

ORDINANCE NO. 994

ORDINANCE ESTABLISHING OUTDOOR  
LIQUOR SALES

Be it ordained by the City Council of the City of Nokomis, Illinois that,

class "A" or

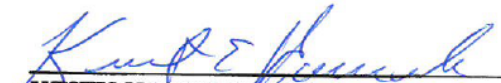
Upon application, the holder of a class "C" license may be issued a permit to sell alcoholic liquor as authorized by his classification, outside of the permanent structure and on the property where the licensee's permanent structure is located, upon approval by the Mayor as liquor commissioner under the following conditions:

1. A fence six feet in height made of wood or other similar material shall be erected which shall be designed and positioned so as to separate the licensee's patrons from the general public. The fence shall be approved by the liquor commissioner.
2. Access into the outside area shall be from the permanent structure only and no access shall be permitted from the street, sidewalk, alley, or adjoining property. Emergency exits shall be provided.
3. No music of any kind may be played or broadcast from the outside area or from within the permanent structure which is of such a volume as to disturb the neighborhood in any manner whatsoever. Music shall not be played or broadcast after 10:00 p.m.
4. Outdoor portable sanitary facilities must be provided by the licensee as required by the City.
5. No sales or dispensing of alcoholic liquor may be made from the outside area or permanent structure to any person upon adjoining property, public street, sidewalk or alley, and no alcoholic liquor served in an open container may be removed from the outside area or permanent structure.
6. Proof of dram shop insurance coverage on the outside area must be submitted with the completed application.
7. Adequate security must be provided by licensee.
8. No smoking shall be permitted in the beer garden except as allowed by the laws of the State of Illinois.
9. Outside area activities may not begin prior to 12:00 noon and will cease at the licensee's regular closing time, unless otherwise noted on the permit
10. The fee for an outside sales permit shall be \$100.00 per year payable in advance. Issuance of an outside sale permit to a licensee shall be treated separately from the licensee's primary license and shall be subject to suspension or revocation by the liquor commissioner for just cause.

11. The licensee shall be bound by the same laws and rules for dispensing liquor as apply within the permanent building except as detailed herein.

12. Notwithstanding anything to the contrary within this Code, any person convicted of violating any section of Ordinance No 994 shall be fined not less than \$100.00 nor more than \$750.00 for any one offense. The fine shall be payable to the Nokomis City Clerk within fourteen (14) days of the citation. Otherwise, the citation shall be forwarded to the Montgomery County Circuit Clerk.

Passed by a majority vote of the members of the City Council and approved by the Mayor of the City of Nokomis, Illinois on this 28<sup>th</sup> day of MAY, 2013.

  
\_\_\_\_\_  
KEITH HANCOCK, Mayor

(CORPORATE SEAL)

Attest:

  
\_\_\_\_\_  
PAMELA BURDZILAUSKAS, City Clerk

STATE OF ILLINOIS            )  
  ) SS  
MONTGOMERY COUNTY         )

**CERTIFICATION**

I, PAMELA BURDZILAUSKAS, certify that I am the duly appointed City Clerk of the City of Nokomis, Montgomery County, Illinois.

I further certify that on MAY 28, 2013 the City Council of such municipality passed and approved Ordinance No. 994 which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 994, including the Ordinance and a cover sheet thereof, was prepared and posted in the Municipal Complex commencing on MAY 29, 2013, and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request to the City Clerk.

Dated at Nokomis, Illinois, this 29<sup>th</sup> day of MAY, 2013.

  
PAMELA BURDZILAUSKAS, City Clerk