

CITY OF SULLIVAN, ILLINOIS

ORDINANCE NO. 23-9

**ORDINANCE AMENDING SECTION 21-2-4 OF ARTICLE II CHAPTER 21 LIQUOR OF
THE REVISED CODE OF ORDINANCES OF THE CITY OF SULLIVAN, MOULTRIE
COUNTY, ILLINOIS**

**ADOPTED BY THE CITY COUNCIL
OF THE
CITY OF SULLIVAN, ILLINOIS**

THIS 10th DAY OF APRIL 2023

Published in pamphlet form by authority of the City Council
of the City of Sullivan, Moultrie County, Illinois,
this 11th day of April 2023

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ORDINANCE AMENDING SECTION 21-2-4 OF ARTICLE II CHAPTER 21 LIQUOR
OF THE REVISED CODE OF ORDINANCES OF THE CITY OF SULLIVAN,
MOULTRIE COUNTY, ILLINOIS

BE IT ORDAINED by the Mayor and City Council of the City of Sullivan, Moultrie County, Illinois, as follows:

SECTION 1: CHAPTER 21-LIQUOR, ARTICLE II-LICENSES, Section 21-2-4, Subsection (A), shall be removed in its entirety.

SECTION 2: Article II, Section 21-2-4 is hereby amended to read as follows:

21-2-4 PROHIBITED LICENSEES. No retail license shall be issued by the Mayor to the following:

- (A) A person who **is not twenty-one (21) years** of age;
- (B) A person who has been convicted of a felony under any federal or state law if the Mayor determines, after investigation, that such person has not been sufficiently rehabilitated to warrant the public trust;
- (C) A person who has been convicted of being the keeper of or is keeping a house of ill-fame;
- (D) A person who has been convicted of pandering or other crime or misdemeanor opposed to decency or morality;
- (E) A person whose license has previously been revoked for cause;
- (F) A person who, at the time of the application for renewal for any license issued hereunder, would not be eligible for such license upon first application;
- (G) A co-partnership, if any general partnership thereof or any limited partnership thereof, owning more than **five percent (5%)** of the aggregate limited partner interest in such co-partnership would not be eligible to receive a license hereunder for any reason;
- (H) A corporation, if any officer, manager or director thereof or any stockholder owning in the aggregate more than **five percent (5%)** of such corporation, would not be eligible to receive a license hereunder for any reason other than the requirement for citizenship and residence;
- (I) A corporation unless it is incorporated in the State of Illinois, or unless it is a foreign corporation which is qualified under the "**Business Corporation Act of 1983**" to transact business in Illinois;
- (J) A person whose place of business is conducted by a manager or agent unless the manager or agent possesses the same qualifications required by the licensee;
- (K) Any person, association, or corporation not eligible for a state retail liquor license;
- (L) A person who is not of good character and reputation in the community in which he resides;
- (M) A person who has been convicted of a violation of any federal or state law concerning the manufacture, possession or sale of alcoholic liquor,

subsequent to the passage of this Code or has forfeited his bond to appear in court to answer charges for any such violation;

(N) A person who does not own the premises for which a license is sought, or does not rent nor have a lease thereon for the full period for which the license is to be issued;

(O) Any law enforcing public official, including members of local liquor control commissions, any mayor, alderman, or member of a city council or commission, any president of a village board of trustees, any member of a village board of trustees, or any president or member of a county board; and no such official shall be interested directly in the manufacture, sale or distribution of alcoholic liquor, except that license may be granted to such official in relation to premises which are not located within the territory subject to the jurisdiction of that official if the issuance of such license is approved by the State Liquor Control Commission and the Mayor.

(P) A person who is not a beneficial owner of the business to be operated by the licensee;

(Q) A person who has been convicted of a gambling offense as prescribed by any of **subsections (a)(3) through (a)(11) of Section 28-1.1 of, or as proscribed by Section 28-3 of the "Criminal Code of 1961", approved July 28, 1961**, as heretofore or hereafter amended, or as proscribed by a statute replaced by any of the aforesaid statutory provisions;

(R) A person to whom a federal wagering stamp has been issued by the federal government for the current tax period; except those persons who are eligible to receive a license under the Raffles Act or the Illinois Pull Tabs and Jar Games Act;

(S) A co-partnership to which a federal wagering stamp has been issued by the federal government for the current tax period, or if any of the partners have been issued a federal gaming device stamp or federal wagering stamp by the federal government for the current tax period;

(T) A corporation, if any officer, manager or director thereof, or any stockholder owning in the aggregate more than **twenty percent (20%)** of the stock of such corporation has been issued a federal wagering stamp for the current tax period;

(U) Any premises for which a federal wagering stamp has been issued by the federal government for the current tax period. **(See 235 ILCS Sec. 5/6-2)**

SECTION 3: All previous ordinances in conflict with this ordinance are repealed to the extent of such conflict.

SECTION 4: The provisions and sections of this ordinance shall be deemed separable and the invalidity of any portion of this ordinance shall not affect the validity of the remainder.

SECTION 5: This ordinance shall be known as Ordinance No. 23-9.

SECTION 6: This ordinance shall be in full force and effect from and after its passage, approval, and publication as required by law.

PASSED by the Mayor and the City Council of the City of Sullivan, Moultrie County, Illinois on the 10th day of April 2023.

	AYE	NAY	ABSTAIN	ABSENT	CONFLICT
Glazebrook	✓				
Sherwood	✓				
Fowler	✓				
Woodworth	✓				
Booker	✓				

Carrie Creek
Carrie Creek, City Clerk

Approved by the Mayor of the City Council of the City of Sullivan, Moultrie County, Illinois this 10th day of April 2023.

Richard L. Glazebrook
Richard Glazebrook, Mayor

ATTEST:

Carrie Creek
Carrie Creek, City Clerk

STATE OF ILLINOIS)
)
COUNTY OF MOULTRIE)

CERTIFICATE

I, Carrie Creek, certify that I am the duly appointed and acting City Clerk of the City of Sullivan, Moultrie County, Illinois.

I further certify that on April 10, 2023, the Corporate Authorities of said municipality passed and approved Ordinance No. 23-9, entitled **ORDINANCE AMENDING SECTION 21-2-4 OF ARTICLE II CHAPTER 21 LIQUOR OF THE REVISED CODE OF ORDINANCES OF THE CITY OF SULLIVAN, MOULTRIE COUNTY, ILLINOIS**, which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance 23-9, including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted in the City Building, commencing on April 11th, 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 City Clerk.

DATED at Sullivan, Moultrie County, Illinois, this 11th day of April 2023.



Carrie Creek, City Clerk

