

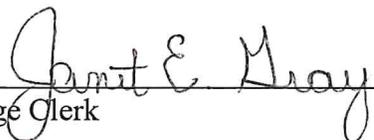
ORDINANCE 2766

**AN ORDINANCE
AMENDING SECTION 4-31 OF THE RANTOUL CODE
IN CONNECTION WITH LIQUOR LICENSES**

**VILLAGE OF RANTOUL
CHAMPAIGN COUNTY, ILLINOIS**

CERTIFICATE OF PUBLICATION

Published in pamphlet form this 9th day of April, 2024, by authority of the President and Board of Trustees of the Village of Rantoul, Champaign County, Illinois.



Village Clerk

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IN CONNECTION WITH LIQUOR LICENSES**

BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF RANTOUL, CHAMPAIGN COUNTY, ILLINOIS, as follows:

Section 1. Amendment. Subsection (1) of Section 4-31, entitled “Classification of Licenses”, of ARTICLE II, entitled “Retail License”, of CHAPTER 4, entitled “ALCOHOLIC LIQUOR”, be and the same are hereby amended to provide as follows:

(1) *Class A.*

a. Class A, general retail license.

1. A class A, general retail license shall authorize the sale at retail of any alcoholic liquor by the drink for consumption on the licensed premises where sold, or in original package form for consumption off the licensed premises where sold, and not for resale in any form. Retail sales of alcoholic liquor shall be fifty-one percent (51%) or greater of the total amount of gross revenue of such license holder.

2. Not more than ~~seven~~ five (5) Class A, general retail licenses shall be issued and outstanding at any one time.

3. The annual fee for any Class A, general retail license shall be in the amount determined from time to time by the Village Board.

Section 2. Amendment. Section 4-31, entitled “Classification of licenses”, of ARTICLE II, entitled “Retail License”, of CHAPTER 4, entitled “ALCOHOLIC LIQUOR”, be and the same are hereby amended to provide as follows:

A. Subsection (4) of Section 4-31 shall be amended to read as follows:

(4) Class GH, gaming hall license.

a. Class GH, gaming hall license.

1. A Class GH, gaming hall license, shall authorize the sale at retail of any alcoholic liquor by the drink for consumption on the licensed premises where sold, and where video gaming terminals are, or will be displayed, for play or operation. For purposes of this section, the term “gaming hall” shall mean: an establishment that derives fifty-one percent (51%) or greater of its gross revenue from the operation of video gaming terminals. The following may be considered in determining whether an establishment is a gaming hall: the absence of a full-service kitchen; an overall size of 1500 square feet or less; and, such other conditions which would readily suggest or indicate that the establishment is intended to be operated or is being operated as an establishment whose primary purpose is the display and operation of video gaming terminals.

2. The conditions described in this section shall be considered prima facie evidence that an establishment operates as a gaming hall.

3. Not more than two (2) Class CH, gaming hall, licenses shall be issued and outstanding at any one time.

4. Any establishment found to be operating as a gaming hall under any other category of liquor license shall be subject to suspension or revocation of its liquor license.

b. Existing Gaming.

1. Any licensee operating what is demonstrated to be a gaming hall under a valid liquor license issued by the Liquor Commissioner as of May 1, 2024, shall be eligible to apply for a Class GH license.

2. At all times after May 1, 2024, the described licensees may only operate under a Class GH license.

c. For purposes of this section, fraternal establishments and veterans' establishments (as defined in the Video Gaming Act, 230 ILCS 40/5) shall be exempt.

d. No greater than twenty-five (25) percent of any Class GH licensee's gross revenue shall come from the sale of alcoholic liquor.

e. No licensee or any agent or employee of any licensee shall, directly or indirectly, allow, cause, or permit any individual under the age of twenty-one (21) to remain on the premises of any Class GH licensed premises.

B. Subsection (10) of Section 4-31 shall be amended to read as follows:

~~(9)~~ (10) Exceptions to limitation on number issued.

a. If the limitation on the number of class A, general retail licenses, ~~on the combined to total number of class P-1, package liquor licenses, or and class P-2, package beer and wine licenses or on the number of class R, restaurant licenses,~~ would preclude the issuance of any such liquor license, additional liquor licenses in each such applicable classification shall be deemed to be automatically authorized if the village has duly entered into a written annexation, development, redevelopment, or other commercial business incentive agreement containing a provision expressly authorizing the issuance of any such license.

b. If as a result of the issuance of any licenses under subsection ~~(9)~~ (10)a. immediately above, the total number of class A, general retail licenses, ~~the combined total number of class P-1, package retail liquor licenses, and or the total number of class P-2, package beer and wine licenses or the total number of class R, restaurant licenses,~~ is increased above the number otherwise authorized in subsections (1), ~~(5)~~, (6), and (7) of this section, ~~no new class A, general retail license, new class P-1, package retail license or class P-2, package beer and wine license or new class R, restaurant license, shall be issued under the procedures of section 4-27 until one becomes available for issuance thereunder through attrition. the total number of licenses allowed in that particular category shall temporarily increase only until the termination of the license created by the particular agreement. Upon termination of the license created by the particular agreement, no new license shall be issued in its place (other than as described in 4-34), and the total number of licenses available in each category shall remain as identified in this Ordinance.~~

C. All other subsections of Section 4-31 shall be re-numbered accordingly.

Section 3. Amendment. Section 4-34, entitled “Classification of licenses”, of ARTICLE II, entitled “Retail License”, of CHAPTER 4, entitled “ALCOHOLIC LIQUOR”, be and the same are hereby amended to provide as follows:

Section 4-34. - Sale or transfer of license.

(a) A license shall be a purely personal privilege, good for not to exceed one year after issuance unless sooner revoked as provided in this chapter or the Liquor Control Act, and shall not constitute property, nor shall it be subject to attachment, garnishment or execution, nor shall it be alienable or transferable, voluntarily or involuntarily, or subject to being encumbered or hypothecated. Such license shall cease upon the death of the licensee and shall not descend by the laws of testate or intestate devolution, provided that executors or administrators of the estate of any deceased licensee and the trustee of any insolvent or bankrupt licensee, when such estate consists in part of alcoholic liquor, may continue the business of the sale of alcoholic liquor under the order of the appropriate court, and may exercise the privileges of the deceased or insolvent or bankrupt licensee after the death of such decedent, or such insolvency or bankruptcy, until the expiration of such license, but not longer than six months after the death, bankruptcy, or insolvency of such licensee.

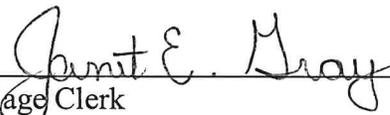
(b) Anything to the contrary in subsection (a) of this section notwithstanding, a purchaser of a business to which a license is currently issued under this chapter shall have the right to make application for the issuance of such license in the event of a bona fide sale or transfer of such business for a period of 30 days prior to such license becoming available to new applicants.

Section 4. Effective Date. The provisions of this Ordinance shall become effective following its passage, approval, and publication as required by law.

Section 5. Publication. The Village Clerk is hereby authorized and directed to cause this Ordinance to be published in pamphlet form.

This Ordinance is hereby passed, the “ayes” and “nays” being called, by the concurrence of a majority of the members of the Corporate Authorities then holding office on the date set forth below.

PASSED this 9th day of April, 2024.



Village Clerk

APPROVED this 9th day of April, 2024.





Village President