

Liquor License Application Procedures

401 E. Mississippi Avenue • Elwood, Illinois 60421
(815) 424-1079 • FAX (815) 423-5081 • www.villageofelwood.com

The Village of Elwood is vested with the power to regulate the sale of liquor within the Village corporate limits. It shall be unlawful for any person, corporation, firm, partnership or club to sell or offer for sale at retail within the Village any alcoholic beverage without first obtaining a retail liquor dealers license from the Village.

The Village President is designated as the Local Liquor Control Commissioner and is charged with the administration of this chapter and the Liquor Control Act, ILCS Ch. 235, Act 5 § 1-2 et seq. and of such other ordinances and resolutions relating to alcoholic liquor. The Village President may appoint a person or persons to assist him in the exercise of the power and performance of the duties assigned to the Local Liquor Control Commissioner.

All appeals of the Liquor Commissioner's decisions, opinions or orders shall be made to the Illinois Liquor Control Commission.

All applications for such license shall be made to the Village President in writing, under oath and signed by the applicant, if an individual, by at least two partners if a partnership, or president and secretary if a corporation.

The following are the procedures for obtaining a liquor license:

- 1) Complete and submit the attached application.
- 2) Contact the Police Department to set up an appointment to be fingerprinted as part of the background check. (815) 424-1090
- 3) Once the background check is complete and that it indicates the subject is qualified to obtain a liquor license, the following items will be needed to complete the application:
 - a. Exterior photo of the premises
 - b. Sketches and/or photos of the interior of the premises indicating where alcoholic beverages will be served, exterior signage (size and location) and parking facilities.
 - c. Letter of compliance from the county health department.
 - d. Copy of a written lease or proof of ownership of the premises.
 - e. Copy of a liquor liability policy with the Village of Elwood as certificate holder.
 - d. Municipal liquor license is contingent upon the successful application/receipt of the State of Illinois Liquor License. Submit a copy of the State of Illinois Liquor License to the Village.

The following are the reasons for a liquor license to be denied as stated in §112 of the Village of Elwood Code of Ordinances:

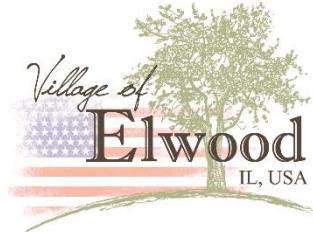
- (A) A person who is not a citizen of the United States; unless such prohibition is prohibited by federal law or the United States constitution.
- (B) A person who has been convicted of a felony;
- (C) A person who has been convicted of being the keeper of a house of ill fame;
- (D) A person who has been convicted of pandering or crime or misdemeanor opposed to decency and morality pursuant to the Illinois Criminal Code;
- (E) A person whose license under this chapter has been revoked for cause, or under the laws of the state;
- (F) A person who, at the time of application for renewal of any license issued hereunder, would not be eligible for the license upon a first application;
- (G) A partnership, unless all of the members of the partnership shall be qualified to obtain a license;
- (H) A corporation, if any officer, manager or director thereof, or any stockholder or stockholders owning in the aggregate more than 5% of the stock of the corporation, would not be eligible to receive a license hereunder for any reason other than citizenship and residence within the political subdivision;
- (I) A foreign business entity unless it is qualified to transact business in Illinois;
- (J) A Limited Liability Company unless all the members are eligible to obtain a license;
- (K) An applicant who has been convicted of a violation of any state or federal law concerning the manufacture, possession or sale of alcoholic liquor, or who shall have forfeited his or her bond to appear in court to answer to charges for the violation;
- (L) An applicant who does not beneficially own the premises for which a license is sought, or does not have a lease thereon for the full period for which the license is issued;
- (M) Any law enforcement public official, current Village President or current member of the Board of Trustees, and no such official shall be interested in any way, either directly or indirectly in the manufacture, sale or distribution of alcoholic liquor;
- (N) Any person who is not a beneficial owner of the business to be operated by the licensees;
- (O) A person who has been convicted of a gambling offense as proscribed by any of the divisions subsections (a)(3) through (a)(10) of § 28-1 (ILCS Ch. 720, Act 5, § 28-1(a)(3) through (a)(10)) of, or as proscribed by § 28-3 of the Criminal Code of the state, ILCS Ch. 720, Act 5, § 28-3, as heretofore or hereafter amended, or as proscribed by a statute replaced by any of the aforesaid statutory provisions; provided, that any person convicted of a first offense shall not be issued the license for a period of one year from the conviction; and
- (P) A person not eligible for a state retail liquor dealer's license.
- (Q) Any person or entity which does not present evidence of dram shop insurance, in the form of a certificate of insurance, issued by an insurance company authorized to do business in Illinois and insuring the applicant, and the owner or lessor of the premises, in at least the amounts recoverable under the Illinois liquor control act. Further, said certificate of insurance must contain an affirmative statement that the village will be notified upon the cancellation, revocation, or suspension of said policy of insurance.

(R) Any applicant who has not submitted to live scan biometric fingerprinting and/or a copy of all fingerprints and the total fingerprinting and background check fee required by this chapter.

(S) Any applicant who has failed to provide information or documentation required pursuant to the application or requested by the liquor control commissioner, proved false or misleading information, or who has attempted to obstruct the village's gathering of information during the review, investigation, and/or processing of the application.

(T) Before denying a license based upon a conviction, the Local Liquor Control Commissioner shall consider whether the applicant has been sufficiently rehabilitated to warrant the public trust.

VILLAGE OF ELWOOD LIQUOR LICENSE APPLICATION



Date of Application_____

The undersigned applicant for a retail liquor license in the Village of Elwood, Will County, Illinois, do(es) hereby authorize the Liquor Control Commissioner of said Village to make or cause to be made an investigation of the statements made in the application, including the submission of information to such agencies as may be necessary for an investigation of the applicant's criminal history.

The undersigned makes application for the issuance of a Village license for the sale of alcoholic beverages and hereby certifies to the following facts:

1. Class of license sought_____
2. Applicants Full Name_____
 - a. Applicants Full Address_____
 - b. Applicants Phone_____
 - c. Date/Place of Birth_____
 - d. Is applicant a citizen of the United States? Yes No
 - e. If a naturalized citizen, give date & place of proceedings_____
3. If applicant is a Partnership, give names, addresses, date of birth of all partners and list principal business activity of each partner.
 - a. _____

 - b. _____

 - c. _____

 - d. _____

4. If applicant is a Corporation list full names of all officers and directors with complete residence addresses, phone number and date of birth and title.

a. _____

b. _____

c. _____

d. _____

5. Applicant's Corporate Name:

a. Corporate Complete Address: _____

b. Corporate Complete Phone Number: _____

c. Date of Incorporation: _____

d. State of Incorporation: _____

6. Give full name, driver's license number; full address and phone number of Manager the business will be conducted by:

Full Name: _____

Full Address: _____

Phone No. _____ Driver's License No. _____

a. Authority conferred upon manager with relation to the operation or management of the business for which this license is sought.

7. Name of Business for which license is sought: _____

a. Business Address: _____

b. Business Phone: _____

8. State principal kind of business: _____

a. **Submit a copy of your proposed business/building plan layout indicating where alcoholic beverages will be served and stored.**

9. Do you hold any other current licenses issued by the Village of Elwood?

Yes No

If yes, what is the license, name and address of the licensed premises?

License Type: _____

Name: _____

Address: _____

10. Is applicant licensed as a food dispenser? Yes, give license number _____
 No

11. Does applicant seek a license to sell alcoholic beverages upon the premises as a restaurant? Yes No If yes, are premises:

a. Maintained and held out to the public as a place where meals actually and regularly are served? Yes No

b. Provided with adequate and sanitary kitchen and dining room equipment and capacity with sufficient employees to prepare, cook and serve suitable food?
 Yes No

c. **A copy of County Health Department permit must be submitted before license will be issued.**

12. If applicant is a club, does it comply with the definition of "club" as set forth in Section 2.24 of AN ACT relating to alcoholic beverages, Chapter 43, Section 95.24, Illinois Revise Statues?

N/A Yes No

13. Does applicant own the premises for which this license is sought?
 Yes No
a. If no, does applicant have a lease on premises covering the full period which license is sought?
 Yes No If yes, give the following:
b. Name of lessor: _____
c. Address of lessor: _____
d. Phone of lessor: _____
e. Period covered by lease:
 From _____ to _____
f. **Submit a copy of lease**

14. Is location of applicant's business for which license is sought within 100 feet of any church or school? Yes No

15. Is the applicant, manager or in the case of a corporation any directors, or in the case of a partnership any of the partners, engaged in the manufacture of alcoholic beverages?
 Yes No
If yes, at what location, _____

16. Is applicant, manager, or in the case of a corporation any directors, or in the case of a partnership any of the partners, conducting the business of an importing distributor or distributor of alcoholic beverages?
 Yes No

17. Has applicant, manager or in the case of a corporation the local manager, or in the case of a partnership any of the partners, ever been convicted of any violation of any law pertaining to alcoholic liquor?
 Yes No

18. Has applicant, manager or in the case of a corporation any directors, or in the case of a partnership any of the partners, been convicted of a gambling offense as proscribed by subsection (2) (3) through (a) (10) of Section 28-1 of, or as proscribed by Section 23-3 of the Illinois Criminal code?
 Yes No

19. Has applicant, manager or in the case of a partnership any of the partners, or an officer or director of Corporation or any stockholder(s) owning in the aggregate more than five percent (5%) of the stock of such corporation, ever been convicted of any felony under any Federal or State law?

Yes No

If yes, give name of person so convicted, stating date and offense: _____

20. Has applicant, manager or in the case of a partnership any of the partners, or an officer or director of a Corporation or any stockholder(s) owning in the aggregate more than five percent (5%) of the stock of such corporation, ever been convicted of being the keeper of a house of ill fame, or of pandering or other crime or misdemeanor opposed to decency and morality?

Yes No

21. Has applicant, manager or in the case of a partnership any of the partners, or an officer or director of a Corporation or any stockholder(s) owning in the aggregate more than five percent (5%) of the stock of such corporation ever permitted an appearance bond forfeiture for any of the violations mentioned in question 19 or 20?

Yes No

If yes, state particulars:

22. Has applicant, manager or in the case of a partnership any of the partners, or an officer or director of a Corporation or any stockholder(s) owning in the aggregate more than five percent (5%) of the stock of such corporation made application for a similar license for this period for any premises other than those described above?

Yes No

If yes, give name of application, location of premises, date and disposition.

23. Has any license previously issued by State, Federal or local authorities to applicant, manager or in the case of a partnership any of the partners, or an officer or director of a Corporation or any stockholder(s) owning in the aggregate more than five percent (5%) of the stock of such corporation been revoked?

Yes No

If yes, give name of licensee and state reasons for the date of revocation.

24. Has applicant, manager or in the case of a partnership any of the partners, or an officer or director of a Corporation or any stockholder(s) owning in the aggregate more than five percent (5%) of the stock of such corporation been issued a Federal Gaming Device Stamp or a Federal wagering Stamp by the Federal Government for the current tax period?

Yes No

25. Is any law enforcing official, mayor, alderman, member of a city council or commission, member of a village board of trustees, or member of a county board, directly or indirectly interested in the business for which license is sought?

Yes No

26. **Certificate of insurance must be submitted, with the Village of Elwood as certificate holder, before license will be issued.**

APPLICANT COMPLETE THE FOLLOWING

CERTIFICATE OF NO TAX DELINQUENCY

Pursuant to Ill. Rev. Stat., Ch 43, Para. 119, and the Village of Elwood Code, the undersigned, as applicant for a liquor license or a liquor license renewal, hereby certifies as follows:

- 1] That the applicant is not delinquent in filing any required tax return or paying any amounts owed to the State of Illinois; and
- 2] That the applicant is not delinquent in the payment of any tax owed to the Village of Elwood.

Applicant (Individual, Partnership or Corporation)

Date

BACKGROUND CHECK AUTHORIZATION FOR
VILLAGE OF ELWOOD LIQUOR LICENSES

The undersigned do(es) hereby release the Liquor Control Commissioner, the Village of Elwood, its Trustees, employees and agents from any and all claims, actions and causes of action which result or may result from said investigation or the utilization of such information in the evaluation of the application for license.

I authorize and empower the Village of Elwood and the Elwood Police Department to obtain, prepare, use and furnish information concerning my current and former credit, general reputation and criminal history.

Signed

Date

I (We) swear (or affirm) that I (we) will not violate any of the ordinances of the Village of Elwood or the laws of the State of Illinois or the laws of the United States of America, in the conduct of the place of business described herein and that the statements contained in this application are true and correct.

President of Corporation or Individual

Secretary of Corporation or Partner

Subscribed and sworn to before me this ____ day of _____, A.D., 20____.

State of Illinois)
County of Will)

I, the undersigned, a Notary Public in and for said county and state do hereby certify that

Personally known to me to be the same person(s) whose name(s) are subscribed to the forgoing instrument, appeared before me this day in person, and acknowledged that her/she/they signed and delivered the said instrument as his/her/their free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and official seal, this _____ day of _____.

Notary Public

Approved By:

Doug Jenco, Village President

Julie Friebele, Interim Village Administrator

Fred Hayes, Chief of Police

Robbie Day, Finance Director

Larry Lohmar, Director of Public Works