

ORDINANCE NO. 7784

**AN ORDINANCE AMENDING CHAPTER 21 (LIQUOR CODE) OF
THE REVISED CODE OF ORDINANCES OF BELLEVILLE, ILLINOIS,
AS AMENDED, BY AMENDING PORTIONS OF SECTIONS THEREOF**

THE CITY OF BELLEVILLE, ST. CLAIR COUNTY, ILLINOIS (THE "CITY"), IS A DULY ORGANIZED AND EXISTING MUNICIPALITY CREATED UNDER THE PROVISIONS OF THE LAWS OF THE STATE OF ILLINOIS.

THE CITY OF BELLEVILLE IS NOW OPERATING UNDER THE PROVISIONS OF THE ILLINOIS MUNICIPAL CODE, AS SUPPLEMENTED AND AMENDED AND AS A HOME RULE MUNICIPALITY PURSUANT TO ARTICLE VII OF THE ILLINOIS CONSTITUTION OF 1970; AND IN THE EXERCISE OF ITS HOME RULE POWERS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BELLEVILLE, ILLINOIS:

Section 1. That **Section 21-1-4** is hereby amended by repealing **Section 21-1-4** in its entirety, and substituting in lieu thereof the following:

21-1-4 PROHIBITED LICENSEES. No retail liquor dealer's license shall be issued to:

- (A) A person who is not a resident of the City of Belleville;
- (B) A person who is not of good character and reputation in the community;
- (C) A person who is not a citizen of the United States;
- (D) A person who has been convicted of a felony under any federal or state law, unless the Local Liquor Control Commissioner determines, after investigation, that such person has been sufficiently rehabilitated to warrant the public trust; **(Ord. #3175; 10-29-73)**
- (E) A person who has been convicted of being the keeper of or is keeping a house of ill fame;
- (F) A person who has been convicted of pandering or other crime or misdemeanor opposed to decency or morality;
- (G) A person whose license issued under this Chapter has been revoked for cause;
- (H) A person who, at the time of application for renewal of any license issued hereunder would not be eligible for such license upon a first application;
- (I) A co-partnership unless all of the members of such co-partnership shall be qualified to obtain such license;
- (J) A corporation, if any officer, manager or director thereof, or any stockholder or stockholders owning in the aggregate more than **five percent (5%)** of the stock of such corporation, would not be eligible to receive a license hereunder for any reason other than citizenship and residence within the political subdivision;

(K) A person whose place of business is conducted by a manager or agent unless the manager or agent possess the same qualifications required by the licensee except residency; provided that, The qualifications of residency shall only be required for persons requesting or holding a Class "A" license, such manager or agent shall reside in Belleville or within five (5) miles of the City limits of Belleville. (Ord. No. 6772; 09-19-05)

(L) A person who has been convicted of a violation of any federal or state law concerning the manufacture, possession or sale of alcoholic liquor subsequent to **February 6, 1934**, or shall have forfeited his bond to appear in court to answer charges for any such violation;

(M) A person who does not own the premises for which a license is sought, or does not have a lease therefor, for the full period for which the license is to be issued;

(N) Any law enforcing public official, Mayor, or member of the City Council; and no such official shall be interested in any way, either directly or indirectly in the manufacture, sale or distribution of alcoholic liquor; or to

(O) Any person, association, or corporation not eligible for a state retail liquor dealer's license. **(Sec. 40.04)**

Section 2. That conflicting Ordinances or pertinent portions thereof in force the time this takes effect are hereby repealed.

Section 3. Should any portion of this Ordinance be declared void or unenforceable by any court of competent jurisdiction, such ruling shall not affect the validity of the surviving portions of this section.

Section 4 This Ordinance shall be in full force and effect ten (10) days from and after its passage, approval and publication, in pamphlet form, as provided by law.

PASSED by the City Council of the City of Belleville, Illinois, on this 16th day of June, 2014 on the following roll call vote:

	<u>AYE</u>	<u>NAY</u>
Michael Heisler	<u>X</u>	_____
Ken Kinsella	<u>X</u>	_____
Janet Schmidt	<u>X</u>	_____
Melinda Hult	<u>X</u>	_____
Kent Randle	<u>X</u>	_____
Arnold "Gabby" Rujawitz	<u>X</u>	_____
Johnnie Anthony	<u>X</u>	_____
James Davidson	<u>X</u>	_____
Joseph W. Hayden	<u>X</u>	_____
Phillip Silsby	<u>X</u>	_____
Paul Seibert	<u>X</u>	_____
Bob White	<u>X</u>	_____

Lillian Schneider
Trent Galetti
Joe Orlet
James Musgrove

<u>X</u>	_____

APPROVED by the Mayor of the City of Belleville, Illinois this 17th day of June, 2014.

Mark W. Eckert
MAYOR

ATTEST:

Dallas B. Cook
CITY CLERK

