



## **21-4-7 REVOCATION AND SUSPENSION OF LICENSES**

(A) The Local Liquor Control Commissioner may immediately suspend, upon written order, the local liquor license for a period not to exceed seven (7) days pending hearing under this Code, if in his opinion there exists an immediate threat to the welfare of the community, upon receiving information that a violation of this Code or state law may have occurred pertaining to the sale of alcoholic liquors by any licensee, his agent, servant or employee. In addition to and not limited by the specific penalties set out for violations of specific articles of this Code, after a hearing, the Local Liquor Control Commissioner may suspend for up to **thirty (30) days** or revoke any liquor license issued under this Code for any violation of this Code or of state law pertaining to the sale of alcoholic liquors by any licensee, his agent, servant or employee.

ARTICLE II- LICENSES of the Revised Code of Ordinances of the City of Nokomis, Illinois, Section 21-4-8 is hereby amended by removing the phrase “County Board,” inserting “City Council” and by removing the last sentence of paragraph one and adding the following underlined language to the end of paragraph one and adding the following underlined language to paragraph two:

### **21-4-8 REVOCATION OR SUSPENSION OF LOCAL LICENSE; - NOTICE AND HEARING.**

The Local Liquor Control Commissioner may revoke or suspend any license issued by him if he determines that the licensee has violated any of the provisions of the **Illinois Liquor Act** or any valid ordinance or resolution enacted by the City Council or any applicable rule or regulation established by the Local Liquor Control Commissioner or the State Commission which is not inconsistent with law. A hearing shall be set, and the Local Liquor Control Commissioner shall cause a notice to be served three (3) days prior to the hearing date, affording the licensee an opportunity to appear and defend. This shall not prevent the Local Liquor Control Commissioner from suspending the license immediately, pending hearing, if in the opinion of the Local Liquor Control Commissioner there exists an immediate threat to the welfare of the community, pursuant to Section 21-4-7(A). The Local Liquor Control Commissioner may close the liquor establishment for not more than seven (7) days pending the hearing upon written notice.

The service of such notice may be made by leaving a copy of such notice at the place of business or residence of such licensee with some person over the age of **fifteen (15) years**, and informing such person of the contents of such notice. The return of the County Sheriff or police officer as to the manner of service shall be sufficient. On the day set for hearing, if such licensee does not appear at the time and place designated in such notice, the Local Liquor Control Commissioner may proceed to hear said case the same as if said licensees were present and to render a decision on the merits of the case.

ARTICLE III - REGULATIONS of the Revised Code of Ordinances of the City of Nokomis, Illinois, Section 21-4-8 is hereby amended by adding the following Section 21-4-29:

**21-4-29 ADDITIONAL PENALTY**

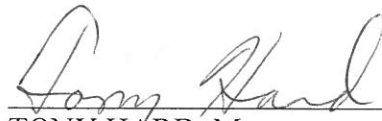
(A) The Liquor Commissioner in addition to any suspension, may levy a fine of not less than \$100.00 nor more than \$1,000.00 for the first violation within a 12 month period, not less than \$200.00 nor more than \$1,500.00 for the second violation within a 12 month period and not less than \$300.00 nor more than \$2,500.00 for a third or subsequent violation within a 12 month period. Not more than \$15,000.00 in fines under this section may be imposed against any licensee during the period of his/her license. Each day on which a violation continues shall constitute a separate violation.

(B) Whoever commits an offense against the City or aids, abets, counsels, commands, induces or procures its commission is punishable as a principal.

(C) Whoever willfully causes an act to be done which, if directly performed by him or another, would be an offense against the City is punishable as principal.


(D) These municipal ordinance offenses may not be satisfied without a court appearance.

Passed by the City Council and approved by the Mayor of the City of Nokomis, Illinois, this  
22nd day of JANUARY, 2001.

  
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TONY HARD, Mayor

(CORPORATE SEAL)

ATTEST:

  
\_\_\_\_\_  
City Clerk

STATE OF ILLINOIS                    )  
  ) SS  
MONTGOMERY COUNTY                )

**CERTIFICATION**

I, PAMELA J. BURDZILAUSKAS, certify that I am the duly ~~elected~~<sup>appointed</sup> and acting City Clerk of the City of Nokomis, Montgomery County, Illinois.

I further certify that on January 22, 2001 the City Council of such municipality passed and approved Ordinance No. 880 which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 880, including the Ordinance and a cover sheet thereof, was prepared and posted in the Municipal Complex commencing on January 29, 2001, 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 JANUARY, 2001.

  
CITY CLERK