who, during the term of his license, ceases doing business in the licensed premises for a period in excess of 45 consecutive days shall thereupon be subject to revocation of said license by reason of such cessation of doing business for said 45 consecutive day period.

23.11 LICENSE; CHANGE OF LOCATION. Any retail liquor dealer's license shall permit the sale of alcoholic liquor only in the premises described in the application and license. Such location may be changed upon the written permit to make such change issued by the Liquor Commissioner. No change of location shall be permitted unless the proposed new location is a proper one for the retail sale of alcoholic liquors under the laws of this state and this chapter.

23.12 SALE OF BUSINESS. On the sale of any business licensed under this chapter, the Liquor Commissioner may, upon surrender of the original license, issue a new license to the vendee thereof for the unexpired period of the original license; provided, however, that such vendee shall first comply with all of the laws of this State and this Chapter.

23.13 RECORDS OF LICENSES. The Liquor Commissioner shall keep a complete record of all licenses issued under the terms of this Chapter.

23.14 PREMISES: CHANGE OF ENTRANCE. No change shall be made of and premises licenses hereunder with reference to entrances after the license has been issued, without the written approval and consent of the Liquor Commissioner.

23.15 CONSUMPTION ON PREMISES. No person conducting a business within the village limits to whom a license as provided in this chapter has not been issued, shall sell, and offer to sell, or permit to be sold any alcoholic liquor on the premises where said business is conducted.

23.16 CLOSING HOURS. It shall be unlawful to sell or offer for sale at retail any alcoholic liquor in the Village of Richmond between the hours of 1:00 a.m. and 6:00 a.m. of any day except Saturday and Sunday, and on Saturday and Sunday it shall be unlawful to sell or offer for sale at retail alcoholic liquor between the hours of 2:00 a.m. and 6:00 a.m. On January 1 of any year it shall be unlawful to sell or offer for sale at retail any alcoholic liquor between the hours of 4:00 a.m. and 6:00 a.m. It shall be unlawful to keep open for business or to admit the public to any premises in or upon which alcoholic liquor is sold at retail during the hours within which the sale of such liquor is prohibited.

23.17 CURB OR OUTDOOR SERVICE. *(Ord. 2007-10)* Except as specifically permitted herein, no curb service or outdoor sale of alcoholic liquor shall be carried on in connection with the Premises for which a license has been issued for the sale of alcoholic liquor for consumption upon the Premises; neither upon the public street or private property contiguous to such Premises so licensed.

23.18 PERSONS NOT TO BE EMPLOYED. It shall be unlawful to knowingly employ in any premises used for the retail sale of alcoholic liquor any person in any capacity whatsoever, who has been convicted of a felon, or any of the following misdemeanors or offenses, to-wit:

1. Carrying or possessing of a pistol, revolver or other dangerous weapon.
2. Making or possessing burglar instruments.
3. Buying or receiving stolen property.
4. Unlawful entry of a building.
5. Aiding or abetting in the escape of a felon from confinement.
6. Unlawfully possessing or distributing habit-forming narcotic

23.19 EMPLOYMENT OF ALIENS; CERTIFICATE OF HEALTH. It shall be unlawful for any person to tend bar in an establishment licensed hereunder who is not a citizen of the United States of America and who has not also given proof by a reputable physician as to the good health of such bartender to the Liquor Commissioner.

23.20 EMPLOYMENT OF MINORS. No person under the age of 18 years shall work as a bartender, or as a person who in any other manner serves, delivers or sells alcoholic liquor in any establishment licensed hereunder for the sale of alcoholic liquors; and regardless of whether the work is performed for hire or gratuitously.

23.21 CONTAGIOUS DISEASES. It shall be unlawful to employ in any premises used for the retail sale of alcoholic liquors any person who is afflicted with or who is a carrier of any contagious, infectious, or venereal disease; and it shall be unlawful for any person who

is afflicted with or a carrier of such disease to work in or about any premises or to engage in any way in the handling, preparation or distribution of such liquor.

23.22 CLEANLINESS OF PREMISES. It shall be the duty of every licensee hereunder to keep the premises where such business is carried on in a clean and properly sanitary condition. All persons employed or working in such premises shall be clean and cleanly attired. All utensils, appliances, vessels, receptacles, refrigerators, or any other places or things whatsoever which are used for the purpose of storage or otherwise, must be at all times kept in a clean, wholesome and sanitary condition.

23.23 CLEANLINESS OF UTENSILS. All utensils used in the preparation, service and sale of food and drink by any license holder hereunder shall be properly cleaned and sterilized after use with hot water, steam, chemicals and/or methods as may be from time to time approved by the Liquor Commissioner, and no utensil shall under any circumstances be used the second time unless it shall have been after previous use thereof so cleaned and sterilized, and in such cleaning the use of water which has become unsanitary by previous use is prohibited.

23.24 INSPECTIONS. It shall be the duty of the Liquor Commissioner or anyone whom he may designate, and all of them are hereby authorized and empowered from time to time to inspect and examine such premises wherein a business is licensed hereunder. It shall be the duty of every license holder hereunder to permit such inspections to be made when required.

23.25 MINORS LOITERING. It shall be unlawful for any person licensed hereunder to suffer or permit any person of either sex under legal age, unaccompanied by his or her parents or guardian, to linger or loiter in or about the premises licensed hereunder.

23.26 SALES TO MINORS, DRUNKARDS, ETC.

(a) No licensee nor any officer, associate, member, representative, agent or employee of such licensee shall sell, give or deliver alcoholic liquor to any person under the age of 21 years or to any intoxicated person or to any person known by him to be a habitual drunkard, spendthrift, insane, mentally ill, mentally deficient or in need of mental treatment. No person, after purchasing or otherwise obtaining alcoholic liquor, shall sell, give or deliver such alcoholic liquor to another person under the age of 21 years except in the performance of a religious ceremony or service.

(b) Repealed (*Ord. 1981-5*)

(c) Any person to whom the sale, gift or delivery of any alcoholic liquor is prohibited because of age shall not purchase, or accept a gift of such alcoholic liquor or have such alcoholic liquor in his possession.

If a licensee or his agents or employees believes or has reason to believe that a sale or delivery of any alcoholic liquor is prohibited because of the non-age of the prospective

recipient, he shall, before making such sale or delivery demand presentation of some form of positive identification, containing proof of age, issued by a public officer in the performance of his official duties.

No person shall transfer, alter or deface such an identification card, use the identification card of another, carry or use a false or forged identification card, or obtain an identification card by means of false information. No person shall purchase, accept delivery or have possession of alcoholic liquor in violation of this section. The consumption of alcoholic liquor by any person under 21 years of age is forbidden. *(Ord.1979-18, 12/18/79)*

The possession and dispensing, or consumption by a minor of alcoholic liquor in the performance of a religious service or ceremony, or the consumption by a minor under the direct supervision and approval of the parents or parent of such minor in the privacy of a home, is not prohibited by this section.

(d) In every tavern or other place in the village where alcoholic liquor is sold, there shall be displayed at all times, in a prominent place, a printed card which shall be supplied by the Village Clerk, and which shall read substantially as follows:

"Warning to Underage Persons

You are subject to a fine up to \$500 under the Village Code of the Village of Richmond, if you purchase alcoholic liquor, or misrepresent your age for the purpose of purchasing or obtaining alcoholic liquor. "

(e) It shall be unlawful for any holder of a retail liquor dealer's license, or his or her agent or employee, to suffer or permit any underage person to be or remain in any room or compartment adjoining or adjacent to or situated in the room or place where such licensed premises is located; provided that this paragraph shall not apply to any underage person who is accompanied by his or her parent or guardian, or any licensed premises which derives its principal business from the sale of services or other commodities other than alcoholic liquor.

(f) It shall be unlawful for any parent or guardian to permit any underage person of which he or she may be the parent or guardian to violate any of the provisions of this section.

(g) In addition to all other fines and penalties, the Village President may suspend or revoke the retail liquor dealer's license for any violation of the above paragraph.

23.27 SALES ON CREDIT. It shall be unlawful for any person licensed hereunder to sell or furnish alcoholic liquor at retail to any person on credit or on a passbook, or order on a store, or in exchange for any goods, wares, or merchandise, or in payment for any services rendered; and if any person shall extend credit for such purpose the debt thereby attempted to be created shall not be recoverable at law; provided that nothing herein contained shall be construed to prevent any club from permitting checks or statements for alcoholic liquor to be

signed by members or bona fide guests of members of said club and charged to the account of such members or guests in accordance with the by-laws of said club.

23. 28 DISORDERLY HOUSE. Every license holder hereunder shall at all times keep a good and orderly house and it shall be unlawful for any license holder to keep a noisy, disorderly, and ill-governed house in any place where such license holder is doing business under such license.

23.29 PROHIBITED PLACES OF DRINKING. No person shall in the Village of Richmond drink any alcoholic beverage in any street or alley, or in any publicly owned place, or in or upon any vehicle commonly used for transportation of passengers; and no person shall be drunk or intoxicated in any street, alley, or other public place.

23.30 GAMBLING PROHIBITED. No person licensed hereunder shall in or upon any premises described in said license suffer or permit any person or persons to play for money or other valuable thing at any cards, dice, chips, or with any other article or instrument or thing whatsoever which may be used for the purpose of playing or betting upon or winning or losing money, or other thing or article of value, or shall suffer or permit any person or persons to bet on any game others may be playing, or shall keep or suffer to be kept in or upon said premises any implements such as are used in gambling in order that the same may for hire, gain, or reward be used for the purpose of gaming for money or other property, or suffer or permit any person to play at any unlawful game or sport therein. Notwithstanding the above, licensed video gaming as permitted pursuant to the Illinois Video Gaming Act (230 ILCS 40/1, et. seq.) and applicable regulations shall not constitute a violation of the Section. Any person violating this section shall be fined not less than \$100 for each offense, and in addition thereto, its liquor license shall be revoked. *(Ord. 2012-15; 8/16/12)*

23. 31 GAMING HOUSES. Any person licensed hereunder who shall be convicted of keeping a common gaming house or of having in any building, booth, yard, or other premises by him or his agents used and occupied, who shall permit any person or persons to frequent or come together on the licensed premises in order to play or gamble for money or other valuable thing, shall be fined not less than \$100 for each offense, and in addition thereto, such license shall be revoked. Notwithstanding the above licensed video gaming as permitted pursuant to the Illinois Video Gaming Act (230 ILCS 40/1, et. seq.) and applicable regulations shall not constitute a violation of this Section. *(Ord. 2012-15; 8/16/12)*

23. 32 REST ROOMS. Every licensee under this chapter shall keep and maintain in a cleanly and sanitary condition separate rest rooms for men and women and shall provide therein a lavatory with running water.

23. 33 REVOCATION OF LICENSE. The Liquor Commissioner may suspend or revoke any retail liquor dealer's license for any violation of any provisions of this chapter or for any violation of any state law pertaining to sale of alcoholic liquor or video gaming. All proceedings for the revocation or suspension of licenses shall be before the Liquor Commissioner. No such license shall be revoked or suspended except after a hearing by the Liquor Commissioner with reasonable notice to the licensee served by certified mail or in the

conspicuous place and so affixed that it cannot be transferred from one video gaming terminal to another.

E. Operation of Video Gaming Terminals: All such video gaming devices or terminals shall at all times be kept, placed, operated and monitored pursuant to State laws and applicable regulations.

F. Revocation: In addition to any penalty imposed, the President and Board of Trustees may revoke a video gaming license for any violation of this Chapter or of any ordinance pertaining to the conduct of such business.

23.35 PENALTIES. *(Ord. 2012-15; 8/16/12)*

Any person violating any provision of this Chapter shall be subject to a penalty pursuant to Appendix A of this Code.