

ORDINANCE NO. 771

AN ORDINANCE AMENDING ORDINANCE NO. 742, ENTITLED
"AN ORDINANCE RELATING TO THE RETAIL SALE
OF ALCOHOLIC LIQUOR IN THE
CITY OF NOKOMIS, MONTGOMERY COUNTY, ILLINOIS".

WHEREAS the franchise known generally as Casey's General Store has made inquiry into the availability of a second Class "B" liquor license in the City of Nokomis with a view toward establishing a location within the said City;

AND WHEREAS the mayor and commissioners of the said City, following due deliberation upon the inquiry in open session, have concluded that the granting of such license to Casey's General Store upon its proper application therefor would be in keeping with the said City's policy of encouraging free enterprise and economic competition within the said City;

AND WHEREAS, HOWEVER, the said city council has concluded that the sale of alcoholic liquor under either the said City's Class "AA" license or the said City's Class "B" license should be limited to persons twenty-one years of age or older;

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NOKOMIS, MONTGOMERY COUNTY, ILLINOIS:

Section 1. That Section 4 of Ordinance No. 742 shall be, and is hereby, amended to provide as follows:

"NUMBER OF LICENSES. The maximum number of alcoholic liquor licenses which may be issued and in effect at any one time shall be 6 Class "AA" licenses and 2 Class "B" licenses, the latter of which license shall permit sale of such alcoholic liquor at retail only for consumption off the premises where sold; and when the Clerk shall have issued the number of licenses herein authorized, he shall have no authority to issue any other license or licenses."

Section 2. That subparagraph (f) of Section 20 of Ordinance No. 742 shall be, and is hereby, amended to provide as follows:

"No person under 21 years of age shall sell, give or otherwise dispense alcoholic liquor to any other person, except that the possession and dispensing or consumption by a person under 21 years of age of alcoholic liquor in the performance of a religious service or ceremony, or the consumption by a person under 21 years of age under the direct supervision and approval of the parents or parent of such person in the privacy of a home is not prohibited by this section."

Section 3. That this ordinance shall be in full force and effect from and after its passage and publication in accordance with the terms of Section 1-2-4 of the Illinois Municipal Code and that all provisions of prior ordinances which may be in conflict with this ordinance are hereby expressly repealed.

Voting Yes: Bertolino, Charnisky, Adden

Voting No: None

Abstaining: Miles, Stone

Absent: _____

Passed: February 27, 1989

Approved: February 27, 1989

Gene Adden
Mayor

Attest: Mary Jean Scheller
City Clerk

Published: March 8, 1989.