

## ALCOHOLIC BEVERAGES

Art. I In General, Sections 4-01 - 4 12

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### ARTICLE I IN GENERAL

\*Cross References Food and food establishments, Sec. 15 1 et seq.; drunkenness, Sec. 22 16; driving under the influence of liquor, Sec. 22 16.1; consumption of alcoholic beverages in vehicles for hire, Sec. 33 19.

State law reference Liquor control act. Ill. Rev. Stat.  
Ch. 235.

#### Sec. 4 01. Definitions - alcoholic beverages.

The definitions in the Illinois Revised Statutes, (ICLS) Chapter 235, Section 1 et seq., are hereby adopted and applied to this chapter. In addition, unless the context otherwise indicates, the following definitions are applied to terms used in this chapter:

- Licensee. The word "licensee" means any person receiving a license under this chapter.

- Minor. The term "minor" shall mean any person under twenty-one (21) years of age.

Retail liquor dealer. The term "retail liquor dealer" includes any person selling or offering for sale or keeping with the intention of selling liquor, at retail. (Code 1965, Sec. 38.01)

#### Sec. 4 02. Liquor control commissioner.

The Mayor shall be the local Liquor Control Commissioner and shall have such power and perform such duties as are prescribed in state law. (Code 1965, Sec. 38.02)

Appeals from any decision of the local liquor control commissioner to the State commission shall be limited to the review of the official record of the proceedings before the local liquor control commissioner, pursuant to the provision of Ch.235, ICLS 5/7-9.

Local reference -- Resolution 95-01, passed January 3, 1995.

State law reference -- Local liquor control commissioner, Illinois Compiled Statutes, Ch. 235, Article IV.

#### Sec. 4 03 4 12. Reserved.

### ARTICLE II. REGULATIONS FOR RETAIL SALE

#### DIVISION 1. GENERALLY

#### Sec. 4 13. Areas where alcoholic liquor shall be sold.

Within the City, alcoholic liquor shall be sold at retail only at the following locations:

CITY OF KANKAKEE LIQUOR LICENSES

	FACILITY	ADDRESS
	Good Vibrations	1680 West Station Street
	Station Street Tap, Inc.	374 West Station Street
	CVS/Pharmacy #2663	225 West Court Street
	Victory Lanes Bowling	1801 West Station Street
	Laffey's Tiny Tap	235 South West Avenue
	The River House	597 South Washington Avenue
	Jensen's Liquor & Lounge	2228 West Station Street
	Brookmont Bowling Center, Inc.	200 West Brookmont Boulevard
	Shelby's	4 Meadowview Center
	The Majestic Theatre	150 North Schuyler Avenue
	Out on a Limb Lounge	139 South Schuyler Avenue
	City Tavern	367 South West Avenue
	RMK of Illinois, Inc. d/b/a Bar Fly	1395 South East Avenue
	Burgers & Beers	756 West Jeffery Street
	Paul's Place	500 South Washington Avenue
	J.R.'s Chicken, Inc.	135 East Bourbonnais Street
	B.C.'s Bar & Grille	1006 South East Avenue
	West Side Tavern	2100 West Station Street
	Hilton Garden Inn	455 Riverstone Parkway
	Liquor World	110 Meadowview Center
	Nini's Brew Coffee Shop & Bar	1805 South Schuyler Avenue
	Spinner's Tailspin Inn	1895 South Schuyler Avenue
	Proof Lounge, Inc., The	110 Meadowview
	Key City Liquors, Inc.	321 South Schuyler Avenue
	Rivals, Inc. d/b/a No Dogs	293 South Schuyler Avenue
	Linskey's Homestead, Inc.	1230 South East Avenue

On The Rox	670 West Station Street
Jailhouse Rock	793 North Fifth Avenue
El Mexicano Restaurant	503 Riverstone Parkway, Suite 201
Kankakee Plaza Liquors, Inc.	1623 East Court Street
Olivers	2122 West Station Street
Whatever	360 South East Avenue
Rigo's Café, Inc.	2005 West Court Street
Cypress Tavern, Inc.	536 East Cypress Street
Brando's Bar, Inc.	782 South McMullen Drive
Kankakee Valley Boat Club	1600 Cobb Boulevard
Slim's Pour House	1500 North Hobbie Avenue
Diaz Banquets, Inc.	435 East Oak Street
Casey's Club, Inc.	187 South Indiana Avenue
Kankakee Country Club	2011 Cobb Boulevard
Sammy's Pizza	690 North Fifth Avenue
Eddie's Bar and Grill	1875 West Station Street
Hangar, The	2125 South Schuyler Avenue
Smitty's Bar	1096-98 West Station Street
Liquor Box (Coyote Station)	900 West Station Street
One Sixty-Four North	164 North Schuyler Avenue
Monical's Pizza	1155 West Court Street
La Cocina Macias	355 West Court Street
Jewel Food #3156	446 South Washington Avenue
Consignments and More	1450 North Hobbie Avenue
Ultra Foods	1200 North Kennedy Drive
Aldi, Inc.	2705 South Schuyler Avenue
Johnny's Pizza	265-271 South Schuyler Avenue
Walgreens #04142	1050 North Kennedy Drive
Walgreens #12468	222 West Court Street

	Wal-Mart Stores, Inc., d/b/a Wal-Mart#4323	505 Riverstone Parkway
	Mario's Market West	1557 West Court Street
	Mac's Convenience Stores LLC #1390	1590 West Court Street
	Mac's Convenience Stores LLC #1388	581 South Indiana Avenue
	Casey's General Store #2368	1075 West Jeffery Street
	Kankakee BP Fast-n-Fresh	1860 East Court Street
	Speedway 7077	2330 West Station Street
	Casey's General Store #2486	205 East Brookmont Boulevard
	Speedway #1415	2925 Riverstone Parkway
	Mac's Convenience Stores, LLC #177	1952 East Court Street
	Love's Travel Stop #395	3407 S. State Road 45/52
	Kankakee Park District	1601 East River Road
	Kankakee Valley Park District	1601 River Road
	Liquor Lot	370 South Schuyler Avenue
	Grapes and Hops	251 South Schuyler Avenue
	Feed Arts and Cultural Center	259 South Schuyler Avenue
	Lacey's	503 Riverstone Parkway, Unit 501
	Que It Up	355 West Court Street
	Happy Pappy's Pizza Café, LLC	150 East Station Street

(Ord. No. 80 17, Sec. 1, 3 17 80; Ord. 84 6 Sec. 1 3, 4 3 84; Ord. No. 95-22, 4-17-95; Ord. No. 2000-01, 1-3-2000; Ord. No. 2000-52, 6-19-2000; Ord. No. 2001-43, 8/6/01; Ord. No. 2012-68, 12-17-12; Ord. No. 2015-01, 1/20/15; Ord. No. 2017-07, 2/21/17)

**Sec. 4 14. Consumption of alcohol on premises; in public places, vehicles.**

- (a) No person shall bring any alcoholic liquor into any dining room of any hotel, restaurant, club room, or place where lunches are served, or where soft drinks are sold, or a soda fountain is operated, or into any public place for consumption, or for use for mixing with or "spiking" any alcoholic liquor or any other beverage whatsoever.
- (b) No owner or proprietor, or agent or employee thereof, of any restaurant, store or other commercial establishment, inviting or permitting public patronage shall permit the consumption of alcoholic liquors on the premises except those specifically licensed for consumption on the premises. No person shall consume any alcoholic liquor on any street, alley, sidewalk or other public property, or in any automobile or vehicle traveling upon or parked on any street, alley or public property, or shall have in his possession

any alcoholic liquor in such a place with the original seal of the container thereof broken. (Ord. of 10 16 67, Sec. 1; Ord. No. 80-12, Sec. 1, 3 17 80)

**Sec. 4 15. Payment for purchase of alcohol required.**

- (a) Each retail sale of alcoholic liquor except beer shall be made and payment received by the licensee under the provisions of this article for retail sale or his employee, at the time of the sale on the premises of such licensee.
- (b) Treating, or giving away directly or indirectly, of any intoxicating liquor hereunder by the holder of any licensee at his place of business either by himself or by or through any servant, agent, employee or person on his behalf, is hereby prohibited. (Code 1965, Sec. 38.12)

**Sec. 4-16. Prohibition of sale of certain products.**

The sale of beer or malt liquor in any sized glass container which contains more than 20 fluid ounces and is refrigerated or cooled in any manner, and sold at other than room temperature, is hereby prohibited. (Ord. No. 98-81, Sec. 1, 09-08-98).

**Sec. 4-17. Time for sale of alcoholic liquor restricted.**

Alcoholic liquors may be sold, or served pursuant hereto in premises licensed for sale at retail under the provisions of this article as follows:

Monday at 6:00 a.m. until Tuesday at 2:00 a.m.  
Tuesday at 6:00 a.m. until Wednesday at 2:00 a.m.  
Wednesday at 6:00 a.m. until Thursday at 2:00 a.m.  
Thursday at 6:00 a.m. until Friday at 2:00 a.m.  
Friday at 6:00 a.m. until Saturday at 2:00 a.m.  
Saturday at 6:00 a.m. until Sunday at 2:00 a.m.  
Sunday at 10:00 a.m. until Monday at 2:00 a.m.

The sale of alcoholic beverages may commence at 8:00 A.M. on Sunday when Christmas Eve and New Year's Eve fall on a Sunday. (Ord. No. 95-82, Sec. 1, 11-20-95)

No licensee shall permit any person other than himself or employees to remain in the premises where liquor is offered for sale, longer than thirty (30) minutes after the closing hour. The hours herein stated shall be the time prevailing in the City. (Code 1965, Sec. 38.19; Ord of 4-17-67, Sec. 1; Ord. No. 73-29, Sec. 1, 4-2-73; Ord. No. 80-14, Sec. 1, 3-17-80, Ord. No. 08-65 11/3/08)

**Sec. 4 18. Gambling and immorality prohibited on licensed premises.**

No lottery, game of chance, gambling or gaming device shall be kept or used in any premises licensed under this article except as authorized under the Illinois Charitable Games Act (Ch. 230, Illinois Compiled Statutes, Sec 30/1 et seq.)

No patrons, employees or agents of licensee shall engage in disorderly or immoral practices upon the licensed premises, including but not limited to sexual acts or nudity or the public exposing of sexual organs or female breasts, while upon the licensed premises.

No patrons, employees or agents of licensee shall engage in the touching or fondling of female breasts or either male or female sexual organs while upon the licensed premises.

No person reputed to be a gambler or having been convicted of gambling or having any connection with any alleged gambling house shall be granted a license to sell alcoholic liquor.

(Code 1965, Sec. 38.20)

**Sec. 4 19. Purchases or possession of alcohol by minor prohibited.**

It shall be unlawful for any person under the age of twenty-one (21) years to purchase or obtain alcoholic liquor in any tavern or other place in the City where the alcoholic liquor is sold, or to have same in his possession. (Code 1965, Sec. 38.22; Ord. No. 73 62, Sec. 1, 9 18 73; Ord. No. 81 34, Sec. 1, 6-15 81)

**Sec. 4 20. Persons not allowed on premises where alcohol is sold.**

No person under the age of twenty one (21) years unaccompanied by his parent or legal guardian and no person who is intoxicated, a known narcotic addict or insane shall be permitted in or to loiter about any premises licensed under this article. This section shall not apply to hotels, restaurants where regular meals are served, stores, clubs or bowling alleys. (Code 1965, Sec. 38.22; Ord. No. 73 63, Sec. 1, 9 18 73; Ord. No. 81-35, Sec. 1, 6 15 81)

**Sec. 4 21. Responsibility of parent or guardian for minor's violation of drinking laws.**

A parent or guardian shall not knowingly suffer or permit his minor child to violate any provisions of this article. (Code 1965, Sec. 38.22)

**Sec. 4 22. Alcoholic beverages - misrepresentation of age by minor.**

It shall be unlawful for any person under the age of twenty-one (21) years to misrepresent his age for the purpose of purchasing or obtaining alcoholic liquor. (Code 1965, Sec. 38.23 Ord. No. 73 64, Sec. 1, 9 18 73; Ord. No. 81 36, Sec. 1, 6-15-81)

**Sec. 4 23. Sale of alcohol to certain persons prohibited.**

No licensee under this article shall sell, give or deliver alcoholic liquor to any intoxicated person, or to any person known by him to be a habitual drunkard, narcotic addict, insane or feebleminded person. (Code 1965, Sec. 38.21)

**Sec. 4 24. Sale, delivery, etc. of alcohol to minors prohibited.**

It shall be unlawful for any adult to give, sell or deliver to any minor, directly or indirectly, any alcoholic liquor. (Code 1965, Sec. 38.24; Ord. No. 73 65, Sec. 1, 9-18-73; Ord. No. 81-37, Sec. 1, 6 15 81)

**Sec. 4 25. Alcoholic beverages - Violations.**

- (a) If the owner of the premises licensed under this article or any person from whom the licensee derives the right to possession of such premises, or the agent of such owner or person, shall knowingly permit the licensee to use the licensed premises in violation of the terms of this article, the owner, agent or other person shall be deemed guilty of a violation of this article to the same extent as shall the licensee and shall be subject to the same punishment as the licensee.
- (b) Every act or omission of whatsoever nature constituting a violation of any of the provisions of this article, by any officer, director, manager, or agent, or employee of any licensee, shall be deemed and held to be the act of such employer or licensee, and the employer or licensee shall be subject to punishment in the same manner as if the act or omission had been done or omitted by him personally. (Code 1965, Sec. 38.25)

**Sec. 4 26. Adoption of state law relating to alcoholic liquors.**

Each and every part of the Liquor Control Act of 1934, which appears at Chapter 235 of the Illinois Compiled Statutes which relates in any manner to the sale at retail of alcoholic liquors, not used or adopted by reference or otherwise in

this chapter, is hereby adopted in this section and made a part of this chapter, to the same extent and with the same legal effect as if fully set forth herein, and any violation of such applicable and adopted provisions of such act shall be deemed a violation of this chapter and be subject to the general penalty of this Code (Code 1965, Sec. 38.25)

**Sec. 4 26 4 31. Reserved.**

## **DIVISION 2. EMPLOYEES OF LICENSE HOLDER**

\*Cross Reference Licenses generally, 21 1 et seq. Sec. 4 32.

**Sec. 4-32. Bartenders' license required.**

It shall be unlawful for a license holder to employ for work on the licensed premises any person who has been convicted of murder, attempt murder, a felony sexual offense, or any felony for any law concerning the sale or possession of controlled substance as defined in the Illinois Criminal Code, for a period of five (5) years preceding such employment. (Ord. No. 70-2, Sec. 1, 1-5-70)

**Sec. 4 33 - 4-45. Reserved.**

## **DIVISION 3. LICENSE FOR SALE**

Cross Reference Licenses generally, Sec. 21 1 et seq.

**Sec. 4-46. License required to sell alcoholic liquor.**

No person shall sell, expose or offer for sale, at retail, or display within the corporate limits of the City, any alcoholic liquor without first obtaining a license from the local liquor Control Commissioner. (Code 1965, Sec. 38.03)

**Sec. 4 47. Liquor license - classification; annual license fee.**

- (a) A Class "A" retail license issued under this division shall permit the licensee to sell alcoholic liquor in packages or by drink for consumption on or off the premises where sold. The annual license fee shall be in the amount described in Chapter 21, section 21.04 of this Municipal Code. (Ord. 85 32, Sec. 1, 8 5 85; Ord. No 95-22, Sec. 4-47, 3-27-95; Ord. 04-24. 4/5/04)
- (b) A Class "B" license issued under this division shall permit the licensee to sell alcoholic liquors in original packages for consumption off the licensed premises only, in retail super market food stores. For the purpose of this section, a "retail super market food store" is defined as a place of business in which food and food products are the principal line of merchandise sold and consisting of not less than ten thousand (10,000) square feet. The annual license fee shall be three thousand one hundred twenty-five and no/100 dollars (\$3,125.00). (Code 1965, Sec. 38.04; Ord. No. 83 41, Sec. 1, 10 17 83; Ord. No. 95-22, Sec. 4-47, 3-27-95; Ord. No. 04-24, 4-5-04, Ord. No. 09-43; Ord. No. 09-81)
- (c) A Class "C" license issued under this division shall permit the licensee to sell beer and wine in original packages for the consumption off the licensed premises only, in motor vehicle service stations and convenience stores. No beer sold under this section shall be sold at less than room temperature which is in glass containers containing twenty (20) ounces or more of said beverage. The annual license fee shall be in the amount described in Chapter 21, section 21.04 of this Municipal Code. For purposes of this section the following definition shall apply:

Motor Vehicle Service Station Convenience Store shall be an establishment offering for retail sale, prepackaged food products, household items, newspapers and magazines, sandwiches and other freshly prepared foods and the like, and, also, offering the dispensing of motor vehicle fuels for retail sale. Said

store shall be required to have a gross floor area of not less than 1,000 square feet excluding the area allocated to the sales of alcoholic beverages. (Ord. No. 2001-51, 8-20-01 is Amending Ord. No. 2001-44, 8-6-01)

- (d) A Class “D” license issued under this division shall permit the licensee to sell beer for consumption on the premises only. This license shall be only available to governmental agencies of the State of Illinois, County of Kankakee County, Township of Kankakee and Kankakee Valley Park District. The annual license fee shall be in the amount described in Chapter 21, section 21.04 of this Municipal Code (Ord 04-24, 4-5-04)
- (e) A class “E” license issued under this division shall permit the licensee to sell alcoholic liquor by drink for consumption on the premises where sold and only in a banquet hall or catering facility. For purposes of this section a “banquet hall or catering facility” shall be defined as a place of business which is opened only for specific events and shall consist of premises of not less than Fifteen Thousand (15,000) square feet of occupancy space. The annual license fee shall be One Thousand Five Hundred and no/100s Dollars (\$1,500.00). (Ord. No. 05-26)
- (f) A class “F” license hereby designated as a special use permit license shall allow a person or entity who has previously been issued a Class “A” and Class “E” license pursuant to this Ordinance to transfer a portion of is alcoholic liquor inventory from its retail licensed premises to the premises specified in the license hereby created, and to sell or offer for sale at retail, only in the premises specified in the license hereby created, the transferred alcoholic liquor for use or consumption, but not for resale in any form. A special use permit may be granted for the following time periods: one day; two days or three days to a maximum of seven days. Any applicant shall be limited to a maximum of fifteen days per Class “A” or Class “E” license in any 12 month period. An applicant for the special use permit license must also submit with the application proof satisfactory to the Liquor Commissioner that the applicant will provide dram shop liability insurance to the maximum limits and have a special use permit license provided by the State of Illinois.
  - (II) Each applicant for a special use permit license shall pay a fee for each such license a fee of One Hundred and no/100s Dollars (\$100.00) for a permit for two or fewer days and a fee of Two Hundred and no/100s Dollars (\$200.00) for a permit for three or more days and shall submit an application as prescribed by the City of Kankakee Liquor Commissioner. (Ord. No. 09-48)
- (g) A Class “P” license issued under this division shall authorize the sale of alcoholic liquor in original package at retail on the premises specified for consumption off said premises. Class “P” liquor establishments shall have a minimum of One Thousand (1000) square feet of interior space and their gross sales revenue shall consist of at least eighty percent (80%) being derived from the sale of alcoholic beverages. The annual license fee shall be in the same amount as described for Class “A” retail license under this Code. There shall be a maximum of five (5) Class “P” licenses issued in the City of Kankakee.
  - ii) Any exiting retail establishment which sells alcoholic liquor in original packages for consumption off premises which currently holds a Class “A” license shall be issued a Class “P” license and shall be considered to be grandfathered and shall count as one of the five licenses to be issued. (Ord. 13-60; 8-5-13)
- (h) Class “T” license issued under this division shall permit the licensee to sell beer and wine at a location specifically designated and shall be available only for locations where live productions of musical, dramatic, or comedic theater material or auction sales are scheduled, produced and presented.
  - ii) The sale, dispensing of alcoholic liquor under this license shall occur



only on days of scheduled performances or auction sales and shall begin not more than sixty minutes before the scheduled performance or sale and shall end sixty minutes after completion of the scheduled performance or sale.

- iii) The annual license fee shall be payable in the amount of One Thousand and no/100s Dollars (\$1,000).
- iv) Locations for a Class T License shall be limited to the following specific addresses: 2095 West Station Street, Kankakee, Illinois 60901, and such other locations as the City Council shall from time to time allow. (Ord. 06-82; 11-6-06)
- v) A class “G” license is issued under this division shall permit a license to sell or serve liquor by the drink as an incidental part of a food service that prepares meals which excludes the serving of snacks as the primary meal, either on or off-site whether licensed or unlicensed.

For purpose of this section, “Caterer Retailer” means a person who serves alcoholic liquors for consumption, either on-site or off-site, whether the location is licensed or unlicensed, as an incidental part of food service. Prepared meals and alcoholic liquors are sold at a package price agreed upon under contract.

The annual license fee shall be the same as the fee for a Class “A” liquor license. (Ord. 11-63; 9-19-11)

## **Section 1.**

### **Sec. 47(h). Class M.**

Class M License: Micro-Brewery. A Class M license shall entitle the licensee to manufacture, bottle and sell up to 75,000 barrels (31 gallons per barrel) of craft beer as defined herein by the bottle, growler, keg or barrel from the licensed premises per year. Licensee shall maintain accurate records as to the total gallons of beer manufactured on the premises, kept on premises, and sold for consumption on premises and sold for consumption off-premises. Licensee shall produce said records to the Liquor Commissioner within ten (10) calendar days upon written request. No alcoholic liquor shall be brought onto the specified premises or consumed on the specified premises other than the craft beer brewed on the premises. A Class M licensee may also conduct craft beer sampling and tasting without the requirement of food service. No more than four (4) craft beer servings shall be served to any one (1) customer in one (1) day and each serving shall be limited to either: by the glass, having a capacity of not more than sixteen (16) ounces; by the bottle, having a capacity of not more than twelve (12) ounces; or by the flight, having not more than four (4) glasses with each glass not having more than six (6) ounces. All applicable taxes including sales tax shall be collected and paid on all revenue realized from the retail sale of craft beer. Nothing in the issuance of a Class M license shall be considered to relieve the licensee of any responsibility for complying with all applicable state and federal regulations relating to the manufacture and/or sale of beer or other alcoholic beverages and with all applicable business and other regulations of the City and the State of Illinois, including but not limited to procurement of requisite Federal Brewer’s Notice; Illinois Manufacturer’s (Brewer’s) Liquor License; State of Illinois Craft Brewer’s License; and any and all other requisite license and permits concerning manufacture, packaging, storing, sale, and distribution of alcoholic beverages.

The retail sale of craft beer is limited to the craft beer manufactured on the premises under this classification, and shall be permitted during the authorized hours of business subject to the following conditions:

1. The portion of the licensed premises dedicated to the retail sale of craft beer shall be segregated from the remainder of the premises;
2. The location of the retail sale and consumption of craft beer shall be limited to the retail portion of the licensed premises, except during supervised tours and private parties located in

the manufacturing area;

The annual license fee for a Class M license shall be two thousand five hundred dollars (\$2,500.000). No more than (1) license of this class shall be issued and in force at any one time.  
(Ord. 2015-32)

#### **Sec. 4 48. Liquor license - application.**

Application for a license required by this division shall be made to the city accompanied by the proper fee and shall be delivered to the liquor control commissioner who shall approve or reject the same. The application shall provide the following:

1. Name, age and address of an individual applicant.
2. The name of the persons entitled to participate in the profits, if it is a partnership application.
3. The objects, names and addresses of the officers and directors, if a corporate application, and whether or not one person owns a controlling interest in such corporation, and if so, his name and address.
4. The citizenship, place of birth, and place of naturalization, if foreign born, of an individual applicant.
5. The location and a description of the type or nature of the premises where such liquor will be sold, served or consumed.
6. Whether or not any previous similar license has been applied for, the place of application, and the disposition of such application, and if revoked, the reason therefor.
7. Whether or not the applicant has ever been convicted of a felony, being an inmate or keeper of a house of ill fame, or any offense opposed to decency and morality.
8. That no license shall be issued to any person ineligible under Section 5/6-2, Ch.235 of the Illinois Compiled Statutes. A manager or agent, including bartenders, is required to have the same qualifications as the person or firm to whom that license is issued. The names of all managers shall be listed on the application.
9. That all applications shall be verified by the applicant or if a corporation, by an authorized officer thereof.
10. That application shall be accompanied by license fee provided for in this article.
11. That the proposed location is not within one hundred (100) feet of any church, school, hospital, home for the aged, or indigent persons, or veterans, their wives or children; or any medical or naval station. The application shall also state the nature of the establishment wherein liquor will be served and the name of the owner of the premises.
12. That when the applicant is not the owner of the premises, the application shall be accompanied by a valid lease between the owner and the applicant for a minimum period of one year to coincide with the period for which the application is made.
13. That the licensee will not violate any of the laws of the municipality, the state, or United States of America in the conduct of his business.
14. That the applicant has been a continuous resident of the county for a minimum period of one year prior to

the date of filing the application.

15. That no license shall be issued unless there shall be filed with the application therefore a policy of insurance or satisfactory evidence that such policy of insurance has been purchased and that the premium has been prepaid, insuring the applicant for liability for:
  - (a) Injury to one person, \$30,000.
  - (b) Injury to property, \$5,000.
  - (c) Recover for means of support arising from death or injury to any one person, \$30,000.
  - (d) Injury to person, property, or loss of support in any one occurrence, \$60,000.
16. That no licensee shall lease from, directly or indirectly, receive and accept from, any manufacturer, distiller, brewer, bottler, wholesaler, jobber or distributor, or from any agent or representative thereof, gratuitously any money or thing of value, nor shall the licensee borrow money from, or permit such person to obtain directly or indirectly any interest in the ownership, conduct or operation of the applicant's retail liquor business.
17. That in the interest of public good, morals and convenience, no retail liquor license shall be granted to any person not now licensed, whose principal business shall be the retail sale to the general public of products other than alcoholic liquor including tobacconists, drug stores, bowling alleys, restaurants, hotels and all establishments that deal in any merchandise that is generally purchased by minors. It shall also state that all lawful licenses issued and in force on February 15, 1965 shall be renewed or reissued upon direct compliance with the laws and ordinances in force in the city at the time of application for such renewal, or reissue, and new licenses may be issued on the sale of a business now licensed notwithstanding the aforesaid clause.
18. That no license shall be issued to any applicant indebted to the City, the County or any department thereof. (Code 1965, Sec. 38.06)
  - (a) Resident Manager: If any license is issued in accordance with this ordinance to a corporation, said corporation shall maintain a resident manager who meets all of the requirements of state and local licensing. Said manager shall actually reside within the County of Kankakee and not merely own or lease the property used as the residential site.

**Sec. 4 49. Liquor license - consideration of application; approval or rejection.**

All applications for a liquor license shall be referred to the liquor control commissioner who, together with the license committee of the city council, acting as a commission, shall investigate the qualifications and character of the applicant. The liquor control commissioner shall, within thirty (30) days after the application, approve or reject the application. In the event the application is rejected, all fees paid by the applicant shall be refunded. (Code 1965, Sec. 38.07)

**Sec. 4 50. Reserved.**

**Sec. 4 51. Reserved.**

Sec. 4-51 entitled "Bond - Liquor license" has been deleted by Ord. No. 96-10. (Ord. No. 96-10, Sec. 1, 3-18-96)

**Sec. 4-52. Liquor license - term.**

The expiration date of all licenses granted under this article shall be at midnight on April 30 of each year. (Code 1965, 38.08)

**Sec. 4 53. Transferability of liquor license.**

No license issued under the provisions of this division shall be transferred without the consent of the Liquor Control Commissioner. Upon the death or insanity of the licensee, upon proper application and approval of the local Liquor Control Commissioner, a license may be reissued to the widow, heir at law, or next of kin of the licensee. (Code 1965, Sec. 38.03 - 38.08)

**Sec. 4 54. Liquor license - change of location.**

The location of a place of business of a licensee under this division may not be changed except upon written permission first issued by the Liquor Control Commissioner. No change shall be permitted except to a location permitted under state liquor control act and the ordinance of the city. (Code 1965, Sec. 38.13)

**Sec. 4 55. Revocation or suspension of liquor license.**

The Liquor Control Commissioner may suspend or revoke any license issued under this division for any one or more of the following reasons:

1. Violation of the laws of the United States government, the laws of the state, or any of the ordinances of the City.
2. Knowingly permitting any violation of this Chapter 4 or any disorderly or immoral practice, including but not limited to sexual acts or nudity, upon the premises for which the license is issued.
3. Willfully making any false statements as to a material fact in the application for a license.
4. Failure of the licensee for any cause whatsoever to operate and maintain a place of business at the location and on the premises pursuant to the purpose for which the license was issued under this division.
5. Failure of the licensee to comply with the fire, life, safety or property maintenance codes of the City of Kankakee.

In addition, any license issued under this article shall be kept continuously in effect and use in an operative business during the period for which it is issued and when such business is abandoned, closed, or for any reason becomes inoperative for a period of thirty (30) days or more, the Liquor Control Commissioner, in his discretion, may revoke the license.

(Code 1965, Sec. 38.16)

**Sec. 4 56. Liquor license - posting; issuance of duplicates.**

Every person licensed in accordance with the provisions of this division shall immediately post and keep posted while in effect, in a conspicuous place on the premises, the license so issued. In the event such licenses shall be lost or destroyed, a duplicate in lieu thereof shall be issued by the City Clerk upon direction of the Liquor Control Commissioner.

(Code 1955, Secs. 38.12, 38.15)

**Sec. 4 57. Issuance of liquor license for sale other than on first or ground floor.**

Clubs, fraternal organizations, restaurants and hotels only may be granted licenses under this division for the retail sale of alcoholic liquors in rooms situated on other than the first or ground floor of any premises. (Code 1965, Sec. 38.13)

**Sec. 4 58. Maximum Number of Liquor License of the City of Kankakee Municipal Code**

Hereby amended by rescinding the entire section. (Code 2016.14)

**Sec. 4 59. Sanitary requirements for liquor licenses.**

Cross Reference Premises, equipment to be kept clean, Sec. 4 63; Health Department generally, Ch.18.

State law reference Sanitary requirements for employees on premises selling food or drink, Illinois Compiled Statutes Ch 650/1 et seq.

- (a) Sanitary measures for cleaning and caring for all glasses, dishes, utensils and equipment shall be provided for by all licenses under this division.
- (b) No license shall be granted to any applicant for the sale of intoxicating liquors for consumption on the premises unless separate sanitary toilets for men and women have been installed and provided on the premises, and such toilets shall at all times be maintained in a clean and sanitary condition, shall have hot and cold running water, and shall be in compliance with all City ordinances.
- (c) The licensee and the employees on premises used for the retail sale of alcoholic liquor shall comply with the provisions of the statutes of the state relative to the health and cleanliness of employees selling food and drink. (Code 1965, 38.17)

**Sec. 4 60. Liquor licenses - inspections.**

All licensees under this article are hereby required to make available for inspection by the Liquor Control Commissioner, members of the license committee, Fire Department, Code Enforcement and Police officers of the City, the premises where liquor is sold, served or consumed. (Code 1965, Sec. 38.27)

**Sec. 4 61. Temporary permits for sale of alcohol.**

The local Liquor Control Commissioner shall have the power to issue a temporary permit for a fee of twenty five dollars (\$25.00) for the sale of alcoholic liquors to be consumed only on the premises at a banquet, picnic, bazaar, fair, festival or tournament, or similar private or public assembly where food or drink is sold, served or dispensed. Such temporary permit shall be issued to a club, society, fraternal or benevolent organization, local government unit, or similar organization not for pecuniary profit, and shall be for a period of not more than four (4) days. Not more than six (6) temporary permits shall be granted to any one organization within a period of any twelve (12) months. (Code 1965, 38.10; Ord. No. 83 43, Sec. 1, 10 17 83)

**Sec. 4 62. Liquor license - violations; penalties.**

In addition to the imposition of a fine under the general penalty provision of this Code, a license issued under this division may be revoked or suspended for violation of any of the provisions of this chapter, and such revocation or suspension shall be no defense to a prosecution for such violation. (Code 1965, 38.29)

**Sec. 4 63. General provisions for liquor license.**

- (a) Premises to be kept clean. All licensees must conduct their business in premises which are at all times kept clean and sanitary. This applies not only to licensed premises but to places of storage as well. This includes also the place of storage for materials and equipment used in the sale of alcoholic liquor.
- (b) Cleaning of beer cooling coils; records. Each retailer dispensing draught beer shall have coils and other equipment used in draught beer cleaned at least once every week in some manner or means, either chemical or mechanical. The use of steam or hot water alone is not permissible. A record shall be kept of

the dates when the cleaning was done, signed by the person who actually performed the cleaning.

- (c) Name of malt beverage manufacturer. Each retail licensee selling malt beverages on draught for consumption on the premises shall display a sign on, over or near each tap or faucet showing the name of the manufacturer of such beverages. This sign must be visible to patrons for a distance of at least ten (10) feet.
- (d) Possessors of wagering stamps. No application for a new license or a renewal of a license shall be approved if it is ascertained that the applicant or any officer, agent or employee of such applicant possesses a federal occupational wagering stamp at the address of the applicant's premises or at any other address.
- (e) Advertising by club. No retail licensee operating as a club pursuant to Article 1, Section 2.24 of the Illinois Liquor Control Act, may advertise in communication media directed toward the General public unless such retail licensee has petitioned the Illinois Liquor Control Commission for permission to so advertise in promotion of club affairs, and such permission has been granted.

(Ord. No. 80 16, Sec. 1, 3 17 80) (Ord. No. 95-22 revised chapter 4)  
Cross Reference Sanitary requirements for licensees, Sec. 4-59

**Sec. 4-64. Reserved**

(Ord. No. 95-04 - included in listing of places where liquor can be sold - The Depot - 199 south East Avenue.)

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