

VILLAGE OF MT. AUBURN

ORDINANCE NO. .45

AN ORDINANCE AMENDING SECTION 7-3-1 OF ARTICLE
III OF CHAPTER 7 OF THE MT. AUBURN VILLAGE CODE

ADOPTED BY THE
BOARD OF TRUSTEES
OF THE
VILLAGE OF MT. AUBURN
THIS 2ND DAY OF MAY, 1994

PUBLISHED IN PAMPHLET FORM BY AUTHORITY
OF THE BOARD OF TRUSTEES OF THE VILLAGE OF
MT. AUBURN, CHRISTIAN COUNTY, ILLINOIS,
THIS 3RD DAY OF MAY, 1994.

35

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ORDINANCE NO. 45

AN ORDINANCE AMENDING SECTION 7-3-1 OF ARTICLE III OF CHAPTER 7 OF THE MT. AUBURN VILLAGE CODE

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MT. AUBURN, ILLINOIS:

Section 1: Section 7-3-1 of Article III of Chapter 7 of the Mt. Auburn Village Code is hereby amended and shall now read as follows:

ARTICLE III - REGULATIONS

7-3-1 HOURS. a). It shall be unlawful to sell or offer for sale at retail any alcoholic liquor in the Village or for any holder of a retail liquor license, his, her, or its agents, or employees, to give or deliver alcoholic liquor or to permit the consumption of alcoholic liquor within the licensed place of business or in any other room or area within the building where such place of business is located, between the hours of 1:00 A.M. to 8:00 A.M., Tuesday through Saturday, 12:00 midnight through 8:00 A.M. on Monday, 1:00 A.M. through 1:00 P.M. and 10:00 P.M. through 12:00 midnight on Sundays.

b). It shall be unlawful to keep open for business or to admit the public to any licensed premises during the hours within which the sale, giving, delivery or consumption of alcoholic liquor is prohibited. Each holder of a retail liquor license shall "close such licensed place of business" for which such retail liquor license pertains to at the commencement of and remain closed during the aforesaid hours and days within which the sale, giving, delivery or consumption of alcoholic liquor is prohibited.

c). "Close such licensed place of business" shall mean, for purposes hereof, that all patrons or guests of such place of business, and all guests of the holder of such retail liquor license or of their agents and employees, must immediately leave and vacate such place of business and the building premises where such place of business is located; and no person may consume any alcoholic liquor in or at such place of business or in any other room or area within the building where such place of business is located.

d). 1). A violation of any provision of this Section 7-3-1 by the holder of a retail liquor license or his, her, or its agent or employee, shall be deemed a sufficient ground for the


Village President, as local liquor control commissioner, to exercise his discretion pursuant to Illinois Statutes (i.e., 235 ILCS 5/7-5 et al. (1992 State Bar Edition)] to suspend or revoke such retail liquor license, or alternatively, to levy a fine up to but not exceeding \$1,000.00 on the said licensee for each such violation; and each day on which a violation occurs or continues shall constitute a separate offense.

2). In lieu thereof, any holder of a retail liquor license, and in addition thereto, any employee or agent of the said retail liquor licensee, who violates any of the provisions of this Section 7-3-1 shall be subject to prosecution through an Ordinance complaint proceedings filed with the Circuit Court of the Fourth Judicial Circuit, in Taylorville, Christian County, Illinois, for any such violation; and shall, upon conviction of the first offense, be fined in an amount not less than One Hundred Dollars (\$100.00), but not more than Five Hundred Dollars (\$500.00); and shall, upon conviction for the second offense and for each subsequent offense thereafter, be fined in an amount not less than Two Hundred Dollars (\$200.00) but not more than Five Hundred Dollars (\$500.00.) for each offense. Each day on which a violation occurs or continues shall constitute a separate offense.

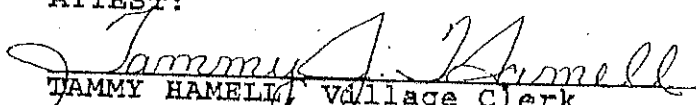
Section 2: That if any section, clause, provision or portion of this Ordinance shall be held to be invalid or unconstitutional by any Court of competent jurisdiction, such holding shall not affect or otherwise impair any other section, clause, provision or portion of this Ordinance which is not, in or of itself, invalid or unconstitutional.

Section 3: This Ordinance shall take effect immediately upon its passage, approval and publication as provided by law.

ON MOTION DULY MADE AND SECONDED and pursuant to roll call vote, this Ordinance was passed, approved and adopted this 2nd day of May, 1994.


BRUCE HOHENSTEIN, Village President
of the Village of Mt. Auburn

ATTEST:


TAMMY HAMELL, Village Clerk

(SEAL)

AYES: Anderson, Butcher, F. Vincent, S. Vincent, Copenhager, Hanfland

NAYS: _____

ABSENT: _____

FILED IN THE OFFICE OF THE VILLAGE CLERK, VILLAGE OF
MT. AUBURN, ON THE 2ND DAY OF MAY, 1994.

PUBLISHED IN PAMPHLET FORM ON MAY 3, 1994.

CERTIFICATE

STATE OF ILLINOIS)
) SS.
COUNTY OF CHRISTIAN)

I, TAMMY HAMELL, certify that I am the duly elected and acting Village Clerk of the Village of Mt. Auburn, Christian County, Illinois.

I further certify that on May 2, 1994, the Board of Trustees of said Village passed and approved Ordinance No. 45 entitled "An Ordinance Amending Section 7-3-1 of Article III of Chapter 7 of the Mt. Auburn Village Code".

The pamphlet form of Ordinance No. 45, including the Ordinance and a cover sheet thereof was prepared, and a copy of such Ordinance was posted in the Village Hall, commencing on May 3, 1994, 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 Village Clerk.

DATED at Mt. Auburn, Illinois, this 16th day of May, 1994.


TAMMY HAMELL, Village Clerk

(SEAL)