
THE VILLAGE OF ROBBINS
COOK COUNTY, ILLINOIS

ORDINANCE
No. 4-11-23

AN ORDINANCE REQUIRING SECURITY PLANS FOR LIQUOR LICENSE HOLDERS

DARREN E. BRYANT, MAYOR
SHARON S. DYSON, VILLAGE CLERK

GEORGE BREWTON
DAVID R. DYSON
TIFFANY S. ROBINSON
GREGORY N. JACKSON
MICHAEL COLLIER SR.
ERNEST MAXEY JR.
Board of Trustees

PASSED AND APPROVED BY THE MAYOR AND BOARD OF TRUSTEES

THIS 11TH DAY OF APRIL, 2023

ORDINANCE NO. 4-11-23

AN ORDINANCE REQUIRING SECURITY PLANS FOR LIQUOR LICENSE HOLDERS

WHEREAS, the Village of Robbins (the "Village") is a home rule unit of government pursuant to Article VII, Section 6 of the 1970 Constitution of the State of Illinois, and as such may exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, the Illinois General Assembly adopted 235 ILCS 5/1, *et. seq.*, the Liquor Control Act of 1934; and

WHEREAS, Article IV of the Illinois Liquor Control Act outlines various provisions that allow the Village to regulate the licensing of establishments

WHEREAS, pursuant to the Liquor Control Act, the Village has established a number of regulations of liquor license holders within the Village; and

WHEREAS, the Mayor and Board of Trustees now desire to require security plans at Village businesses where liquor is being consumed to ensure the public safety; and

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Board of Trustees of the Village of Robbins, Cook County, Illinois, by and through its Home Rule Powers, as follows:

Section 1: That the above recitals are incorporated herein and made a part hereof, as set forth in their entirety.

Section 2: Chapter 3. Alcoholic Liquor, Article II. Retail Licenses, Section 3-50 Application Generally, of the Code of Ordinances of the Village of Robbins, Illinois is hereby amended as follows:

Sec. 3-50 APPLICATION GENERALLY

a. Every person desiring to engage in the business of selling at retail shall make application in writing on forms furnished by the Village for a license. Such application shall be filed with the local liquor control commissioner; signed by the applicant, if an individual, or by a duly authorized agent thereof, if a club or corporation, verified by oath or affidavit, and shall contain the following information and statement:

1. Name, age and address. The name, age and address of the applicant in the case of an individual ; in the case of a co-partnership, the persons entitled to share in the profits thereof; and in the case of a corporation, for profit, or a club, the date of incorporation, the object for which it was organized, the names and addresses of the officers and directors, and if a majority in interest of the stock of such corporation is owned by one (1) person or his/her nominee, the name and address of such person.
2. Citizenship. The citizenship of the applicant, place of birth and if a naturalized citizen, the time and place of his/her naturalization.
3. Character of business. The character of the business of the applicant; and in case of a corporation, the object for which it was formed.

4. Business experience of applicant. The length of time that such applicant has been in business of that character, or in the case of a corporation, the date on which its charter was issued.
5. Amount of goods, wares and merchandise on hand. The amount of goods, wares and merchandise on hand at the time application was made.
6. Location and description of premises. The location and description of the premises or place of business which is to operate under such license.
7. Disposition of other applications. A statement whether applicant has made similar application for a similar or other license on premises other than described in this application, and the disposition of such application.
8. Former felony convictions. A statement that applicant, partners, officers and directors have not been convicted of a felony and are not disqualified to receive a license by reason of any matter of thing contained in the ordinance, laws of this state, or any ordinance of this Village.
9. Revocation of previous license. Whether a previous license by any state or political subdivision thereof, or by the federal government has been revoked, and the reasons thereof.
10. Insurance. Proof that the applicant can secure a policy, or policies, of insurance issued by a responsible insurance company, and in a form acceptable to the liquor commissioner, insuring the licensed premises for "dram shop" liability.
11. Agreement not to violate laws, ordinances. A statement that the applicant will not violate any of the laws of the state or of the United States, or any ordinance of the Village in the conduct of his/her place of business.
12. Agreement to permit access. A statement that the applicant agrees to permit any police officer or other officials of the Village free unrestricted access to the licensed premises for the purpose of inspecting the same.
13. Agreement to obey health regulations. That he/she will abide by and obey the rules and regulations of the village governing health and sanitation.

b. All applications for license under this ordinance shall be delivered to the Local Liquor Control Commissioner. It shall be the duty of the Local Liquor Control Commissioner to investigate and consider the application. For this purpose, the Local Liquor Control Commissioner may enlist the aid of the Chief of Police and any other village officials or officers that he/she deems necessary to complete the investigation. The investigation shall include a background and credit check. Upon completion of the investigation the Local Liquor Control Commissioner shall approve or disapprove the issuance of a license based on the application, provided, in case of approval, that there exists an available license as set forth in this ordinance.

- c. Before any action is taken upon any new application as provided in this ordinance or if changes in the applicant's
- d. As part of the application process, the applicant may be required to execute a sufficient number of "Personal Inquiry Waiver" forms so as to allow the liquor commissioner to obtain information about the applicant, and information about business located outside the Village in which the applicant has interest, from other jurisdictions and law enforcement agencies.
- e. Except for applications for new licenses during the course of the annual year, every application for renewal for a license shall be completed and in the hands of the liquor control commissioner at least fifteen (15) days prior to the beginning of the annual year. No application will be accepted or approved unless the application is fully completed, the questions answered, properly signed, and verified. Failure to complete the application and to file the same within the time limit prescribed herein shall be deemed grounds for refusal of the local liquor control commissioner to review such license.
- f. The application shall contain such queries as shall intelligently inform the local liquor control commissioner as to whether or not the application is eligible for a license and complies with the applicable requirements of the Liquor Control Act of 1934 for retail liquor license.
- g. Applicants may be required to submit information as to sources of funds for the purchase or operation of their businesses. The commissioner may require such other information in writing or an oral examination.
- h. Misstatements in the application shall be deemed grounds for refusal to issue or renew the license and, if a license is issued, grounds for revocation.
- i. (i) Each person providing bartending services at the licensed establishment has successfully completed the Beverage Alcohol Sellers and Servers Education and Training (BASSET) program or Training for Intervention Procedures for Servers of Alcohol (TIPS) program approved by the Illinois Liquor Control Commission, and such person has provided proof of compliance with this requirement to the applicant/licensee;
- j. Applicants for Class "A," "C," "D," and "F" licenses, as defined in Section 3-55 of this Ordinance, shall submit security plans in their initial application for a liquor license and annually to the Village thereafter. The security plan shall include:
- (1) Plan to notify emergency services - The applicant/licensee shall promptly notify the police department of any illegal activity reported to or observed by the applicant/licensee on or within sight of the licensed premises or adjacent property. The applicant/licensee shall enter into a log book all incidents of illegal activity reported or required to be reported to the police department, including the date and time the incident was reported to the police department; a brief summary of the incident; the name of the person reporting the incident; and, if a cell phone was used to report the incident, the cell phone's telephone number. The plan shall include the maximum

occupancy of the premises, in compliance with local regulations and the plan to not exceed that maximum occupancy;

- (2) Crowd Control Plan – The plan shall include plans to maintain an orderly line of persons wishing to enter the establishment and to instruct persons waiting in line to enter the establishment, exiting the establishment or otherwise located outside the establishment to refrain from making loud or unnecessary noise and from otherwise disturbing the peace, quiet and good order of the community. Furthermore, the plan shall describe how to prevent persons from congregating in front of the licensed establishment or on adjacent property, however, that this shall not apply to persons waiting in an orderly line to enter the establishment;
- (3) Litter Control – the plan shall include plans to pick up garbage in front of and curbside of the licensed establishment and any adjacent property;
- (4) Exterior Lighting- the plan shall include a plan to have adequate exterior lighting;
- (5) Security Personnel – the plan shall include:
 - (i) Each person providing security at the licensed establishment has been trained by the applicant/licensee to report all incidents of illegal activity at the licensed establishment or on adjacent property to the police and such person has certified in writing that such training was received;
 - (ii) Each person providing security at the licensed establishment has been trained by the applicant/licensee to record all incidents of illegal activity at the licensed establishment or on adjacent property in a log book, and such person has certified in writing that such training was received;
 - (iii) Each person providing security at the licensed establishment has been trained by the applicant/licensee not to exceed the establishment's legal maximum occupancy; and in the fundamentals of the licensed establishment's fire safety, emergency preparedness and emergency evacuation procedures, and such person has certified in writing that such training was received.
 - (iv) The applicant/licensee maintains on file, for a period of at least two years, any proof of compliance, certification, log or records required under this rule. Such documents shall be made available, upon request, for inspection by the police department, local liquor control commissioner or other authorized government personnel.
- (6) Security cameras – the plan shall include:
 - (i) a description of video surveillance cameras of sufficient number, type, placement and location to view and record all activity in the front and on all sides of each entry and exit way used by patrons of the applicant/licensee for a distance of 15 feet, as measured from the point of entry or exit;
 - (ii) The cameras shall be sufficiently light sensitive and provide sufficient image resolution (supported by additional lighting, if necessary) to produce easily discernible images;
 - (iii) The images recorded by each camera shall be capable of being viewed through use of appropriate technology, including but not limited to, compact disc or digital video disc;
 - (iv) The images recorded by each camera shall be capable of being transferred to a portable form of media, including but not limited to, compact disc or digital video disc;
 - (v) The cameras shall not have an audio capability;

- (vi) The cameras shall, except as otherwise required by law or under the terms of a written plan, the cameras shall be in operation and recording continuously while the applicant/licensee is in operation;
- (vii) All recordings made by the required cameras shall be indexed by date and time; shall be preserved by the applicant/licensee for at least 72 hours; and, upon request, shall be made available by the applicant/licensee for inspection by the police department, local liquor control commissioner or other authorized government personnel;
- (viii) All recordings made by the required cameras shall be stored by the applicant/licensee on the licensed premises in a locked receptacle located in a controlled access area accessible only to authorized personnel or shall otherwise be secured in a manner accessible only to authorized personnel. The applicant/licensee shall enter into a log book all instances of requests for, access to, and dissemination and use of any recorded material made or captured by the required video surveillance cameras, including the date and time such entry was made, the reason why such entry was made, and the name of the person making the request or accessing, disseminating or using the recorded material. The applicant/licensee shall make copies of the log book available, upon request, for inspection by the local liquor control commissioner, the police department or other authorized government personnel; and
- (ix) The applicant/licensee shall post signage, in a conspicuous manner and at appropriate locations, notifying the public that video surveillance cameras are in operation.

Section 3: If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this Ordinance.

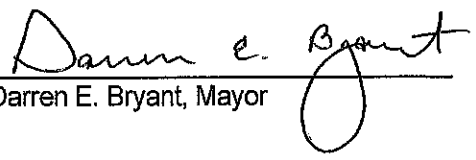
Section 4: All ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 5: This ordinance shall be in full force and effect on ___APRIL 11___, 2023 after its publication in pamphlet form.

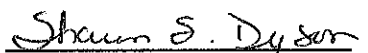
ADOPTED this __11th__ day of __APRIL__, 2023, pursuant to a roll call vote as follows:

	AYES	NAYS	ABSENT	ABSTAIN
George Brewton	X			
David R. Dyson	X			
Tiffany S. Robinson	X			
Gregory N. Jackson	X			
Michael Collier Sr.			X	
Ernest Maxey Jr.	X			
Mayor Darren E. Bryant				
Total	5		1	

PASSED AND APPROVED on this __11TH__ day of __APRIL__, 2023.


Darren E. Bryant, Mayor

ATTEST:


Sharon S. Dyson, Village Clerk