



AGENDA
REGULAR VILLAGE BOARD MEETING
Village Hall – Board Room
Monday, April 22, 2019
7:00 p.m.

Reasonable accommodations/auxiliary aids will be provided to enable persons with disabilities to effectively participate in any public meetings of the Board. Please contact the Village Administrative Office (847.883.8600) 48 hours in advance if you need special accommodations to attend. Regular Village Board Meetings will not proceed past 10:30 p.m. unless there is a consensus of the majority of the Trustees to do so.

CALL TO ORDER

1.0 ROLL CALL

PLEDGE OF ALLEGIANCE

2.0 APPROVAL OF MINUTES

2.1 Approval of the April 8, 2019 Regular Village Board Meeting Minutes

3.0 REPORTS OF OFFICERS

3.1 Mayor's Report

3.11 Proclamation Recognizing Friday, April 26, 2019 as Arbor Day in the Village of Lincolnshire

3.2 Village Clerk's Report

3.3 Village Treasurer's Report

3.31 Revenues and Expenditures for the Month of March, 2019

3.4 Village Manager's Report

4.0 PAYMENT OF BILLS

4.1 Bills Presented for Payment on April 22, 2019 in the amount of \$369,645.42

5.0 CITIZENS WISHING TO ADDRESS THE BOARD (on agenda items only)

6.0 PETITIONS AND COMMUNICATIONS

7.0 CONSENT AGENDA

Items on the Consent Agenda will be approved by one motion. If a Trustee wishes to discuss any item, it will be pulled from the Consent Agenda and discussed under "Unfinished Business".

7.1 Approval of Roof-Mounted Solar Panel Installation for Building C of Extra Space Storage Facility – 200 Parkway Drive (Rethink Electric LLC)

7.2 Approval of an of an Ordinance Amending Ordinance #11-3191-13A Related to Marriott's Lincolnshire Resort Master Sign Plans (Marriott Lincolnshire Resort –

10 Marriott Drive)

- 7.3 Approval of a Picnic Permit Fee Waiver Request Pursuant to Section 8-1B-2(O) of the Village Code (Girl Scout Troop #45713 & Troop #45936)

8.0 ITEMS OF GENERAL BUSINESS

8.1 Planning, Zoning & Land Use

8.2 Finance and Administration

8.3 Public Works

8.31 Approval of a Contract with Schroeder & Schroeder, Inc. for the 2019 Concrete Flatwork Project in an Amount not to Exceed \$38,125 (Village of Lincolnshire – Waiver of First Reading Requested)

8.32 Approval of a Professional Service Contract with Baxter & Woodman Consulting Engineers for Roadway, Bike Path, and Parking Lot Rehabilitation, Design, Permits, and Bidding Services at a Cost not to Exceed \$44,544.10. (Village of Lincolnshire – Waiver of First Reading Requested)

8.33 Approval of a Contract with Chicagoland Paving for the 2019 Pavement Patching Project in an Amount not to Exceed \$60,000 (Village of Lincolnshire – Waiver of First Reading Requested)

8.4 Police

8.41 Approval of an Ordinance Amending Title 3 (Business and License Regulations), Chapter 3 (Liquor Control), and Title 1, Chapter 15 (Fee Schedule) of the Village of Lincolnshire Municipal Code (Village of Lincolnshire - Waiver of First Reading Requested)

8.5 Parks and Recreation

8.6 Judiciary and Personnel

9.0 **REPORTS OF SPECIAL COMMITTEES**

10.0 **UNFINISHED BUSINESS**

11.0 **NEW BUSINESS**

12.0 **ADJOURNMENT**



MINUTES
REGULAR VILLAGE BOARD MEETING
Monday, April 8, 2019

Present:

Mayor Brandt	Trustee Harms Muth
Trustee Grujanac	Trustee Hancock
Trustee McDonough	Trustee Servi
Trustee Leider	Village Clerk Mastandrea
Village Attorney Simon	Village Manager Burke
Chief of Police Leonas	Public Works Director Woodbury
Village Treasurer/Finance Director Peterson	Assistant Village Manager/Community &
Planning & Development Manager Zozulya	Economic Development Director Gilbertson

ROLL CALL

Mayor Brandt called the meeting to order at 7:00 p.m., and Village Clerk Mastandrea called the Roll.

Pledge of Allegiance – Mayor Brandt invited Cub Scout Michael Newman to lead the Pledge of Allegiance.

2.0 APPROVAL OF MINUTES

2.1 Approval of the March 18, 2019 Regular Village Board Meeting Minutes

Trustee Grujanac moved and Trustee Servi seconded the motion to approve the minutes of the Regular Village Board Meeting of March 18, 2019 as presented. The roll call vote was as follows: AYES: Trustees Hancock, Grujanac, Servi, and Harms Muth. NAYS: None. ABSENT: Trustees Leider & McDonough. ABSTAIN: None. Mayor Brandt declared the motion carried.

3.0 REPORTS OF OFFICERS

3.1 Mayor's Report

3.11 Cub Scouts

Mayor Brandt welcomed the Cub Scouts in attendance and provided a summary of the Regular Village Board Meeting and Committee of the Whole Meeting. Mayor Brandt stated the reason the Committee of the Whole follows the Regular Village Board Meeting is to allow the community time to learn about items prior to voting on them.

3.12 April 2, 2019 Election

Mayor Brandt noted there was an election on April 2nd and Trustee Julie Harms Muth was elected to a 4-year term; Dr. Mara Grujanac was elected to

a 4-year term; Trustee Servi did not run for reelection after serving for 16 years as a Trustee, he will be retire in May. Mayor Brandt introduced Village Manager Burke, and Trustee Hancock. Mayor Brandt noted Barbara Mastandrea was reelected as Village Clerk, and has served as Village Clerk for 32 years. Mayor Brandt introduced Jill Raizin and Veronica Pantelis as the two new elected Trustees who will be sworn into office in May 3rd.

3.2 Village Clerk's Report – None

3.3 Village Treasurer's Report – None

3.4 Village Manager's Report

3.41 Special Committee of the Whole Meeting Reminder

Village Manager Burke reminded the Board there will be a Special Committee of the Whole meeting taking place on Wednesday, April 17th at 6:30 in the Community Room.

3.42 May 13th Village Board Meeting

Village Manager Burke confirmed the May 13th Regular Village Board meeting will be the transition meeting in which the two new Trustees will be sworn in, and is also the annual Town Hall Meeting.

4.0 PAYMENT OF BILLS

4.1 Bills Presented for Payment on April 8, 2019 in the amount of \$386,573.11

Village Manager Burke provided a summary of the April 8, 2019 bills prelist presented for payment with the total being \$386,573.11. The total amount is based on \$220,958.33 for General Fund; \$131,018.19 for Water & Sewer Fund; \$3,981.70 for Water & Sewer Improvement Fund; \$337.24 for Fraud, Alcohol, Drug Enforcement; \$18,359.06 for Vehicle Maintenance Fund; \$3,035.59 for E 911 Fund; and \$8,883 for General Capital Fund.

Trustee Grujanac moved and Trustee Hancock seconded the motion to approve the bills prelist dated April 8, 2019 as presented. The roll call vote was as follows: AYES: Trustees Grujanac, Hancock, Servi, and Harms Muth. NAYS: None. ABSENT: Trustees Leider and McDonough. ABSTAIN: None. Mayor Brandt declared the motion carried.

Mayor Brandt provided a summary of the voting process for the benefit of the Cub Scouts.

5.0 CITIZENS WISHING TO ADDRESS THE BOARD (on agenda items only) - None

6.0 PETITIONS AND COMMUNICATIONS - None

7.0 CONSENT AGENDA - None

8.0 ITEMS OF GENERAL BUSINESS

- 8.1 Planning, Zoning & Land Use
- 8.2 Finance and Administration
- 8.3 Public Works
- 8.4 Police
- 8.5 Parks and Recreation
- 8.6 Judiciary and Personnel

9.0 REPORTS OF SPECIAL COMMITTEES

10.0 UNFINISHED BUSINESS

11.0 NEW BUSINESS

12.0 EXECUTIVE SESSION

13.0 ADJOURNMENT

Trustee Grujanac moved and Trustee Harms Muth seconded the motion to adjourn. The voice vote was unanimous and Mayor Brandt declared the meeting adjourned at 7:10 p.m.

Respectfully submitted,
VILLAGE OF LINCOLNSHIRE

Barbara Mastandrea
Village Clerk

**PROCLAMATION RECOGNIZING FRIDAY, APRIL 26, 2019 AS
ARBOR DAY IN THE VILLAGE OF LINCOLNSHIRE**

WHEREAS, In 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture a special day be set aside for the planting of trees, and

WHEREAS, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and

WHEREAS, Arbor Day is now observed throughout the nation and the world, and

WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife, and

WHEREAS, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products, and

WHEREAS, trees in our Village increase property values, enhance the economic vitality of business areas, and beautify our community, and

WHEREAS, the Village of Lincolnshire has been recognized as a Tree City USA for 30 years by the National Arbor Day Foundation and desires to continue its tree planting ways.

NOW, THEREFORE, I, Elizabeth J. Brandt, Mayor of the Village of Lincolnshire do hereby proclaim the 26th day of April 2019 as Arbor Day in the Village of Lincolnshire, and I urge all citizens to support efforts to care for our trees and woodlands and to support our Village's community forestry program, and

FURTHER, I urge all citizens to plant trees to gladden the hearts and promote the well-being of present and future generations.

IN WITNESS WHEREOF, I sign my name this 26th day of April, 2019.

Elizabeth J. Brandt, Mayor

Barbara Mastandrea, Village Clerk



VILLAGE OF LINCOLNSHIRE
REVENUE / EXPENSE BUDGET SUMMARY

PERIOD ENDING 3/31/2019
FISCAL YEAR 2019

	2018 Year-To-Date			2019 Year-To-Date		
	Revenue	Expense	OVER/(UNDER)	REVENUE	EXPENSE	OVER/(UNDER)
GENERAL FUND						
Revenue	2,715,128			2,691,199		
Administration		76,671			80,002	
Finance		80,494			91,623	
Police		906,136			903,932	
Community & Economic Dev.		167,670			170,384	
Insurance / Common		372,311			437,850	
PW: Administration		64,741			63,079	
PW: Streets & Storm Water		267,193			313,991	
PW: Forestry & Parks		202,929			221,878	
PW: Facilities		34,797			55,360	
Debt & Transfers		-			-	
TOTAL GENERAL FUND	\$ 2,715,128	\$ 2,172,942	\$ 542,186	\$ 2,691,199	\$ 2,338,099	\$ 353,101
ENTERPRISE FUNDS						
Water & Sanitary Sewer Revenue	948,072			1,057,053		
Water & Sanitary Sewer Administration		247,385			335,073	
Water & Sanitary Sewer Operating		805,354			825,870	
Water & Sanitary Sewer Improvements	103,368	18,198		380,435	(10,290)	
TOTAL ENTERPRISE FUNDS	\$ 1,051,441	\$ 1,070,937	\$ (19,496)	\$ 1,437,488	\$ 1,150,654	\$ 286,834
NON-OPERATING FUNDS						
Motor Fuel Tax	50,689	-	50,689	46,109	-	46,109
Fraud Alcohol Drug Enforcement	1,490	-	1,490	2,047	1,887	160
Vehicle Maintenance	119,200	128,239	(9,039)	120,428	133,558	(13,131)
E-911	102,214	76,625	25,589	102,783	100,832	1,952
Park Development	1,240	8,615	(7,374)	15,291	-	15,291
General Capital	-	63,909	(63,909)	-	15,135	(15,135)
TOTAL NON-OPERATING FUNDS	\$ 274,834	\$ 277,388	\$ (2,554)	\$ 286,658	\$ 251,412	\$ 35,246
TRUST FUNDS						
Police Pension Fund**	(147,389)	318,397	(465,786)	1,861,705	343,651	1,518,054
Sedgebrook SSA	5,095	788,818	(783,722)	5,698	801,501	(795,803)
TOTAL TRUST FUNDS	\$ (142,294)	\$ 1,107,215	\$ (1,249,509)	\$ 1,867,403	\$ 1,145,153	\$ 722,251

**The Police Pension amounts are as of 3/31/2019. The Pension Board contracts their accounting services; which sometimes results in a reporting delay.

**VILLAGE OF LINCOLNSHIRE
REVENUES AND EXPENSES BY FUND**

March 31, 2019

25.0% of Fiscal Year is Complete

	Annual Budget	Year-to-Date	% Used	Significant Facts
GENERAL FUND				
REVENUES				
Taxes	11,148,200	2,281,193	20.5%	Sales Tax % of Budget 23.6%
				Local HR Sales Tax % of Budget 25.5%
				Food & Beverage % of Budget 24.5%
				Room & Admission % of Budget 19.4%
				Real Estate Transfer % of Budget 36.9%
Licenses & Fees	737,000	187,345	25.4%	Building Permit Fee Revenue \$53,704
				Bldg Permits % of Licenses & Fees 28.7%
Fines & Forfeitures	227,000	58,559	25.8%	
Allotments, Grants & Reimbursements	339,300	86,638	25.5%	
Miscellaneous	87,840	17,469	19.9%	
Other Income	87,000	59,995	69.0%	
TOTAL REVENUES	\$ 12,626,340	\$ 2,691,199	21.3%	
EXPENSES				
Personnel Expenses	300,520	73,687	24.5%	
Contractual Services	3,200	-	0.0%	
Other Charges	33,800	6,315	18.7%	
Administration	337,520	80,002	23.7%	
Personnel Expenses	311,940	82,718	26.5%	
Contractual Services	23,630	8,212	34.8%	
Other Charges	4,720	693	14.7%	
Finance	340,290	91,623	26.9%	
Personnel Expenses	3,678,090	779,880	21.2%	
Contractual Services	152,760	40,240	26.3%	
Commodities	34,660	20,823	60.1%	
Other Charges	147,100	20,839	14.2%	
Transfers Out	168,600	42,150	25.0%	
Police	4,181,210	903,932	21.6%	
Personnel Expenses	473,050	126,100	26.7%	
Contractual Services	157,800	18,652	11.8%	
Other Charges	481,350	24,427	5.1%	
Transfers Out	4,820	1,205	25.0%	
Community & Economic Dev.	1,117,020	170,384	15.3%	
Contractual Services	1,534,720	432,779	28.2%	
Commodities	14,400	3,530	24.5%	
Other Charges	82,100	1,541	1.9%	
Insurance & Common	1,631,220	437,850	26.8%	
Public Works				
Personnel Expenses	205,940	55,470	26.9%	
Contractual Services	36,500	2,325	6.4%	
Other Charges	12,730	5,283	41.5%	
Admin	255,170	63,079	24.7%	
Personnel Expenses	529,650	190,909	36.0%	
Contractual Services	472,700	11,672	2.5%	
Commodities	94,300	71,591	75.9%	
Other Charges	13,630	3,690	27.1%	
Transfers Out	144,510	36,128	25.0%	
Streets	1,254,790	313,991	25.0%	

	Annual Budget	Year-to-Date	% Used	Significant Facts
Personnel Expenses	550,230	142,156	25.8%	
Contractual Services	622,980	45,959	7.4%	Includes Insurance Covered Exp
Commodities	51,000	3,039	6.0%	
Other Charges	10,730	3,027	28.2%	
Transfers Out	110,790	27,698	25.0%	
Parks & Open Space	1,345,730	221,878	16.5%	
Contractual Services	167,300	48,870	29.2%	
Commodities	19,000	4,905	25.8%	
Other Charges	3,000	379	12.6%	
Transfers Out	4,820	1,205	25.0%	
Buildings & Grounds	194,120	55,360	28.5%	
Transfers Out	1,837,591	-	0.0%	
Debt & Transfers	1,837,591	-	0.0%	
TOTAL EXPENSES	\$ 12,494,661	\$ 2,338,099	18.7%	

WATER & SEWER FUND

REVENUES

Licenses & Fees	5,221,000	1,053,489	20.2%
Miscellaneous Revenue	10,000	2,235	22.4%
Other Income	4,000	1,329	33.2%
TOTAL REVENUES	\$ 5,235,000	\$ 1,057,053	20.2%

EXPENSES

Personnel Expenses	257,670	68,928	26.8%
Contractual Services	223,245	64,898	29.1%
Commodities	1,600	392	24.5%
Other Charges	2,320	581	25.1%
Other Expenses	-	-	0.0%
Transfers Out	801,095	200,274	25.0%
Administration	1,285,930	335,073	26.1%

Personnel Expenses	543,330	149,647	27.5%
Contractual Services	3,296,630	653,870	19.8%
Commodities	27,450	8,293	30.2%
Other Charges	33,000	2,017	6.1%
Transfers Out	48,170	12,043	25.0%
Operating	3,948,580	825,870	20.9%

TOTAL EXPENSES	\$ 5,234,510	\$ 1,160,944	22.2%
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WATER & SEWER IMPROVEMENT FUND

REVENUES

Licenses & Fees	150,350	178,487	118.7%
Miscellaneous Revenue	-	-	0.0%
Other Income	7,000	1,674	23.9%
Transfers	1,813,040	200,274	11.0%
TOTAL REVENUES	\$ 1,970,390	\$ 380,435	19.3%

EXPENSES

Capital Outlay	2,474,000	(10,290)	-0.4%
TOTAL EXPENSES	\$ 2,474,000	\$ (10,290)	-0.4%

Annual Budget	Year-to-Date	% Used	Significant Facts
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MOTOR FUEL TAX FUND

REVENUES

Allotments, Grants & Reimbursements	183,820	45,940	25.0%
Other Income	500	169	33.9%
TOTAL REVENUES	\$ 184,320	\$ 46,109	25.0%

EXPENSES

Capital Projects	175,000	-	0.0%
TOTAL EXPENSES	\$ 175,000	\$ -	0.0%

FRAUD, ALCOHOL & DRUG ENFORCEMENT FUND

REVENUES

Other Income	-	2,047	0.0%
TOTAL REVENUES	\$ -	\$ 2,047	0.0%

EXPENSES

Other Charges	21,210	1,887	8.9%
Transfers	43,500	-	0.0%
TOTAL EXPENSES	\$ 64,710	\$ 1,887	2.9%

VEHICLE MAINTENANCE FUND

REVENUES

Transfers	481,710	120,428	25.0%
TOTAL REVENUES	\$ 481,710	\$ 120,428	25.0%

EXPENSES

Personnel Expenses	188,990	53,184	28.1%
Contractual Services	162,720	38,099	23.4%
Commodities	119,300	40,200	33.7%
Other Charges	10,850	2,076	19.1%
TOTAL EXPENSES	\$ 481,860	\$ 133,558	27.7%

E911 FUND

REVENUES

Taxes	340,000	102,767	30.2%
Other Income	50	16	31.4%
Transfers	-	-	0.0%
TOTAL REVENUES	\$ 340,050	\$ 102,783	30.2%

EXPENSES

Contractual Services	360,050	100,832	28.0%
TOTAL EXPENSES	\$ 360,050	\$ 100,832	28.0%

PARK DEVELOPMENT FUND

REVENUES

Other Income	624,500	15,291	2.4%
TOTAL REVENUES	\$ 624,500	\$ 15,291	2.4%

EXPENSES

Other Charges	-	-	0.0%
Transfers	991,000	-	0.0%
TOTAL EXPENSES	\$ 991,000	\$ -	0.0%

Annual Budget	Year-to-Date	% Used	Significant Facts
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GENERAL CAPITAL

REVENUES

Grants	-	-	0.0%
Other Income	917,740	-	0.0%
Transfers In	1,860,146	-	0.0%
TOTAL REVENUES	\$ 2,777,886	\$ -	0.0%

EXPENSES

Facilities	290,000	5,770	2.0%
Equipment	169,000	5,033	3.0%
Furniture & Fixtures	-	-	0.0%
Storm Sewer & Water	947,000	3,871	0.4%
Parks	1,041,000	460	0.0%
Roadways	527,500	-	0.0%
Vehicles	105,000	-	0.0%
Miscellaneous Capital	37,000	-	0.0%
TOTAL EXPENSES	\$ 3,116,500	\$ 15,135	0.5%

POLICE PENSION FUND**

REVENUES

Taxes	855,000	-	0.0%	Property Taxes
Miscellaneous Revenue	210,630	57,711	27.4%	
Other Income	170,330	1,803,994	1059.1%	Investment Income
TOTAL REVENUES	\$ 1,235,960	\$ 1,861,705	150.6%	

EXPENSES

Contractual Services	92,300	17,682	19.2%
Other Charges	8,600	-	0.0%
Other Charges	1,135,060	325,969	28.7%
TOTAL EXPENSES	\$ 1,235,960	\$ 343,651	27.8%

***The Police Pension amounts are as of 3/31/2019. The Pension Board contracts their accounting services; which sometimes results in a reporting delay.*

SEDGEBROOK SSA

REVENUES

Taxes	1,164,070	-	0.0%	
Other Income	21,000	5,698	27.1%	Interest Income
TOTAL REVENUES	\$ 1,185,070	\$ 5,698	0.5%	

EXPENSES

Contractual Services	23,500	720	3.1%
Capital Outlay	1,161,570	800,781	68.9%
TOTAL EXPENSES	\$ 1,185,070	\$ 801,501	67.6%



VILLAGE OF LINCOLNSHIRE

BILLS PRESENTED FOR PAYMENT

04/22/2019

General Fund	\$	116,953.04
Water & Sewer Fund	\$	204,464.78
Motor Fuel Tax		
Water & Sewer Improvement Fund	\$	5,194.89
Fraud, Alcohol, Drug Enforcement		
Vehicle Maintenance Fund	\$	18,952.42
E 911 Fund	\$	14,621.32
Park Development Fund		
Sedgebrook SSA	\$	225.00
General Capital Fund	\$	9,233.97
GRAND TOTAL	\$	369,645.42

Brad Burke, Village Manager

INVOICE NUMBER	DESCRIPTION	AMOUNT
VENDOR NAME: ACCURATE DOCUMENT DESTRUCTION		
15651437	3-21-19 Document Destruction	121.69
TOTAL VENDOR ACCURATE DOCUMENT DESTRUCTIO		121.69
VENDOR NAME: ADOBE SYSTEMS INCORPORATED		
2019-04	April 2019 L. Ulibarri Creative Cloud Suite	53.11
TOTAL VENDOR ADOBE SYSTEMS INCORPORATED		53.11
VENDOR NAME: ADVANCE ENGINE REBUILDERS		
W33460	Truck 230 V-Box	9,900.00
TOTAL VENDOR ADVANCE ENGINE REBUILDERS		9,900.00
VENDOR NAME: ALPHAGRAPHICS US 333		
65063	3 Carbon Tree Permits (1,000 copies)	411.90
TOTAL VENDOR ALPHAGRAPHICS US 333		411.90
VENDOR NAME: AMAZON.COM		
11238382423156229	Flags & Flag Poles	567.36
11293467900127456	Paper Goods for PW Office	45.32
11216642315208260	Chest Waders for Public Works	149.97
112-6923467-2585043	Propellers for DJI Mavic Drone_2 sets	18.79
113-8585581-4462664	Stainless Steel Table for Evidence Processing	91.99
11294603325891435	Station Alarm Resistors	5.42
11265074507697850	Batteries & Writing Utensils	26.26
113-0442589-9059436	Print Cartridge Matte Black_Canon PFI-102MBK_La	63.57
11228574313079467	Chest Waders	641.88
112-6081750-7663468	APC UPS Battery Replacement in Server Room_M	154.19
TOTAL VENDOR AMAZON.COM		1,764.75
VENDOR NAME: AMERICAN PRINTING TECHNOLOGIES		
19-LS04	04 2019 UB Print Service	465.00
19-LS04P	04 2019 UB Postage	929.11
TOTAL VENDOR AMERICAN PRINTING TECHNOLOGIES		1,394.11
VENDOR NAME: AMERICAN WELDING & GAS, INC.		
06206373	Forklift Propane	33.35
06243572	Cylinder Rental	112.19
TOTAL VENDOR AMERICAN WELDING & GAS, INC.		145.54
VENDOR NAME: ANCEL GLINK DIAMOND BUSH		
3165092-0000	March 2019 Corporate Legal Fees	5,146.25
69220a	BD Bond Escrow Attorney Fee_Lincolnshire Animal	230.00
69220b	BD Bond Escrow Attorney Fee_Pulte Group Cambe	230.00
69220c	BD Bond Escrow Attorney Fee_Marriott Lincolnshire	230.00
TOTAL VENDOR ANCEL GLINK DIAMOND BUSH		5,836.25
VENDOR NAME: APWA WORK ZONE		
APWA41019	Supervision Manual & Public Works Posters	97.72
TOTAL VENDOR APWA WORK ZONE		97.72
VENDOR NAME: ARLINGTON HEIGHTS FORD		
863248	Truck 246 Tie Rod	135.64
863318	Powerstroke Oil	61.74
TOTAL VENDOR ARLINGTON HEIGHTS FORD		197.38
VENDOR NAME: ASSOCIATED TECHNICAL SERVICES LTD.		
31301	Leak Locating @ 2 Yorkshire on 3-27-19	801.50
TOTAL VENDOR ASSOCIATED TECHNICAL SERVICES L		801.50
VENDOR NAME: AZAVAR		
147262	sales tax audit payments 1 & 2 of 36	10,118.25
TOTAL VENDOR AZAVAR		10,118.25

INVOICE NUMBER	DESCRIPTION	AMOUNT
VENDOR NAME: BADE SUPPLY		
26399	Public Works Cookout	59.97
TOTAL VENDOR BADE SUPPLY		59.97
VENDOR NAME: BASECAMP WEB SOLUTIONS		
2592	March 2019 Website design (special events) & mair	90.00
TOTAL VENDOR BASECAMP WEB SOLUTIONS		90.00
VENDOR NAME: BENISTAR		
05012019	May 2019 Retiree Medical Premiums	1,479.00
TOTAL VENDOR BENISTAR		1,479.00
VENDOR NAME: BRENT'S BOUNCIN' INFLATABLES		
23540	Heroes Night Hungry Hippos and Down-A-Clown	530.00
TOTAL VENDOR BRENT'S BOUNCIN' INFLATABLES		530.00
VENDOR NAME: BUCK BROS., INC.		
210679	Chain Saw Parts	493.28
209886	2 Cycle Gas & Additive	156.40
TOTAL VENDOR BUCK BROS., INC.		649.68
VENDOR NAME: CALL ONE		
041519	04/15/19 Monthly Phone Bill 1122574	2,319.85
TOTAL VENDOR CALL ONE		2,319.85
VENDOR NAME: CARGILL		
2904687389	Rock Salt - 105,000 lbs	2,922.31
2904689434	Rock Salt - 53,480 lbs	1,487.01
TOTAL VENDOR CARGILL		4,409.32
VENDOR NAME: CENTURY-MUNDELEIN		
6110108	Supplies for NP Restrooms - Floor Moulding	214.14
TOTAL VENDOR CENTURY-MUNDELEIN		214.14
VENDOR NAME: CINTAS CORPORATION #47P		
47P115618	Weekly Uniform Rental - Public Works	99.50
47P116792	Weekly Uniform Rental - PW	99.50
TOTAL VENDOR CINTAS CORPORATION #47P		199.00
VENDOR NAME: CLOWNING AROUND ENTERTAINMENT, INC.		
36078-1	50% Down Payment for Ponies and Petting Zoo - R	997.00
TOTAL VENDOR CLOWNING AROUND ENTERTAINMENT		997.00
VENDOR NAME: COLLEGE OF DUPAGE		
10025-1576226	Training Police Applicant Background - Rafalowit	149.00
10025-1576224	Training Police Applicant Background - Revoy	149.00
TOTAL VENDOR COLLEGE OF DUPAGE		298.00
VENDOR NAME: COMED		
7128083006-04-19	Westwood Pumping Meter 3-4-19 to 4-2-19	114.15
0339014158-04-19	Riverwoods @ Everett Street Lighting 3-5-19 to 4-3-	5.30
3038275001-04-19	Whytegate Park 3-5-19 to 4-3-19	35.37
3038188003-04-19	Northampton San. Sump Meter 3-5-19 to 4-3-19	27.22
0268410000-04-19	Northampton Liftstation 3-5-19 to 4-3-19	85.28
0777044014-04-19	Old Mill Liftstation 3-5-19 to 4-3-19	107.66
6123019023-04-19	Rate 25 Street Lighting 3-8-19 to 4-8-19	425.14
1131144094-04-19	Trailhead Park Lighting 3-4-19 to 4-2-19	30.93
1864074001-04-19	Spring Lake Park 3-4-19 to 4--2-19	155.25
9047167009-04-19	Londonderry Pumping 3-4-19 to 4-2-19	303.94
5760114015-04-19	Riverside Drive Liftstation Pumping 3-4-19 to 4-2-19	136.23
6520050011-04-19	Fallstone Pumping Meter 3-5-19 to 4-3-19	136.54
3168065033-04-19	Brookwood Liftstation 3-5-19 to 4-3-19	82.80
7299013001-04-19	Farrington Pumping 3-5-19 to 4-3-19	105.72
0995113016-04-19	Entry Sign @ Milwaukee & OHDR 3-5-19 to 4-3-19	50.67

INVOICE NUMBER	DESCRIPTION	AMOUNT
VENDOR NAME: COMED		
4803164127-04-19	OHDR Bike Path Lighting 3-5-19 to 4-3-19	44.01
TOTAL VENDOR COMED		1,846.21
VENDOR NAME: CONSTELLATION NEWENERGY, INC.		
14618765801	Electric supply Londonderry Liftstation 3-4-19 to 4-2	303.39
14618765901	Electric supply SLP 3-4-19 to 4-2-19	126.14
TOTAL VENDOR CONSTELLATION NEWENERGY, INC.		429.53
VENDOR NAME: CORPORATE WELLNESS PARTNERS LLC		
4099-00	Zarnowski pre-employment drug screen	89.00
TOTAL VENDOR CORPORATE WELLNESS PARTNERS L		89.00
VENDOR NAME: DEERFIELD VILLAGE		
43920	Deerfield Connection - Telephone Adapter, Fingerpr	7,726.62
TOTAL VENDOR DEERFIELD VILLAGE		7,726.62
VENDOR NAME: DITTRICH WALTER		
9088283000	2019 IAFSM Conference on 3-12-19 - 3-14-19 CMF	170.00
840214703-WD	2019 IAFSM Conference on 3-12-19 to 3-14-19 - Ho	244.16
TOTAL VENDOR DITTRICH WALTER		414.16
VENDOR NAME: DOOR SYSTEMS		
867762	PW Garage Door Broke (4.9.19)	406.14
TOTAL VENDOR DOOR SYSTEMS		406.14
VENDOR NAME: DROPBOX		
2019-04	April 2019 Dropbox fees	9.99
TOTAL VENDOR DROPBOX		9.99
VENDOR NAME: EXTRA SPACE STORAGE		
April2019Fees	April 2019 Storage Fees For Special Event Items	297.00
TOTAL VENDOR EXTRA SPACE STORAGE		297.00
VENDOR NAME: FIRST CHOICE SERVICES-CHICAGO WEST		
032533	Coffee, Sugar & Creamer	161.30
TOTAL VENDOR FIRST CHOICE SERVICES-CHICAGO W		161.30
VENDOR NAME: FIRST COMMUNICATIONS		
117505806	03 2019- T-1 Line	279.92
TOTAL VENDOR FIRST COMMUNICATIONS		279.92
VENDOR NAME: FIRST MIDWEST BANK		
0319	03 2019 Lockbox Service	441.68
TOTAL VENDOR FIRST MIDWEST BANK		441.68
VENDOR NAME: FOREMAN, JD		
324661	Sanitary Manhole Frames	402.00
TOTAL VENDOR FOREMAN, JD		402.00
VENDOR NAME: FORKES DILLON		
04222019	Parking & Meal Reimbursement - Acc. Inv. II (Mar.2	123.67
TOTAL VENDOR FORKES DILLON		123.67
VENDOR NAME: FOSTER & FOSTER INC.		
14392	OPEB 67/68 Police Pension	2,500.00
TOTAL VENDOR FOSTER & FOSTER INC.		2,500.00
VENDOR NAME: FRONTLINE PUBLIC SAFETY SOLUTIONS		
FL27456	Annual Membership Frontline Public Safety w/Publ	1,198.00

INVOICE NUMBER	DESCRIPTION	AMOUNT
VENDOR NAME: FRONTLINE PUBLIC SAFETY SOLUTIONS		
	TOTAL VENDOR FRONTLINE PUBLIC SAFETY SOLUTIO	1,198.00
VENDOR NAME: GAMING WHEREVER ENTERTAINMENT, LLC		
151904116875431	Heroes Night Laser Tag	600.00
	TOTAL VENDOR GAMING WHEREVER ENTERTAINMENT	600.00
VENDOR NAME: GARVEY'S OFFICE PRODUCTS		
PINV1712780	Supplies: Toner (Police & PW), Batteries (Police & A	658.74
	TOTAL VENDOR GARVEY'S OFFICE PRODUCTS	658.74
VENDOR NAME: GAS DEPOT OIL COMPANY		
65818	On Road Diesel Fuel	2,389.72
	TOTAL VENDOR GAS DEPOT OIL COMPANY	2,389.72
VENDOR NAME: GEWALT HAMILTON ASSOCIATES		
4904.003-11	ITEP Professional Services through 2-10-19	460.40
	TOTAL VENDOR GEWALT HAMILTON ASSOCIATES	460.40
VENDOR NAME: GOVIT CONSORTIUM		
2019-010	VoL Share - Master Contract - Review & Consult w/	443.50
	TOTAL VENDOR GOVIT CONSORTIUM	443.50
VENDOR NAME: GRAINGER, INC.		
9134812420	Cable Ties for Tennis Courts	154.40
9130919161	Shop Supplies for Fleet	28.90
	TOTAL VENDOR GRAINGER, INC.	183.30
VENDOR NAME: HAYES MECHANICAL LLC		
432850	Public Works HVAC Emergency Repair on 2-28-19	1,496.18
432809	Village Hall - HVAC Emergency Repair	2,556.20
	TOTAL VENDOR HAYES MECHANICAL LLC	4,052.38
VENDOR NAME: HEALY ASPHALT CO, LLC		
17571	Cold Mix for Pot Holes	213.72
	TOTAL VENDOR HEALY ASPHALT CO, LLC	213.72
VENDOR NAME: HIGHLAND PARK, CITY OF		
009348-03-19	03/2019 Water Purchase 35038 cuft Metr 16033582	85,247.45
009297-03-19	03/2019 Water Purchase 3923 cuft Metr 70327541	9,544.66
	TOTAL VENDOR HIGHLAND PARK, CITY OF	94,792.11
VENDOR NAME: HILTON HOTEL		
3526707973	Hotel Stay For Josh Markham (Snow & Ice Confere	610.41
3529469364	Hotel Stay For Matt Liewehr (Snow & Ice Conferenc	610.41
6886157	Hotel Stay for Josh Markham - Additional Night Adc	204.55
	TOTAL VENDOR HILTON HOTEL	1,425.37
VENDOR NAME: HOME DEPOT CREDIT SERVICES		
4012192	50Gallon Trash Can and Wallplates	79.22
12645	Misc Equipment for Water Department	63.82
451071	Misc Equipment for Water Department	24.33
9012773	Supplies for North Park Bathrooms	76.92
9012774	Mailbox Repair Materials	107.34
8012925	Village Hall Lightinc	6.72
6013197	Mailbox Repair Materials	289.72
3013510	Paint - Village Hall	37.92
3053433	Village Hall Cleaning	14.97
9014131	Drill Bits	40.58
5014639	Village Hall Bathrooms	95.93
3014922	Catch Basin Repairs	18.05
2014986	Catch Basin Repairs	5.60
2015018	Mailbox Repair Materials	175.80
7582616	Donation Bench - North Park Materials	7.94
3012341	Floor Scrapers for NP Bathroom	19.97

INVOICE NUMBER	DESCRIPTION	AMOUNT
VENDOR NAME: HOME DEPOT CREDIT SERVICES		
	TOTAL VENDOR HOME DEPOT CREDIT SERVICES	1,064.83
VENDOR NAME: IDELE CRIMMINS		
27938	Mailbox Reimbursement for 2 Astor Ct.	100.00
	TOTAL VENDOR IDELE CRIMMINS	100.00
VENDOR NAME: ILLINOIS EPA		
IL09709502019	2019 IEPA Testing Program	771.28
IEPA2019TH	IEPA Drinking Water Operator Certification Renewal	10.00
	TOTAL VENDOR ILLINOIS EPA	781.28
VENDOR NAME: ILLINOIS SECRETARY OF STATE		
9566081	Registration for Chief's Squad (9566081)	101.00
	TOTAL VENDOR ILLINOIS SECRETARY OF STATE	101.00
VENDOR NAME: ILLINOIS STATE POLICE - B OF I		
IL049290L-033119	Fingerprint Liquor Applicants (Starfish,Marriott,Chee	141.25
	TOTAL VENDOR ILLINOIS STATE POLICE - B OF I	141.25
VENDOR NAME: IMPACT NETWORKING, LLC		
1401874	Dory Base Charge 04/06/19-05/05/19	147.00
	TOTAL VENDOR IMPACT NETWORKING, LLC	147.00
VENDOR NAME: INTERDEV, LLC		
MSP1019776-1	March 2019 IT Services	5,518.62
MSP1019776-2	March 2019 License Fee	308.00
	TOTAL VENDOR INTERDEV, LLC	5,826.62
VENDOR NAME: IPASS		
3222019IPASS	I-Pass Replenishment	45.00
	TOTAL VENDOR IPASS	45.00
VENDOR NAME: IRC RETAIL CENTERS		
04_2019	CAM Escrow Lease #t0000888_April 2019_Lincolns	1,290.71
	TOTAL VENDOR IRC RETAIL CENTERS	1,290.71
VENDOR NAME: JC LICHT, LLC		
62046316	Paint	89.80
	TOTAL VENDOR JC LICHT, LLC	89.80
VENDOR NAME: JOHN REPERT		
JR04082019	Mailbox Repair - 1885 Riverwoods	100.00
	TOTAL VENDOR JOHN REPERT	100.00
VENDOR NAME: LAKE COUNTY PUBLIC WORKS		
LCPW-3-29-19	Sanitary sewer treatment bill dates 2-16-19 to 3-15-	99,527.52
	TOTAL VENDOR LAKE COUNTY PUBLIC WORKS	99,527.52
VENDOR NAME: LALUZERNE & SMITH, LTD.		
March 2019	March 2019 Legal Services	3,951.25
	TOTAL VENDOR LALUZERNE & SMITH, LTD.	3,951.25
VENDOR NAME: LEXISNEXIS RISK SOLUTIONS		
1217074-20190331	Mar. 2019 Telephone, Internet and Computer Searc	92.00
	TOTAL VENDOR LEXISNEXIS RISK SOLUTIONS	92.00
VENDOR NAME: LIEWEHR MATTHEW		
GEB59K	Return Flight for Matt Liewehr - Snow & Ice Confere	248.30
	TOTAL VENDOR LIEWEHR MATTHEW	248.30

INVOICE NUMBER	DESCRIPTION	AMOUNT
VENDOR NAME: LINCOLNSHIRE RIVERWOODS FPD		
10417	Plan Review_200 Tri State InternationalLTD Comr	427.00
TOTAL VENDOR LINCOLNSHIRE RIVERWOODS FPD		427.00
VENDOR NAME: LINCOLNSHIRE VILLAGE-PETTY CASH		
04222019	04/22/19 Petty Cash Reimbursements	316.03
TOTAL VENDOR LINCOLNSHIRE VILLAGE-PETTY CASH		316.03
VENDOR NAME: MANKOFF INDUSTRIES		
4814	Public Works UST Inspections 3-13-19	1,312.28
4815	45 Londonderry UST Inspections 3-13-19	734.28
4816	Westminster Way UST Inspections	734.28
TOTAL VENDOR MANKOFF INDUSTRIES		2,780.84
VENDOR NAME: MARIANO		
899234	Public Works Cook Out Items (4.12.19)	25.20
TOTAL VENDOR MARIANO		25.20
VENDOR NAME: MARSH		
34697255817	Annual Public Officials Bond- Treasurer Peterson	100.00
346978195409	Annual Public Officials Bond \$3,000- Elizabeth Bran	100.00
346972201218	Annual Public Officials Bond- Trustee Hancock	100.00
TOTAL VENDOR MARSH		300.00
VENDOR NAME: MENARDS - LONG GROVE		
00407	Marking Paint - Forestry	39.96
TOTAL VENDOR MENARDS - LONG GROVE		39.96
VENDOR NAME: MICHAEL MERANDA JR.		
191204	4/8/19 RVB/COW Meeting	120.00
TOTAL VENDOR MICHAEL MERANDA JR.		120.00
VENDOR NAME: MIDWEST METER INC.		
0110021-IN	Emergency Interconnect Water Meter	5,194.89
0110260-IN	M70 1" Meter Endpoints	388.95
TOTAL VENDOR MIDWEST METER INC.		5,583.84
VENDOR NAME: MORRISON ASSOCIATES, LTD		
2019-0293	Gilbertson Criticall Strengths Assessment	2,750.00
TOTAL VENDOR MORRISON ASSOCIATES, LTD		2,750.00
VENDOR NAME: MOTOROLA PARTS		
16044413	2 Motorola APX6000 radios with accessories and pr	10,119.14
TOTAL VENDOR MOTOROLA PARTS		10,119.14
VENDOR NAME: MOTOROLA SOLUTIONS - STARCOM21		
41590342019	April 2019 Starcom Monthly Use Rate	884.00
TOTAL VENDOR MOTOROLA SOLUTIONS - STARCOM21		884.00
VENDOR NAME: MUNICIPAL GIS PARTNERS, INC.		
4664	GIS staffing and services For March 2019	5,065.84
TOTAL VENDOR MUNICIPAL GIS PARTNERS, INC.		5,065.84
VENDOR NAME: NAP AUTO PARTS		
006572	Truck 230 LP Light	10.68
006490	Lights for PW Trucks	33.50
TOTAL VENDOR NAP AUTO PARTS		44.18
VENDOR NAME: NELS JOHNSON		
125614	Parkway Tree Trimming Around Village	19,150.00
TOTAL VENDOR NELS JOHNSON		19,150.00

INVOICE NUMBER	DESCRIPTION	AMOUNT
VENDOR NAME: NORTH SUBURBAN EMPLOYEE BENEFIT COO		
2019-03	March 2019 Dental Premiums	7,018.00
TOTAL VENDOR NORTH SUBURBAN EMPLOYEE BENE		7,018.00
VENDOR NAME: NORTHWEST ELECTRICAL SUPPLY		
17415692	Village Hall Lighting	110.09
17415689	Village Hall Lighting	10.10
TOTAL VENDOR NORTHWEST ELECTRICAL SUPPLY		120.19
VENDOR NAME: NORTHWESTERN UNIVERSITY		
13612	Training Crime Scene Tech. 1 (Bethel)	1,375.00
TOTAL VENDOR NORTHWESTERN UNIVERSITY		1,375.00
VENDOR NAME: NPELRA		
bbaf01cd40	B. Burke 2019 Membership	230.00
TOTAL VENDOR NPELRA		230.00
VENDOR NAME: O'HERRON CO INC		
1920450-IN	Uniform Shirts & Pants (J. Gloede)	269.28
1920449-IN	Uniform Shirts & Pants - Leonas	181.90
1920121-IN	Uniform Shirts - Beale	84.29
TOTAL VENDOR O'HERRON CO INC		535.47
VENDOR NAME: PADDOCK PUBLICATIONS, INC.		
159163-071319	Daily Herald Subscription 4/21/19-7/13/19	47.20
TOTAL VENDOR PADDOCK PUBLICATIONS, INC.		47.20
VENDOR NAME: PAYLOCITY		
104984787	04/12/19 Pay Services	194.78
TOTAL VENDOR PAYLOCITY		194.78
VENDOR NAME: PBA, INC./FLEXIBLE BENEFITS		
130706	April 2019 FLEX claims & recordkeeping	200.00
TOTAL VENDOR PBA, INC./FLEXIBLE BENEFITS		200.00
VENDOR NAME: PIONEER MANUFACTURIN		
714943	Baseball Field Windscreens for North Park	764.40
TOTAL VENDOR PIONEER MANUFACTURIN		764.40
VENDOR NAME: PLATINUM SNOW REMOVAL		
305	Snow Removal Contract South Village Green Pymt	1,640.00
TOTAL VENDOR PLATINUM SNOW REMOVAL		1,640.00
VENDOR NAME: POLLARDWATER		
0133605-2	Freight for Diffuser	21.76
TOTAL VENDOR POLLARDWATER		21.76
VENDOR NAME: RAPIDWRISTBANDS.COM		
9128762686	Heroes Night promotional wristbands	267.00
TOTAL VENDOR RAPIDWRISTBANDS.COM		267.00
VENDOR NAME: RONDOUT SERVICE CENTER LLC		
15060	Truck Safety Inspections	198.50
TOTAL VENDOR RONDOUT SERVICE CENTER LLC		198.50
VENDOR NAME: SAM'S CLUB		
851150	Public Works Cookout Items (4.12.19)	103.49
TOTAL VENDOR SAM'S CLUB		103.49
VENDOR NAME: SNAP ON		
04101985965	Ball Joint Press	735.00

INVOICE NUMBER	DESCRIPTION	AMOUNT
VENDOR NAME: SNAP ON		
	TOTAL VENDOR SNAP ON	735.00
VENDOR NAME: SPRING ALIGN OF PALATINE		
112202	Truck 245 Alignment	114.95
	TOTAL VENDOR SPRING ALIGN OF PALATINE	114.95
VENDOR NAME: TITAN GREAT OUTDOORS		
1300005083	Outdoor Grill Replacement - Spring Lake Park	470.48
	TOTAL VENDOR TITAN GREAT OUTDOORS	470.48
VENDOR NAME: TRAFFIC CONTROL & PROTECTION INC.		
100464	100 Traffic Cones - IPRF Grant Money	1,465.00
	TOTAL VENDOR TRAFFIC CONTROL & PROTECTION IN	1,465.00
VENDOR NAME: ULTRA PRINTING		
493	Vehicle Seizure Forms	308.00
	TOTAL VENDOR ULTRA PRINTING	308.00
VENDOR NAME: UPS STORE		
00000022260	2019 Food Truck Friday Signage_Economic Develc	306.00
	TOTAL VENDOR UPS STORE	306.00
VENDOR NAME: US BANK- CORP TRUST		
5313690	semi annual paying agent fee	225.00
	TOTAL VENDOR US BANK- CORP TRUST	225.00
VENDOR NAME: VERIZON WIRELESS		
9827242812	03 2019 Cell Phone Svc & Squad Laptops	2,037.07
	TOTAL VENDOR VERIZON WIRELESS	2,037.07
VENDOR NAME: VERNON HILLS VILLAGE		
Transfer2019	Transfer E911 Balance from Lincolnshire to Vernon	14,621.32
	TOTAL VENDOR VERNON HILLS VILLAGE	14,621.32
VENDOR NAME: WATER PRODUCTS CO.		
0286838	Valve Packing	44.12
	TOTAL VENDOR WATER PRODUCTS CO.	44.12
VENDOR NAME: WBK ENGINEERING LLC		
20107	Lincolnshire Creek - Professional Services 2-24-19 t	8,773.57
	TOTAL VENDOR WBK ENGINEERING LLC	8,773.57
VENDOR NAME: WE FIX-IT TIRE REPAIR		
1633	Truck 246 Tire Install	73.00
	TOTAL VENDOR WE FIX-IT TIRE REPAIR	73.00
VENDOR NAME: WHOLESALE DIRECT, INC.		
238711	Truck 230 Brake Lights	23.34
	TOTAL VENDOR WHOLESALE DIRECT, INC.	23.34
VENDOR NAME: WIESLAW DUMIN		
CD Refund_B16-0002E	BD Bond Refund_Engineering Bond_2045 Riverwc	2,590.00
	TOTAL VENDOR WIESLAW DUMIN	2,590.00
VENDOR NAME: XYLEM DEWATERING SOL		
400905113	4" Pump Parts	397.57
	TOTAL VENDOR XYLEM DEWATERING SOL	397.57
GRAND TOTAL:		369,645.42

REQUEST FOR BOARD ACTION
April 22, 2019

Subject:	2019 Concrete Flatwork Project – Various Locations
Action Requested:	Approval of a Contract with Schroeder & Schroeder, Inc. for the 2019 Concrete Flatwork Project in an Amount not to Exceed \$38,125 (Village of Lincolnshire – Waiver of First Reading Requested)
Originated By/Contact:	Wally Dittrich, P.E., Assistant Public Works Director/Village Engineer
Referred To:	Mayor and Board of Trustees

Summary / Background:

As part of a joint bid opportunity, the Village of Lincolnshire joined a group of 5 other municipalities for this year's concrete repair contract led by the Village of Lake Zurich. Only one bid for this project on was opened on March 22, 2019. Staff recommends approval of a contract with low bidder Schroeder & Schroeder of Skokie, Illinois in the not to exceed amount of \$38,125. While there was only one bidder, it is recommended to accept the bid as the unit prices were comparable to those seen in the previous year's concrete flatwork contract where Schroeder & Schroeder was also the lowest of 3 bids received. The Village budgets for approximately 250 linear feet of curb repairs across the Village. Funds were also included in the annual appropriation to replace the sidewalk in front of the Village Hall due to sections removed as a result of the water service leak earlier in the year. The 2018 facility assessment identified numerous issues with the sidewalk in front of the Village Hall as there are numerous trip hazards beyond the scope of just filling in cracks and repairing.

Budget Impact:

There is currently \$8,000 budgeted in Public Works-Streets Account #01-21-61-9068 for Concrete Repairs. The remaining \$30,125 for the sidewalk repairs will be taken from the Contractual Services – Building Account #01-25-61-9095 which was increased to accommodate the concrete restoration work needed as a result of the repair to the water service leak at the Village Hall.

Service Delivery Impact:

No Change

Recommendation:

Staff requests that the Mayor and Board of Trustees waive the first reading and approve this agenda item so that the work can be scheduled as soon as the contractors schedule allows.

Reports and Documents Attached:

- 2019 Concrete Flatwork Bid Tabs

Meeting History	
Regular Village Board Meeting	April 22, 2019



Village of Lake Zurich
 505 Telser Road
 Lake Zurich, IL 60047
 (847)540-1696

INVITATION: #201.001003
 BID OPENING DATE: March 22, 2019
 TIME: 10:00 A.M. Local Time
 LOCATION: Village Hall
 70 E. Main St
 Lake Zurich, IL 60047

Submit 1 original, 1 copy, and 1 electronic copy of the RFB response.

INVITATION TO BID CONTRACTOR INFORMATION

COMPANY NAME: SCHROEDER & SCHROEDER, INC.
 ADDRESS: 7306 CENTRAL PARK
 CITY, STATE, ZIP CODE: SKOKIE, IL 60076

2019 MPI CONCRETE FLATWORK
 per the specifications identified herein

Item No.	Items	Unit	Estimated Quantity* (All Municipalities)	Unit Price	Total
	BASE BID				
1	P.C.C. PAVEMENT PATCH CL B (7")	SY	420	\$ <u>68.00</u>	\$ <u>28,560.00</u>
2	P.C.C. DRIVEWAY PAVEMENT REMOVAL AND REPLACEMENT (6")	SY	40	\$ <u>63.00</u>	\$ <u>2,520.00</u>
3	P.C.C. SIDEWALK REMOVAL AND REPLACEMENT (5-6")	SF	38,800	\$ <u>7.75</u>	\$ <u>300,700.00</u>
4	COMBINATION CONCRETE CURB & GUTTER REMOVAL AND REPLACEMENT (M3.12, B6.12)	LF	7,200	\$ <u>32.00</u>	\$ <u>230,400.00</u>
5	COMBINATION CONCRETE CURB & GUTTER REMOVAL AND REPLACEMENT (B6.24)	LF	120	\$ <u>45.00</u>	\$ <u>5,400.00</u>
6	DETECTABLE WARNING FIELDS	EACH	44	\$ <u>250.00</u>	\$ <u>11,000.00</u>
7	VV, MH, INLET, CB TO BE ADJUSTED	EACH	26	\$ <u>250.00</u>	\$ <u>6,500.00</u>
8	AGGREGATE BASE COURSE, TYPE B, 4-INCH	SY	100	\$ <u>5.00</u>	\$ <u>500.00</u>
	TOTAL BASE BID			\$ <u>585,580.00</u>	

*The estimated quantities listed in the bid table are for reference only. The Contractor is hereby made aware that the bid prices shall apply to work in all Municipalities participating in this bid even if no estimated quantity is listed for that municipality.

See Estimated Quantities Table in Summary of Work Section for estimated quantities for each Municipality.

All work under this contract shall comply with the Prevailing Wage Rate Act of the State of Illinois, 820 ILCS 130/1 et seq. and Employment of Illinois Works on Public Works Act (30 ILCS 570/).

Any and all exceptions to these specifications MUST be clearly and completely indicated on the bid sheet. Attach additional pages if necessary.
NOTE TO BIDDERS: Please be advised that any exceptions to these specifications may cause your bid to be disqualified. Submit bids by SEALED BID ONLY. Fax and e-mail bids are not acceptable and will not be considered.

THE SECTION BELOW MUST BE COMPLETED IN FULL AND SIGNED

PROMPT PAYMENT DISCOUNT: 0 % 0 DAYS

The undersigned hereby certifies that they have read and understand the contents of this solicitation and agree to furnish at the prices shown any or all of the Items above, subject to all instructions, conditions, specifications and attachments hereto. Failure to have read all the provisions of this solicitation shall not be cause to alter any resulting contract or to accept any request for additional compensation. By signing this bid document, the bidder hereby certifies that they are not barred from bidding on this contract as a result of a violation of either Section 33E-3 or 33E-4 of the Illinois Criminal Code of 1961, as amended.

Authorized Signature: Chris Schroeder Company Name: SCHROEDER & SCHROEDER, INC.
Typed/Printed Name: CHRIS SCHROEDER Date: 3/22/19
Title: PRESIDENT Telephone Number: 847-933-0526
E-mail CHRIS@SCHROEDERCONCRETE.NET Fax Number: 847-933-0528

18. **ESTIMATED QUANTITIES TABLE***

Item No.	Item Description	Unit	Gurnee	Lake Zurich	Lincolnshire	Round Lake Beach	Vernon Hills	Wheeling	TOTAL
1	P.C.C. Pavement Patch, CL B (7")	SY	300	-	-	-	120	-	420
2	P.C.C. Driveway Pavement Removal and Replacement (6")	SY	40	-	-	-	-	-	40
3	P.C.C. Sidewalk Removal and Replacement (5-6")	SF	12,000	6,000	3,500	7,500	2,100	7,700	38,800
4	Combination Concrete Curb & Gutter Removal and Replacement (M3.12, B6.12)	LF	800	5,500	300	-	600	-	7,200
5	Combination Concrete Curb & Gutter Removal and Replacement (B6.24)	LF	-	-	-	-	120	-	120
6	Detectable Warning Fields	EACH	10	20	6	-	8	-	44
7	Valve Vaults, Manholes, Inlets, Catch Basins to be Adjusted	EACH	2	-	6	-	18	-	26
8	Aggregate Base Course, Type B, 4-Inch	SY	100	-	-	-	-	-	100

*The estimated quantities listed in the bid table are for reference only. The Contractor is hereby made aware that the bid prices shall apply to work in all Municipalities participating in this bid even if no estimated quantity is listed for that Municipality.

REQUEST FOR BOARD ACTION
April 22, 2019

Subject:	2019 Roadway, Bike Path, and Parking Lot Rehabilitation
Action Requested:	Approval of a Professional Service Contract with Baxter & Woodman Consulting Engineers for Roadway, Bike Path, and Parking Lot Rehabilitation, Design, Permits, and Bidding Services at a Cost not to Exceed \$44,544.10. (Village of Lincolnshire – Waiver of First Reading Requested)
Originated By/Contact:	Wally Dittrich, P.E., Assistant Public Works Director/Village Engineer
Referred To:	Mayor and Board of Trustees

Summary / Background:

Staff issued a Request for Qualifications in February 2019 for consulting engineering services to design and oversee the construction of the 2019 Road Rehabilitation Program as well as resurfacing of various bike paths and the resurfacing of the parking lot at North Park. The scope also included assisting the Village with evaluating and prioritizing the roadways for the 2020 and 2021 Street Resurfacing Program as well as future years. This information will be presented to the board in advance of the capital plan presentation.

Staff received proposals from eight (8) consultants. After a thorough internal review, Staff negotiated a contract with Baxter & Woodman Consulting Engineers for the design of the project. Staff felt Baxter & Woodman Consulting Engineers submitted the strongest proposal based on their experience with similar work in other villages, their understanding of the project, as well as experience in evaluating road programs for other municipalities.

The scope of work includes preparing bidding documents for the resurfacing of Fox Trail, Pheasant Row, Deer Run, and Fairfax Lane. The bike path along the east side of Riverwoods Road from the southern Village Limit to Duffy Road, as well as connector paths at Northhampton, Farrington, and Old Mill are included in the scope as is the resurfacing of the North Park parking lot.

Budget Impact:

There is currently \$75,000 budgeted for the design work. The remaining budget amount in this line item will be utilized for the design of next year's program which will be completed under a separate contract with the same consulting firm to take advantage of the economies of scale and brought forward for the board's consideration once a selection has been made on the roads being resurfaced.

Service Delivery Impact:

No Change

Recommendation:

Staff requests that the Mayor and Board of Trustees waive the first reading and approve this agenda item so that the work can begin immediately and bids can be put out for work to begin in the summer.

Reports and Documents Attached:

- 2019 Pavement Rehabilitation Agreement
- Bike Path Location Maps

Meeting History	
Regular Village Board Meeting	April 22, 2019

Municipality Village of Lincolnshire	L O C A L A G E N C Y	 Illinois Department of Transportation Preliminary Engineering Services Agreement For Motor Fuel Tax Funds	C O N S U L T A N T	Name Baxter & Woodman, Inc.
Township				Address 8678 Ridgefield Road
County Lake				City Crystal Lake
Section				State IL

THIS AGREEMENT is made and entered into this _____ day of _____, 2019 between the above Local Agency (LA) and Consultant (ENGINEER) and covers certain professional engineering services in connection with the improvement of the above SECTION. Motor Fuel Tax Funds, allotted to the LA by the State of Illinois under the general supervision of the State Department of Transportation, hereinafter called the "DEPARTMENT", will be used entirely or in part to finance ENGINEERING services as described under AGREEMENT PROVISIONS.

Section Description

Name 2019 Pavement Rehabilitation – Design Engineering

Route Various Length _____ Mi. _____ FT (Structure No. _____)

Termini See Exhibit B

Description:

Project consists of street resurfacing, curb repairs, minor drainage improvements, HMA path resurfacing, parking lot resurfacing, and driveway repairs, and other misc. work. (Engineer's project number 190274.40)

Agreement Provisions

The Engineer Agrees,

1. To perform or be responsible for the performance of the following engineering services for the LA, in connection with the proposed improvements herein before described, and checked below:
 - a. Make such detailed surveys as are necessary for the preparation of detailed roadway plans
 - b. Make stream and flood plain hydraulic surveys and gather high water data, and flood histories for the preparation of detailed bridge plans.
 - c. Make or cause to be made such soil surveys or subsurface investigations including borings and soil profiles and analyses thereof as may be required to furnish sufficient data for the design of the proposed improvement. Such investigations are to be made in accordance with the current requirements of the DEPARTMENT.
 - d. Make or cause to be made such traffic studies and counts and special intersection studies as may be required to furnish sufficient data for the design of the proposed improvement.
 - e. Prepare Army Corps of Engineers Permit, Department of Natural Resources-Office of Water Resources Permit, Bridge waterway sketch, and/or Channel Change sketch, Utility plan and locations, and Railroad Crossing work agreements.
 - f. Prepare Preliminary Bridge design and Hydraulic Report, (including economic analysis of bridge or culvert types) and high water effects on roadway overflows and bridge approaches.
 - g. Make complete general and detailed plans, special provisions, proposals and estimates of cost and furnish the LA with five (5) copies of the plans, special provisions, proposals and estimates. Additional copies of any or all documents, if required, shall be furnished to the LA by the ENGINEER at his actual cost for reproduction.
 - h. Furnish the LA with survey and drafts in quadruplicate of all necessary right-of-way dedications, construction easement and borrow pit and channel change agreements including prints of the corresponding plats and staking as required.

Note: Four copies to be submitted to the Regional Engineer

- i. Assist the LA in the tabulation and interpretation of the contractors' proposals
 - j. Prepare the necessary environmental documents in accordance with the procedures adopted by the DEPARTMENT's Bureau of Local Roads & Streets.
 - k. Prepare the Project Development Report when required by the DEPARTMENT.
- (2) That all reports, plans, plats and special provisions to be furnished by the ENGINEER pursuant to the AGREEMENT, will be in accordance with current standard specifications and policies of the DEPARTMENT. It is being understood that all such reports, plats, plans and drafts shall, before being finally accepted, be subject to approval by the LA and the DEPARTMENT.
- (3) To attend conferences at any reasonable time when requested to do so by representatives of the LA or the Department.
- (4) In the event plans or surveys are found to be in error during construction of the SECTION and revisions of the plans or survey corrections are necessary, the ENGINEER agrees that he will perform such work without expense to the LA, even though final payment has been received by him. He shall give immediate attention to these changes so there will be a minimum delay to the Contractor.
- (5) That basic survey notes and sketches, charts, computations and other data prepared or obtained by the Engineer pursuant to this AGREEMENT will be made available, upon request, to the LA or the DEPARTMENT without cost and without restriction or limitations as to their use.
- (6) That all plans and other documents furnished by the ENGINEER pursuant to this AGREEMENT will be endorsed by him and will show his professional seal where such is required by law.

The LA Agrees,

1. To pay the ENGINEER as compensation for all services performed as stipulated in paragraphs 1a, 1g, 1i, 2, 3, 5 and 6 in accordance with one of the following methods indicated by a check mark:
- a. A sum of money equal to _____ percent of the awarded contract cost of the proposed improvement as approved by the DEPARTMENT.
 - b. A sum of money equal to the percent of the awarded contract cost for the proposed improvement as approved by the DEPARTMENT based on the following schedule:

Schedule for Percentages Based on Awarded Contract Cost

Awarded Cost	Percentage Fees	
Under \$50,000	Cost plus fixed fee not to	(see note)
	Exceed \$44,544.10	%
	(See Exhibit A)	%
	_____	%
	_____	%
	_____	%

Note: Not necessarily a percentage. Could use per diem, cost-plus or lump sum.

2. To pay for services stipulated in paragraphs 1b, 1c, 1d, 1e, 1f, 1h, 1j & 1k of the ENGINEER AGREES at actual cost of performing such work plus 145 percent to cover profit, overhead and readiness to serve - "actual cost" being defined as material cost plus payrolls, insurance, social security and retirement deductions. Traveling and other out-of-pocket expenses will be reimbursed to the ENGINEER at his actual cost. Subject to the approval of the LA, the ENGINEER may sublet all or part of the services provided under the paragraph 1b, 1c, 1d, 1e, 1f, 1h, 1j & 1k. If the ENGINEER sublets all or part of this work, the LA will pay the cost to the ENGINEER plus a five (5) percent service charge.

"Cost to Engineer" to be verified by furnishing the LA and the DEPARTMENT copies of invoices from the party doing the work. The classifications of the employees used in the work should be consistent with the employee classifications for the services performed. If the personnel of the firm, including the Principal Engineer, perform routine services that should normally be performed by lesser-salaried personnel, the wage rate billed for such services shall be commensurate with the work performed.

3. That payments due the ENGINEER for services rendered in accordance with this AGREEMENT will be made as soon as practicable after the services have been performed in accordance with the following schedule:
 - a. Upon completion of detailed plans, special provisions, proposals and estimate of cost - being the work required by paragraphs 1a through 1g under THE ENGINEER AGREES - to the satisfaction of the LA and their approval by the DEPARTMENT, 90 percent of the total fee due under this AGREEMENT based on the approved estimate of cost.
 - b. Upon award of the contract for the improvement by the LA and its approval by the DEPARTMENT, 100 percent of the total fee due under the AGREEMENT based on the awarded contract cost, less any amounts paid under "a" above.

By Mutual agreement, partial payments, not to exceed 90 percent of the amount earned, may be made from time to time as the work progresses.

4. That, should the improvement be abandoned at any time after the ENGINEER has performed any part of the services provided for in paragraphs 1a, through 1h and prior to the completion of such services, the LA shall reimburse the ENGINEER for his actual costs plus 145 percent incurred up to the time he is notified in writing of such abandonment - "actual cost" being defined as in paragraph 2 of THE LA AGREES.
5. That, should the LA require changes in any of the detailed plans, specifications or estimates except for those required pursuant to paragraph 4 of THE ENGINEER AGREES, after they have been approved by the DEPARTMENT, the LA will pay the ENGINEER for such changes on the basis of actual cost plus 145 percent to cover profit, overhead and readiness to serve - "actual cost" being defined as in paragraph 2 of THE LA AGREES. It is understood that "changes" as used in this paragraph shall in no way relieve the ENGINEER of his responsibility to prepare a complete and adequate set of plans and specifications.

It is Mutually Agreed,

1. That any difference between the ENGINEER and the LA concerning their interpretation of the provisions of this Agreement shall be referred to a committee of disinterested parties consisting of one member appointed by the ENGINEER, one member appointed by the LA and a third member appointed by the two other members for disposition and that the committee's decision shall be final.
2. This AGREEMENT may be terminated by the LA upon giving notice in writing to the ENGINEER at his last known post office address. Upon such termination, the ENGINEER shall cause to be delivered to the LA all surveys, permits, agreements, preliminary bridge design & hydraulic report, drawings, specifications, partial and completed estimates and data, if any from traffic studies and soil survey and subsurface investigations with the understanding that all such material becomes the property of the LA. The ENGINEER shall be paid for any services completed and any services partially completed in accordance with Section 4 of THE LA AGREES.
3. That if the contract for construction has not been awarded one year after the acceptance of the plans by the LA and their approval by the DEPARTMENT, the LA will pay the ENGINEER the balance of the engineering fee due to make 100 percent of the total fees due under this AGREEMENT, based on the estimate of cost as prepared by the ENGINEER and approved by the LA and the DEPARTMENT.
4. That the ENGINEER warrants that he/she has not employed or retained any company or person, other than a bona fide employee working solely for the ENGINEER, to solicit or secure this contract, and that he/she has not paid or agreed to pay any company or person, other than a bona fide employee working solely for the ENGINEER, any fee, commission, percentage, brokerage fee, gifts or any other consideration, contingent upon or resulting from the award or making of this contract. For Breach or violation of this warranty the LA shall have the right to annul this contract without liability.

IN WITNESS WHEREOF, the parties have caused the AGREEMENT to be executed in quadruplicate counterparts, each of which shall be considered as an original by their duly authorized officers.

Executed by the LA:

ATTEST: Village of Lincolnshire of the
(Municipality/Township/County)
State of Illinois, acting by and through its
By _____

Clerk (Seal) By _____
Title _____

Executed by the ENGINEER:

ATTEST: Baxter & Woodman, Inc.
8678 Ridgefield Road
Crystal Lake, IL 60012
By Barbara Tobin By [Signature]
Title Deputy Secretary Title Vice President

Approved

Date
Department of Transportation

Regional Engineer

**PAYROLL ESCALATION TABLE
FIXED RAISES**

FIRM NAME Baxter & Woodman, Inc.
PRIME/SUPPLEMENT PRIME

DATE 04/15/19
PTB NO. N/A

CONTRACT TERM 6 MONTHS
START DATE 5/1/2019
RAISE DATE 1/1/2020

OVERHEAD RATE 144.71%
COMPLEXITY FACTOR
% OF RAISE 3.00%

ESCALATION PER YEAR

5/1/2019 - 10/31/2019

6
6

= 100.00%
= 1.0000

The total escalation for this project would be: 0.00%

Subconsultants

FIRM NAME	<u>Baxter & Woodman, Inc.</u>	DATE	<u>04/15/19</u>
PRIME/SUPPLEMENT	<u>PRIME</u>		
PSB NO.	<u>N/A</u>		

NAME	Direct Labor Total	Contribution to Prime Consultant
Soil Material Consultnats	2,550.00	255.00
		0.00
		0.00
		0.00
		0.00
		0.00
		0.00
		0.00
Total	2,550.00	255.00

AVERAGE HOURLY PROJECT RATES

FIRM Baxter & Woodman, Inc.
 PSB N/A
 PRIME/SUPPLEMENT PRIME

DATE 04/15/19

SHEET 1 OF 2

PAYROLL CLASSIFICATION	AVG HOURLY RATES	TOTAL PROJECT RATES			Early Coordination and Data Collection			Geotechnical Report			Plan Preparation			Meetings			QA/QC			
		Hours	% Part.	Wgt'd Avg	Hours	% Part.	Wgt'd Avg	Hours	% Part.	Wgt'd Avg	Hours	% Part.	Wgt'd Avg	Hours	% Part.	Wgt'd Avg	Hours	% Part.	Wgt'd Avg	
Principal	70.00	0																		
Sr. Engineer IV	65.31	4	1.14%	0.74														2	50.00%	32.66
Sr. Engineer III	53.27	26	7.39%	3.93	24	22.64%	12.06											2	50.00%	26.64
Sr. Engineer II	46.94	78	22.16%	10.40	4	3.77%	1.77	2	50.00%	23.47	20	14.29%	6.71	20	52.63%	24.71				
Sr. Engineer I	41.48	36	10.23%	4.24	32	30.19%	12.52				4	2.86%	1.19							
Engineer III	34.90	0																		
Engineer II	30.37	106	30.11%	9.15	16	15.09%	4.58	2	50.00%	15.19	72	51.43%	15.62	12	31.58%	9.59				
Engineer I	29.37	0																		
Sr Geologist I	52.52	0																		
Engineer Tech V	49.82	0																		
Engineer Tech IV	47.61	10	2.84%	1.35	10	9.43%	4.49													
Engineer Tech III	37.31	72	20.45%	7.63	16	15.09%	5.63				44	31.43%	11.73	6	15.79%	5.89				
Engineer Tech II	31.89	20	5.68%	1.81	4	3.77%	1.20													
Engineer Tech I	23.75	0																		
Admin Support III	31.00	0																		
Admin Support II	27.28	0																		
Admin Support I	19.28	0																		
		0																		
		0																		
		0																		
		0																		
		0																		
		0																		
		0																		
		0																		
		0																		
TOTALS		352	100%	\$39.26	106	100.00%	\$42.27	4	100%	\$38.66	140	100%	\$35.24	38	100%	\$40.19	4	100%	\$59.29	

**2019 PAVEMENT REHABILITATION PROGRAM
DESIGN ENGINEERING SERVICES
VILLAGE OF LINCOLNSHIRE**

**EXHIBIT B
SCOPE OF SERVICES**

LOCATION:

The MFT resurfacing project is located at various locations within the Village of Lincolnshire. The following project locations are included in this project:

<u>Roadway</u>	<u>Limits</u>	<u>Length</u>
Fox Trail	Riverwoods Road	Riverwoods Road
Pheasant Row	Fox Trail	End
Deer Run	Exmoor Lane	Fox Trail
Fairfax Lane	Riverwoods Road	Exmoor Lane
Exmoor Lane	Cul De Sac	Cul De Sac

Parking Lot

North Park, 1025 Riverwoods Rd

Bike Path/Connector Trails

North-South Trail along Riverwoods Rd (Duffy Lane to Vernon Trail)

North Hampton Connector (0.1 miles)

Farrington Connector (0.2 miles)

Old Mill Connector (0.35 miles)

SCOPE OF SERVICES:

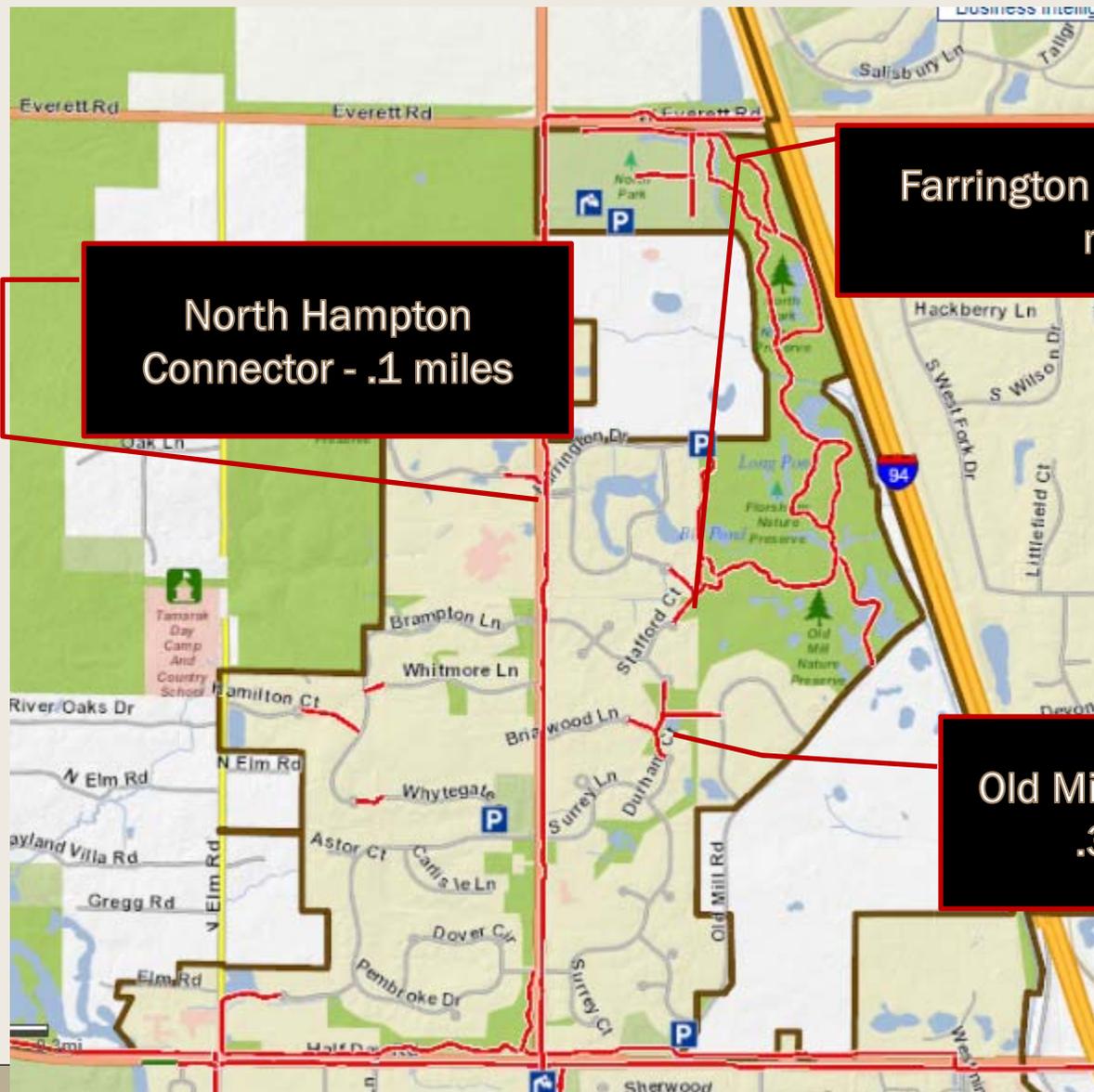
1. EARLY COORDINATION AND DATA COLLECTION

- *Data Collection:* Obtain, review and evaluate the following information provided by the Village for use in design:
 - Utility Atlases
 - GIS Shape files surrounding the project limits
 - ROW, GIS and property data
 - Storm sewer televising
- *Field evaluation:* Perform a field evaluation of the condition of existing pavements, drainage structures, sidewalk ramps, and curb and gutter. Estimate quantities of pavement repair and curb and gutter repair.
- *Topographic Survey:* Topographic survey will not performed within the scope of this work. Schematic drawings will be developed from aerial photography and field verified at select locations.

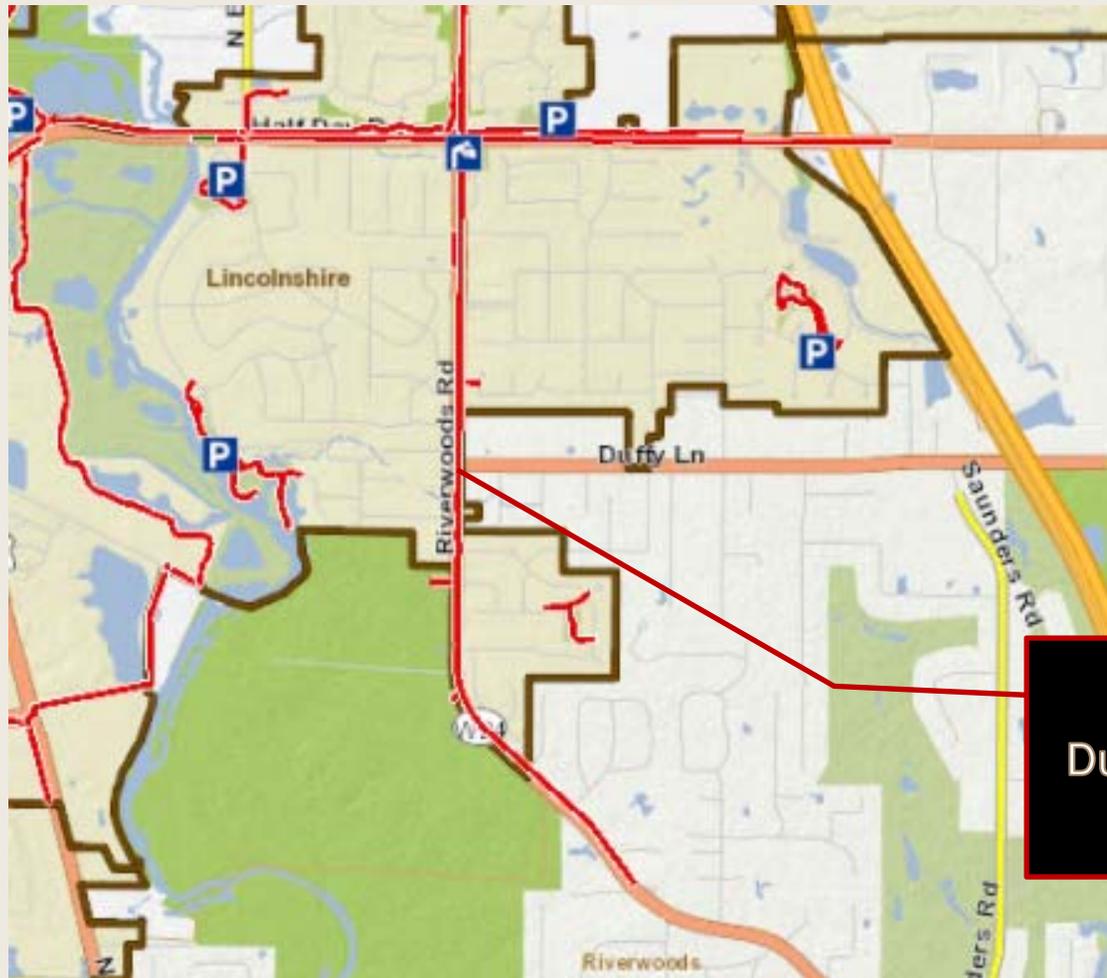
- *Supplemental Survey:* As approved by the Village, provide topographic survey for areas requiring grading of parkway and/or gutter drainage.
 - No additional right-of-way or easements are anticipated. Work to complete Plat of Easement or Plat of Dedication is not included.
 - *Storm Sewer Analysis:* Evaluate existing conditions of storm sewer within the project limits. Storm Sewer Repair will be evaluated by review of Village provided televised tapes and identified areas of failure or blockages. Additional televising of sewers is not included in the scope of this work and can be provided for additional fee.
 - *County Permit:* Submit the Application to Perform Work within a County Highway Right-Of-Way to the Lake County Division of Transportation for work along Riverwoods Road. \$2,500 is included in the contract for the permit fee.
2. GEOTECHNICAL REPORT
- *Pavement Cores and Soil Borings:* Utilize Soil and Material Consultants to take pavement cores of the surface and base material for determining the composition of the existing pavement material within the project limits. Baxter & Woodman will provide a core location map prior to this work. (8 cores estimated)
 - *Clean Construction or Demolition Debris (CCDD):* The Village will provide a completed IEPA Form 662. The contractor will provide testing during construction to comply with Form 663. CCDD testing and completion of Form 663 is not included in this scope and the amount of potentially contaminated soils will be determined during construction.
3. PLAN PREPARATION
- *Estimate of Cost and Time:* Prepare summary of quantities, estimate of time, schedules of materials and an engineer's estimate of cost.
 - *Specifications:* Prepare special provisions in accordance with Village guidelines to specify items not covered by the Standard Specifications for Road and Bridge Construction.
 - *Final Schematic Plans:* Prepare bidding documents consisting of plan view schematics (no topographic survey), Typical Sections, Special Provisions, Contract Proposal, Schedule of Prices, and Engineer's Estimate of Cost and submit these documents to IDOT for review and approval.
 - *Utility Coordination:* Contact J.U.L.I.E. to identify utilities that have facilities along the project limits. Request utility atlas maps and plot locations and sizes of existing utilities in electronic drawings. Submit preliminary and final plans to utility companies so conflicts and relocation efforts can be identified. Provide ongoing reviews of permitting and utility relocation efforts as requested by the LA. Prepare "Status of Utilities to be Adjusted" special provision in accordance with IDOT District 1 requirements, which provides the contractor with the duration of utility relocation work, status of utilities to be watched and protected within the project limits, and pertinent information for the contractor to develop a work schedule to meet the requirements for the project.

- The following items are not included within the scope of this project, but can be provided as additional services to the contract:
 - Environmental Survey Request (no tree removal)
 - Lighting
 - Structural
4. MEETINGS
- *Meetings:* The following meetings are anticipated for this project:
 - Village (3 total): Kickoff, Prefinal, Board Meeting
 - IDOT (1 total): Review
 - County Highway (1 total): Review
 - *Public Meeting:* No public involvement is anticipated for this project.
5. QA/QC - Perform in-house peer and milestone reviews by senior staff during project initiation, conceptual review, preliminary, prefinal, and final submittals. Provide ongoing reviews of permitting and utility coordination efforts. Conduct milestone reviews of subconsultants and provide feedback throughout the progress of work.
6. ASSIST BIDDING
- Provide design assistance and clarification for bid documents. Assist the Village with coordination and scheduling during the bid process.
 - Provide documents for bidding and assist the Village in solicitation of bids from as many qualified bidders as possible, attend bid opening to receive and evaluate bids, tabulate bids, and make a recommendation to the Village for an award of contract.
7. FUTURE ROAD PROGRAM PLAN - *Pavement Improvement Plan:* Utilize pavement assessment data supplied by the Village to assist Village staff in developing the 2020 and 2021 roadway maintenance program by selecting the highest priority street sections whose total estimated cost matches the Village's determined maintenance budget. Provide recommendations and exhibits showing the 2020 and 2021 programs.
8. MANAGE PROJECT
- Plan, schedule, and control the activities that must be performed to complete the project including budget, schedule, and scope. Coordinate with Village and project team to ensure the goals of the project are achieved. Prepare and submit monthly invoices, coordinate invoices from sub-consultants, and provide regular updates to the Village.
 - *Deliverables:* The following is a list of anticipated final deliverables to the Village for this project:
 - *Electronic DGN, Geopak, and Digital Photos used in project development.*
 - *Electronic Record of Design files including agency correspondence, Estimates, Exhibits, and related electronic submittals (pdf or as appropriate). Baxter & Woodman utilizes an electronic filing system in lieu of hard copies.*

VILLAGE BIKE PATHS/CONNECTOR TRAILS



VILLAGE BIKE PATHS/CONNECTOR TRAILS



Riverwoods Rd.
Duffy to Village limit
- 0.8 miles -

REQUEST FOR BOARD ACTION
April 22, 2019

Subject:	2019 Pavement Patching Project – Various Locations
Action Requested:	Approval of Awarding a Contract to Chicagoland Paving for the 2019 Pavement Patching Project in an Amount not to Exceed \$60,000 (Village of Lincolnshire – Waiver of First Reading Requested)
Originated By/Contact:	Wally Dittrich, P.E., Assistant Public Works Director/Village Engineer
Referred To:	Mayor and Board of Trustees

Summary / Background:

As part of a joint bid opportunity, the Village of Lincolnshire served as the lead agency for 4 other municipalities on this year's asphalt patching contract. Five (5) bids for this project on were opened on April 17, 2019. Staff recommends approval of a contract with low bidder Chicagoland Paving of Lake Zurich, Illinois in the amount of \$38,100.00 with the ability to add quantity up to a \$60,000 limit to perform pavement patching improvements in various locations of the Village. Approximately 50% of the patching quantity will be completed in the corporate center, with the remaining 50% spread out in the residential areas. This past winter was especially harsh on Village roadways due to the number of freezing and thawing events that took place which damaged the pavement considerably more than past winter seasons.

Budget Impact:

There is currently \$40,000 budgeted in Public Works-Streets Account #01-21-61-9070 for Pavement Patching. The remaining \$20,000 will be taken from the Account #01-21-61-9044 for crack sealing and pavement preservation as this year staff feels there is a greater value in patching damaged roadways as opposed to applying a pavement preservation treatment to a roadway in the corporate center.

Service Delivery Impact:

No Change

Recommendation:

Staff requests that the Mayor and Board of Trustees waive the first reading and approve this agenda item so that the work can be scheduled and completed as soon as the asphalt plants open and the contractors schedule allows.

Reports and Documents Attached:

- 2019 Pavement Patching Bid Tabs

Meeting History	
Regular Village Board Meeting	April 22, 2019

Line Item	Item Description	UofM	Quantity	Engineer Estimate		Chicagoland Paving		Peter Baker		Maneval Paving		J.A. Johnson		Schroeder	
				Unit Price	Extension	Unit Price	Extension	Unit Price	Extension	Unit Price	Extension	Unit Price	Extension	Unit Price	Extension
1	Class D Patches, Type I, 3 Inch	SY	0	\$88.50	\$0.00		\$0.00		\$0.00		\$0.00	\$ 100.00	\$0.00		\$0.00
2	Class D Patches, Type II, 3 Inch	SY	470	\$66.00	\$31,020.00	\$ 30.00	\$14,100.00	\$ 70.00	\$32,900.00	\$ 50.00	\$ 23,500.00	\$ 62.55	\$29,398.50	\$ 45.00	\$21,150.00
3	Class D Patches, Type III, 3 Inch	SY	1080	\$55.00	\$59,400.00	\$ 25.75	\$27,810.00	\$ 60.00	\$64,800.00	\$ 30.00	\$ 32,400.00	\$ 37.00	\$39,960.00	\$ 32.00	\$34,560.00
4	Class D Patches, Type IV, 3 Inch	SY	6100	\$28.00	\$170,800.00	\$ 26.25	\$160,125.00	\$ 50.00	\$305,000.00	\$ 25.00	\$ 152,500.00	\$ 30.55	\$186,355.00	\$ 30.00	\$183,000.00
5	Aggregate Wedge Shoulders	TON	80	\$155.00	\$12,400.00	\$ 40.00	\$3,200.00	\$ 100.00	\$8,000.00	\$ 40.00	\$ 3,200.00	\$ 67.00	\$5,360.00	\$ 40.00	\$3,200.00
Base Bid Total:					\$273,620.00		\$205,235.00		\$410,700.00		\$211,600.00		\$261,073.50		\$241,910.00

Chicagoland Paving

Item No.	Items	Unit	Quantity	Unit Price	Total	Lake Zurich		Lakemoore		Lincolnshire		Round Lake Beach		Volo	
						Quantity	Total	Quantity	Total	Quantity	Total	Quantity	Total	Quantity	Total
1	Type 1, Class D Patches - (3" Depth)	SY	0		\$ -	0	\$ -	0	\$ -	0	\$ -	0	\$ -	0	\$ -
2	Type2, Class D Patches - (3" Depth)	SY	470	\$ 30.00	\$ 14,100.00	280	\$ 8,400.00	0	\$ -	50	\$ 1,500.00	140	\$ 4,200.00	0	\$ -
3	Type 3, Class D Patches - (3" Depth)	SY	1080	\$ 25.75	\$ 27,810.00	420	\$ 10,815.00	150	\$ 3,862.50	300	\$ 7,725.00	210	\$ 5,407.50	0	\$ -
4	Type 4, Class D Patches - (3" Depth)	SY	6100	\$ 26.25	\$ 160,125.00	2100	\$ 55,125.00	1600	\$ 42,000.00	1100	\$ 28,875.00	1050	\$ 27,562.50	250	\$ 6,562.50
5	Type 1, Class D Patches - (6" Depth)	SY	80	\$ 40.00	\$ 3,200.00	0	\$ -	0	\$ -	0	\$ -	0	\$ -	80	\$ 3,200.00
Bidder's Proposal for making Entire Improvements					\$ 205,235.00	\$ 74,340.00		\$ 45,862.50		\$ 38,100.00		\$ 37,170.00		\$ 9,762.50	

**REQUEST FOR BOARD ACTION
Regular Village Board
MEETING April 22, 2019**

Subject: Text Amendments to Lincolnshire Liquor Control Code and Fee Schedule

Action Requested: Approval of an Ordinance Amending Title 3 (Business and License Regulations), Chapter 3 (Liquor Control), and Title 1, Chapter 15 (Fee Schedule) of the Lincolnshire Village Code (Village of Lincolnshire – Waiver of First Reading Requested)

**Originated
By/Contact:** Joseph Leonas, Chief of Police

Referred To: Village Board

Summary/Background:

Staff reviewed Title 3, Chapter 3 (Liquor Control) and Title 1, Chapter 15 (Comprehensive Fee Schedule) of Lincolnshire Village Code and recommends updates to both sections of Village Code outlined below.

The impetus for the review was based on several factors. First, a number of current and prospective gas stations recently requested the ability to sell liquor through their attached convenience stores. Secondly, staff identified the need to update and reorganize the Liquor Control Chapter to make it less fragmented after years of amendments and additions. Finally, staff recommends removing certain liquor licenses not currently utilized; eliminating the Village control of dancing and entertainment acts; allowing restaurants to seal open bottles of wine for patrons; and eliminating the “tavern” license and replacing it with a “banquet” license, which is more in-line with its current use. The changes to Chapter 3 necessitate updates to the Chapter 15 Fee Schedule to align with the new class changes to the Liquor Control Chapter. The fee amounts remain unchanged.

- Revisions to the following sections:
 - Conforming the definition of *Alcoholic Liquor* to Illinois statutes
 - License Required
 - Applications for License
 - Transfer and License
 - Ineligible Applicants
 - Change in Personnel
 - Inspections
 - Sales to Unfit Persons
 - Minors
 - Prohibited Entertainment

- Modification of Liquor License Classes
 - Consolidation of Restaurant Full Liquor Licenses With and Without Dancing - removing dancing component
 - Removal of dancing component for Restaurant Beer & Wine Only License
 - Removal of dancing component for Brew Pub license
 - Removal of Limited Hotel License
 - Removal of Limited Hotel In-Room Mini Bar License
 - Removal of Tavern License
 - Addition of Banquet License

- Small revisions throughout the Chapter to clean up language without altering the intent and meaning of the ordinance.

- Removal of Section 3-3-3-2-B that prohibits the sale of alcohol on the premises which sells gasoline, oil or other automotive products.

- Removal of Section 3-3-8 Entertainment on Licensed Premises which requires all licensees seek approval from the Liquor Control Commissioner for all entertainment acts that will take place on the licensed property.

- Addition of Section 3-3-6-9 Sealing and Removal of Wine Bottles from a Restaurant

- Changes to Comprehensive Fee Schedule to realign liquor license application fees and classes. Fee amounts remain unchanged.

Recommendation:

Consideration and discussion of text amendments to Chapter 3 of Title 3, and Chapter 15 of Title 1 of the Lincolnshire Village Code to update the Village’s Liquor Control regulations, waiving first reading.

Reports and Documents Attached:

- Proposed Ordinance Amending Title 3 (Business and License Regulations), Chapter 3 (Liquor Control), and Title 1, Chapter 15 (Fee Schedule) of the Lincolnshire Village Code
 - Appendix A Draft Liquor Control Code – Proposed
 - Appendix B Draft Comprehensive Fee Schedule with track changes
- Current Title 3 Business & License Regulations, Chapter 3 Liquor Control

Draft Ordinance and Code Revisions, prepared by Village Attorney Simon and Staff.	
Meeting History	
Initial Referral to Village Board (COW):	April 22, 2019
Regular Village Board Meeting:	

ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 3 OF TITLE 3 – BUSINESS AND LICENSE REGULATIONS RELATED TO LIQUOR CONTROL AND CHAPTER 15 OF TITLE 1 – COMPREHENSIVE FEE SCHEDULE OF THE LINCOLNSHIRE VILLAGE CODE

WHEREAS, from time to time the Village reviews its codes and regulations of public ways and facilities to ensure they are up to date and regulate matters as intended by the Village; and

WHEREAS, the Village Staff recently undertook a review of the Lincolnshire Municipal Code for those purposes, and the Village Staff has recommended to the Mayor and Board of Trustees of the Village of Lincolnshire that it adopt revised regulations governing Liquor Control; and

WHEREAS, the recommended revisions to the Lincolnshire Municipal Code regulations governing Liquor Control also require an update to the Fee Schedule relating to the establishment Liquor Licenses fees; and

WHEREAS, the Mayor and Board of Trustees have reviewed and considered the recommendations of the Village Staff and have considered all the facts and circumstances related to the proposed Municipal Code amendments;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF LINCOLNSHIRE, LAKE COUNTY, ILLINOIS, ACTING IN THE EXERCISE OF THEIR HOME RULE POWERS:

SECTION ONE: The foregoing recitals are incorporated into this Ordinance as findings of the Mayor and Board of Trustees.

SECTION TWO: Section 3-3 of the Village Code of the Village of Lincolnshire, under the title “Liquor Control”, shall be revised as follows in Appendix A [added text underlined; deleted text ~~struck through~~].

SECTION THREE: Section 1-15 of the Village Code of the Village of Lincolnshire, under the title “Comprehensive Fee Schedule”, shall be revised as follows in Appendix B [added text underlined; deleted text ~~struck through~~].

SECTION FOUR: That this Ordinance shall be in full force and effect from and after its adoption, approval and publication in pamphlet form.

PASSED this ____ of _____, 2019 by the Corporate Authorities of the Village of Lincolnshire on a roll call vote as follows:

AYES:

NAYS:

ABSENT:

Elizabeth J. Brandt
Mayor

ATTEST:

Barbara Mastandrea
Deputy Village Clerk

APPENDIX A

TITLE 3: Business and License Regulations

CHAPTER 3: Liquor Control

Sections:

- 3-3-1: Interpretation
- 3-3-1-1: Construction
- 3-3-1-2: Definitions

- 3-3-2: Classification of Licenses
- 3-3-2-1: Liquor License Classes
- 3-3-2-2: Liquor License Class Requirements
- 3-3-2-3: License Fees and Number

- 3-3-3: Administration
- 3-3-3-1: Liquor Commissioner
- 3-3-3-2: Powers of Liquor Commissioner
- 3-3-3-3: Inspections
- 3-3-3-4: Suspension and Revocation Procedures

- 3-3-4: License Requirements
- 3-3-4-1: License Required
- 3-3-4-2: Application for License
- 3-3-4-3: Ineligible Applicants
- 3-3-4-4: Dram Shop Insurance Requirements
- 3-3-4-5: Issuance of License
- 3-3-4-6: Renewal Privileges
- 3-3-4-7: Transfer of License
- 3-3-4-8: Change of Location, Upgrading of License, Sale of Business
- 3-3-4-9: Change of Personnel
- 3-3-4-10: Cessation of Business
- 3-3-4-11: Licensing of Premises for Which License is Revoked

- 3-3-5: Employee Requirements
- 3-3-5-1: Employment of Minors
- 3-3-5-2: Training

- 3-3-6: Restrictions and Conditions of License
- 3-3-6-1: Display of License
- 3-3-6-2: Books and Records Maintained
- 3-3-6-3: Hours of Sale
- 3-3-6-4: Location Restrictions
- 3-3-6-5: Clear View of Inside of Premises
- 3-3-6-6: Warning to Minors
- 3-3-6-7: Schedule of Prices of Alcoholic Drinks
- 3-3-6-8: Health and Sanitary Requirements

3-3-6-9: Sealing and Removal of Open Wine Bottles from a Restaurant

3-3-7: Prohibited Acts, Conditions

3-3-7-1: Sales to Unfit Persons

3-3-7-2: Minors

3-3-7-3: Misrepresentation of Alcoholic Beverages or Containers

3-3-7-4: Prohibited Entertainment

3-3-7-5: General Prohibitions

3-3-7-6: Acts of Agent or Employees

3-3-7-7: Permitted Happy Hours

3-3-8: Applicability and Penalty Provisions

3-3-1: INTERPRETATION

3-3-1-1: Construction

This Chapter shall be liberally construed to the end that the health, safety, and welfare of the people of Lincolnshire may thereby be protected, and, to the end that temperance in the consumption of alcoholic liquors may be encouraged and fostered by judicious and careful regulation and control of the sale and distribution of alcoholic liquors.

3-3-1-2: Definitions

All words and phrases used in this Chapter, which are defined in the Illinois Liquor Control Act Illinois Compiled Statutes, Chapter 235, entitled "An act relating to alcoholic liquors" enacted January 31, 1934, and in effect July 1, 1934, shall have the same meanings herein as they have in said Act, except for the following words and phrases which shall be defined as follows:

ALCOHOLIC LIQUOR

Includes alcohol, spirits, wine, beer, and every liquid or solid, patented or not, containing alcohol, spirits, wine, or beer and capable of being consumed as a beverage by a human being. The provisions of this Act shall not apply to alcohol used in the manufacture of the denatured alcohol produced in accordance with Acts of Congress and regulations promulgated thereunder, nor to any liquid or solid containing one-half of one percent, or less, of alcohol by volume. All alcoholic liquor must conform to the standards set forth in the Illinois Liquor Control Act.

BEER

A beverage obtained by the alcoholic fermentation of an infusion or concoction of barley, or other grain, malt, and hops in water, and includes, among other things, beer, ale, stout, lager beer, porter and the like.

CLUB

A corporation organized under the laws of this State, not for pecuniary profit, solely for the promotion of some common object other than the sale or consumption of alcoholic liquors,

kept, used and maintained by its members through the payment of annual dues, and owing, hiring or leasing a building or space in a building, of such extent and character as may be suitable and adequate for the reasonable and comfortable use and accommodation of its members and their guests and provided with suitable and adequate kitchen and dining room space and equipment and maintaining a sufficient number of servants and employees for cooking, preparing and serving food and meals for its members and their guests; provided, such club files with the local Liquor Commissioner at the time of its application for a license under this Chapter two (2) copies of a list of names and residences of its members, and similarly files within ten (10) days of the election of any additional member, his name and address; and, provided further, that its affairs and management are conducted by a board of directors, executive committee, or similar body chosen by the members of their annual meeting and that no member or any officer, agent or employee of the club is paid, or directly or indirectly receives, in the form of salary or other compensation any profits from the distribution or sale of alcoholic liquor to the club or the members of the club or its guests introduced by members beyond the amount of such salary as may be fixed and voted at any annual meeting by the members or by its board of directors or other governing body out of the general revenue of the club.

DINING AREA

The seating area where patrons or customers are to be seated at tables or a counter primarily for service of meals.

HOTEL or MOTEL

Every building or other structure kept, used maintained, advertised, and held out to the public to be a place where sleeping accommodations are offered for pay to travelers and guests, whether transient, permanent, or residential, in which twenty-five (25) or more rooms are used for sleeping accommodations of such guests where alcoholic liquor may be served and/or stored in separate liquor service or lounge areas which are adjacent to food service areas, where live entertainment may be provide in connection with said service or meals and/or alcoholic liquor. The sleeping accommodations, dining rooms and liquor service area shall be in the same building or buildings, and such building or buildings, structure or structures shall be provided with adequate and sanitary dining room and kitchen equipment and capacity.

LEGAL AGE

The minimum age designated by law of a person to whom it is lawful to sell, give, or deliver and/or possess particular type of alcoholic liquor.

LICENSEE	Any person, firm, corporation, partnership, or club holding a license under the provisions of this Chapter.
LOUNGE AREA	The seating or standing area where patrons or customers are to be served primarily alcoholic liquor.
ORIGINAL PACKAGE	Any receptacle or container, whatsoever, used, corked or capped, sealed and labeled by the manufacturer of alcoholic liquor, to contain and to convey any alcoholic liquor.
PATRON BAR	The bar area where patrons or customers will be seated on stools or standing immediately adjacent to the bar primarily for the service of alcoholic liquor.
RESTAURANT	Any public place kept, used, maintained, advertised, and held out to the public as a place where meals are served, without sleeping accommodations, such space being provided with adequate and sanitary kitchen and dining room equipment and capacity and having employed therein a sufficient number and kind of employees to prepare, cook, and serve suitable food for its guests.
SALE	Any transfer, exchange, or barter in any manner, or by any means whatsoever including the transfer of alcoholic liquors by and through the transfer or negotiation of warehouse receipts or certificates, and includes and means all sales made by any person, whether principal, proprietor, agent, servant, or employee. The term "sale" includes any transfer of alcoholic liquor from a foreign importer's license to an importing distributor's license even if both licenses are held by the same person.
SELL AT RETAIL and SALE AT RETAIL	Refer to and mean sales for use or consumption and not for resale in any form. (Ord. 86-868-05)
SERVICE BAR	A fixed facility or area where alcoholic beverages and supplies are stored and displayed solely for the licensee's employees to mix and serve alcoholic beverages to patrons seated or standing in a lounge or dining area. (Ord. 87-946-32)
TO SELL	Includes to keep or expose for sale and to keep with intent to sell.
VILLAGE	As used in this Chapter shall be taken to mean and include all territory within the geographical limits of the Village of Lincolnshire, State of Illinois which is presently incorporated in the Village of Lincolnshire, and that territory which may from

time to time be annexed to the Village of Lincolnshire.

WINE

Any alcoholic beverage obtained by the fermentation of the nature contents of fruits, or vegetables, containing sugar, including such beverages when fortified by the addition of alcohol or spirits as above defined. (Ord. 86-868-05)

3-3-2: Classification of Licenses:**3-3-2-1: Liquor License Classes**

Retail liquor licenses shall be divided into the following classes:

- Class A (Not-for-profit clubs and organizations)
Issued only to such civic, benevolent, fraternal, patriotic, social, recreational, or other organizations that qualify as a not-for-profit corporation under the General Corporations Not-for-Profit Act of the State of Illinois, and shall permit the sale of alcoholic liquor by the drink only and for consumption on the premises only; (Ord. 86-868-05)
- Class B (Restaurant – full liquor)
Issued to authorize the sale of alcoholic liquor in conjunction with the sale of food and service of food, for consumption on the premises only
- Class C (Restaurant – beer and wine only)
Issued to authorize the sale of beer and wine only in conjunction with the sale of food only. No bar shall be permitted.
- Class D (Hotel-motel)
Issued to authorize the sale, consumption, or delivery of alcoholic beverages to patrons, of a hotel or motel defined as and consisting of: guests, overnight guests, invitees of those guests and invitees of the hotel or motel, so long as those patrons are using the dining, banquet or conference facilities of the hotel or motel in conjunction with the offering, service or sale of food. Issued to authorize the sale of alcoholic liquor for consumption on the premises by hotel patrons or within common areas of the hotel designated for consumption of food/beverages, or for “room service”.
- Class E (Bar or lounge – hotel/motel only)
Issued to authorize the sale of alcoholic liquor at a bar or lounge located in a hotel or motel only.
- Class F (Golf courses and private clubs for profit)
Issued to authorize the sale of alcoholic liquor at golf courses at the club house or from carts on the course. Issued to authorize the sale of alcoholic liquor at private clubs to members and guests of the members only.
- Class G (One day license)

Issued for twenty-four (24) hours, and shall only permit the sale of alcoholic liquor by the drink and for consumption on the premises. (Ord. 86-868-05)

All applications for a one-day Class G liquor license must be submitted at least fifteen (15) days prior to the date of issuance of such license. No person, firm, corporation, partnership, club, or association shall be entitled to the issuance of more than three (3) one-day Class G liquor licenses within a period of twelve (12) months. No more than six (6) one-day Class G liquor licenses shall be issued within a period of twelve (12) months for the same location or premises. (Ord. 88-1016-48)

Class H (Package liquor)
Issued to authorize the sale of alcoholic liquor only in the original package and only for consumption off the premises.

Class I (Package beer and wine only)
Issued to authorize the retail sale of beer and wine only, in their original packages only, and only for consumption off the premises.

Class J (Catering)
Issued to authorize license holders operating within the village limits to cater food and alcoholic beverages off site. "Off Site" catering means the preparation of food at one location for service at another.

Class K (Brew Pub – full liquor)
Issued to authorize the licensee to manufacture beer only on the premises specified in the license, to make sales of the beer manufactured on the premises to importing distributors, distributors, and to non-licensees for use and consumption, to store the beer upon the premises, and to sell and offer for sale at retail.

Issued to authorize the sale of alcoholic liquor in conjunction with the sale of food only.

Class L (Salon/Day Spas)
Issued to authorize the retail sale of alcoholic liquor, for consumption on the specified premises, as a secondary and accessory use to a principal salon/day spa business, as such business is defined in Title 6 of the Village Code.

Customers and patrons shall: (a) not be served alcoholic beverages except for the period of time during which the customer receives salon/day spa services from the license holder; and (b) not be served more than three (3) alcoholic beverages during such period of time.

No live entertainment of any nature shall be permitted on the specified premises.

No sign or any other external indicia shall be permitted on the specified premises or surrounding property that indicates that alcoholic liquor is available for retail sale at the specified premises.

Hours for the sale and/or consumption of alcoholic liquor shall be in accordance with section 3-3-3-1 of the Code, but in no case shall the sale or consumption of alcoholic liquor take place outside the normal business hours of the salon/day spa. (Ord. 14-3311-37)

Class M

(Movie Theaters)

Issued to authorize the retail sale of alcoholic liquor, for consumption on the licensed premises as a secondary and accessory use to a principal movie theater business.

Service of alcoholic beverages shall be limited to a designated lobby bar area.

Service of alcoholic beverages may be made only to persons purchasing a movie ticket and wearing a tamper-resistant wristband approved by the Village. The wristband shall be valid only for the date on which it is obtained from the movie theater. A wristband may only be issued by theater personnel who meet the requirements of Section 3-3-6 of this Chapter.

Alcoholic beverages may be consumed in the movie theater auditoriums, but may not be delivered or served in any movie theater auditorium.

The containers in which alcoholic beverages are served must be of a different color, size, and design than those in which non-alcoholic beverages are served.

No more than one alcoholic beverage may be delivered to a customer in any one trip to the bar, and no customer shall be served more than three (3) alcoholic beverages on any day. The number of alcoholic beverages served to a customer each day shall be recorded on that customer's wristband.

There may be no service of alcoholic beverages unless the movie theater is actually open for the showing of movies. Under no circumstances may alcoholic beverages be served more than one hour prior to the advertised showing time of the first movie to be shown on any day, except for private rentals and events. (Ord. 14-3336-63)

Class N

(Banquets)

Issued to authorize the retail sale of alcoholic liquor for consumption on the licensed premises only in connection with a private function, in association with a rental or 3rd party contract, not open to the general public.

All new liquor licenses issued and all liquor licenses renewed after the effective date of this amendment shall be in compliance with the above classes and shall accurately reflect the nature of the licensee's actual business. (Ord. 86-868-05)

The number of licenses authorized herein for each class shall remain at the number set forth in this Chapter; provided, however, that any license in said classes which is forfeited, revoked, or not issued shall automatically reduce the number of authorized licenses of the particular class by

the total number of forfeited, revoked, or non-issued licenses in the particular class. In addition, the local Liquor Commissioner shall notify in writing the Village Clerk and Board of Trustees of any revocation or non-issuance of any authorized license within ten (10) days of such occurrence. (Ord. 86-868-05; Ord. 89-1069-36; Ord. 89-1107-74; Ord. 15-3363-90)

3-3-2-2: Liquor License Class Requirements:

Restaurant Requirements

The total square footage of the patron bar(s)/service bar(s), measured corner to corner, must be no greater than fifteen percent (15%) of the total square footage of the dining area(s).

The total seating at the patron bar(s) must be less than fifteen percent (15%) of the total seating in the dining area(s).

The total seating in the lounge area(s) must be less than thirty-three percent (33%) of the seating in the dining area(s).

The total square footage of the lounge area(s) (not including the total square footage of the patron bar(s)/service bar(s)) must be less than thirty-three percent (33%) of the total square footage of the patron bar(s)/lounge area(s) and dining area(s) combined.

Hotel/Motel Restaurant Requirements

The total square footage of the patron bar(s)/service bar(s), measured corner to corner, must be less than ten percent (10%) of the total square footage of the dining area(s).

The total seating in the patron bar(s) must be less than ten percent (10%) of the total seating in the dining area(s).

The total square footage of the lounge area(s), not including the square footage of the patron bar(s)/service bar(s), must be less than thirty-three percent (33%) of the total square footage of the patron bar(s)//lounge area(s) combined.

Hotel/Motel Bar or Lounge Requirements

The total square footage of the patron bar(s)/service bar(s), measured corner to corner, may not exceed twenty percent (20%) of the total square footage of the patron bar(s)/service bar(s) and lounge area(s) combined.

The seating at the patron bar (bar stools) may not exceed thirty-three percent (33%) of the total seating in the lounge area(s). (Ord. 87-946-32)

Brew Pub Requirements

The total square footage of the patron bar(s)/service bar(s), measured corner to corner, must be no greater than fifteen percent (15%) of the total square footage of the dining area(s).

The total seating at the patron bar(s) must be less than fifteen percent (15%) of the total seating in the dining area(s).

The total seating in the lounge area(s) must be less than fifty percent (50%) of the seating in the dining area(s). The total square footage of the lounge area(s) (not including the total square footage of the patron bar(s)/service bar(s)) must be less than thirty-three percent (33%) of the total square footage of the patron bar(s)/service bar(s) lounge area(s) and dining area(s) combined. (Ord. 96-1423-07)

3-3-2-3: License Fees and Number:

The number of liquor licenses authorized to be issued in the Village shall be limited to the number below. No new or additional liquor licenses may be issued in the Village unless and until the Mayor and Board of Trustees adopts an ordinance increasing the number of one or more of the following classes. Fees for each license may be found as established in the Comprehensive Fee Schedule set forth in Chapter 15 of Title 1 of this Code. (Ord. 88-1026-58, Ord. 98-1550-12)

Class	Description	Number of Liquor Licenses Authorized to be Issued in the Village of Lincolnshire
A	Not-for-profit clubs and organizations	1
B	Restaurant – full liquor	13
C	Restaurant – beer and wine only	0
D	Hotel/motel	4
E	Bar or lounge – hotel/motel only	2
F	Golf courses and private clubs for profit	2
G	One day license	Unlimited
H	Package liquor	2
I	Package beer and wine only	4
J	Catering	1
K	Brew pub – full liquor	1
L	Salon/Day Spas	1
M	Movie Theaters	1
N	Banquets	3

Ord. 86-880-17; Ord. 87-962-48; Ord. 89-1054-21; Ord. 89-1069-36; Ord. 89-1081-48; Ord. 89-1086-53; Ord. 89-1107-74; Ord. 89-1113-80; Ord. 94-1348-32, 08/08/94; Ord. 96-1423-07, 02/12/96; Ord. 96-1424-08, 02/12/96; Ord. 96-1425-09, 02/12/96; Ord. 96-1429-13, 03/11/96; Ord. 96-1458-42, 09/09/96; Ord. 98-1550-12, 04/13/96; Ord. 98-1604-66, 10/12/98; Ord. 00-1709-17, 05/08/00; Ord. 00-1742-50, 12/11/00; Ord. 01-1767-25, 06/11/01; Ord. 01-1784-42, 10/08/01; Ord. 01-1790-48, 12/10/01; Ord. 02-1792-02, 02/11/02; Ord. 02-1814-24, 08/12/02; Ord. 03-1836-13, 04/14/03, Ord. 03-1834-14, 04/14/03; Ord. 03-1845-22, 05/12/03; Ord. 03-1854-31, 07/14/03; Ord. 04-1915-31, 08/23/04; Ord. 05-1946-10, 02/14/05; Ord. 05-1949-13, 02/14/05; Ord. 05-1950-14, 02/28/05, Ord. 05-1951-15, 02/28/05; Ord. 05-1952-16, 02-28-05; Ord. 05-1961-25, 03/28/05; Ord. 05-1962-27, 04/11/05; Ord. 05-1966-30, 04/25/05; Ord. 05-1968-33, 05/23/05; Ord. 05-1975-

39, 06/13/05; Ord. 05/1991/55, 09/12/05; Ord. 05-2005-69, 11/14/05; Ord. 05-2006-70, 11/28/05; Ord. 06-2016-07; Ord. 06-2018-09, Ord. 06-2019-10, 02/27/06; Ord. 06-2033-25, 05/08/06; Ord. 06-2045-37, 07/10/06; Ord. 06-2962-54, 11/13/06; Ord. 06-2965-57, 11/27/06; Ord. 07-2975-03, 02/20/07; Ord. 07-3003-31, 09/24/07; Ord. 08/3027/10, 02/25/08; Ord. 08-3055-38; Ord. 08-3056-39, 08/25/08; Ord. 10-3129-06, 03/08/10; Ord. 10-3169-46, 11/08/10; Ord. 11-3179-01, 01/10/11; Ord. 11-3211-33, 08/29/11; Ord. 12-3234-04, 01-23-12; Ord. 12-3247-17, 05/29/12; Ord. 13-3287-13, 05/13/13; Ord. 13-3289-15, 08/28/13; Ord. 14-3315-41, 02-24-14; Ord. 14-3324-50, 03/10/14; Ord. 14-3330-57, 06-23-14; Ord. 15-3348-75, 01/25/16; Ord. 15-3349-76, 01/26/15; Ord. 15-3363-90, 04/27/15, Ord. 15-3367-94, 05/11/15; Ord. 15-3368-95, 05/26/15; Ord. 15-3371-98, 07/13/15; Ord. 15-3380-107, 11/23/15; Ord. 16-3397-124, 02/22/16, Ord. 16-3410-137, 07/25/2016; Ord. 16-3413-140, 08/22/2016; Ord. 17-3429-157, 01/09/2017; Ord. 17-3433-161 & 17-3434-162, 02/27/2017; Ord. 17-3740-168, 03/20/17; Ord. 17-3741-169, 04/12/17; Ord. 18-3779-207, 08/06/18; Ord. 18-3791-221, 11/26/18

3-3-3: ADMINISTRATION:

3-3-3-1: Liquor Commissioner:

The Mayor of the Village shall be the Liquor Commissioner and shall be charged with the administration of the appropriate provisions of this Chapter and other ordinances of the Village relating to alcoholic liquors.

3-3-3-2: Powers of Liquor Commissioner:

The Mayor, as local Liquor Commissioner, shall be charged with the administration within the Village of the appropriate provisions of this Chapter, of such ordinances and resolutions relating to alcoholic liquor as may be enacted by the Village Board from time to time, and of such other legislation, including applicable administrative regulations and State or Federal laws which may become applicable within the village with respect to the sale of alcoholic liquor.

The Mayor may appoint one or more persons to assist in the exercise of the powers and the performance of Liquor Commissioner duties. The Liquor Commissioner shall also have the following powers, functions and duties with respect to the licenses granted hereunder:

- A. To grant and/or suspend for not more than thirty (30) days, or revoke for cause, all licenses issued under this Chapter in the manner and under the procedures provided hereinafter. (Ord. 74-348-24)

In lieu of suspension or revocations, the Liquor Commissioner may instead levy a fine set forth in the Comprehensive Fine Schedule of the Code described in 17-1 on the licensee for such violations. The proceeds from such fines shall be paid into the general corporate fund of the Municipal Treasury. (Ord. 86-868-05; Ord. 10-3131-08, 03/22/10)

- B. To enter or to authorize any law enforcing officer to enter at any time upon any premises licensed under this Chapter in order to determine whether any of the provisions of State or Federal laws or of this Chapter or other ordinances or codes of the Village or any rules or regulations adopted by the Liquor Commissioner or the State Commission have been or are being violated and at such time to

examine said premises of said licensee in connection therewith.

- C. To receive complaints from any citizen within the Village that any of the provisions of State or Federal laws or of this Chapter or other codes or ordinances of the Village or any rules or regulations adopted in connection with the control of the sale of alcoholic liquors have been or are being violated and to act upon such complaints in the manner provided below.
- D. If the Liquor Commissioner has reason to believe that any continued operation of a particular licensed premises will immediately threaten the welfare of the community, the Liquor Commissioner may, upon issuance of a written order stating the reason for such conclusion and without notice or hearing, order the licensed premises closed for not more than seven (7) days, giving the licensee an opportunity to be heard during that period, except that if such licensee shall also be engaged in the conduct of another business or businesses on the licensed premises such order shall not be applicable to such other business or businesses.
- E. To deny any application for the issuance or renewal of a license to an applicant he has determined to be ineligible therefore. (Ord. 74-348-24)
- F. To require that all licensed premises be maintained and operated in a sanitary condition, and in compliance with all applicable rules or regulations of the Health Department of the County of Lake, State of Illinois, and in compliance with all building and zoning regulations of the Village.
- G. To require that any licensee secure and file with his office a certificate of approval showing compliance with all applicable rules or regulations of the Health Department of the county of Lake, State of Illinois, and a certificate of approval from the Community Development Department of the Village, showing compliance with all applicable rules and regulations of the Community Development Department of the Village.
- H. To serve notice of hearing upon any licensee to consider suspension or revocation of a license under circumstances which involve repeated reports of law enforcement officers of violations of the law upon the premises (real estate) adjacent to, and surrounding the structure in which alcoholic liquors are served pursuant to a license issued in compliance with this Chapter and where said violations are in relation to the use of offensive language, loud music, affrays, assaults, or other breaches of the peace amounting to nuisance.
- I. The Liquor Commissioner shall have the right hereunder to examine, or cause to be examined, under oath, any applicant for a license, or for a renewal thereof, or, any licensee upon whom a notice of revocation or suspension has been served, and, to examine or cause to be examined, the books and records of any such applicant or licensee. The Liquor Commissioner, in conducting such examination, may hear testimony and receive proof for his information in the performance of his duties, and in connection with such examination may issue subpoenas which shall be effective in any part of the State. In conducting such examinations, the Liquor

Commissioner may authorize a designee.

- J. The Liquor Commissioner of the Village shall recommend to the Board of Trustees such further regulations and restrictions regarding the issuance of, and operations under local licenses, not inconsistent with law, as the public good and convenience may require. (Ord. 86-868-05)

3-3-3-3: Inspections:

It shall be the duty of the Liquor Commissioner or an authorized agent(s) to inspect and examine the premises wherein retail liquor business is carried on, for the purpose of ascertaining whether or not all codes, ordinances and regulations of the Village or other governmental bodies having jurisdiction thereof, relative to the carrying on of such business are being complied with at such premises. It shall be the duty of every such person licensed under the provisions of this Chapter to permit such inspection to be made and to exhibit the premises to such persons making such inspection and failure to so permit shall be sufficient cause to revoke or suspend the license for any such person.

3-3-3-4: Suspension and Revocation Procedures:

The Liquor Commissioner shall have the right to proceed by citation and notice of hearing to require any licensee under this Chapter to appear at a time and place specified in said notice to show cause why the license issued under this Chapter to said licensee by the Liquor Commissioner should not be suspended or revoked for violations of the provisions of this Chapter, rules or regulations adopted pursuant hereto or other applicable law.

- A. All such original proceedings shall be instituted by complaint in writing, shall state the particular provision, rule or regulation alleged to be violated and the facts in detail upon which such allegation is based and shall be signed by the Liquor Commissioner.
- B. The licensee against whom complaint has been filed shall be entitled to be served with a copy of the complaint or citation and shall be given notice of the time and place set for the hearing of said complaint. (Ord. 74-348-24)
- C. Said citation and notice of hearing shall be served on the licensee named therein pursuant to and in accordance with the provisions of Illinois Compiled Statutes, Chapter 235, § 5/1. (Ord. 86-868-05)
- D. Said licensee named in said citation and notice of hearing shall appear at the time and place designated in said citation and notice of hearing and at such hearing shall have all protections and rights allowed under law from time to time

Different or additional procedures from those provided by this Section may be established from time to time governing citations and hearings provided for herein upon being instituted by the Liquor Commissioner, or the corporate authorities of the Village, and approved by the corporate authorities of the Village. (Ord. 74-348-24)

3-3-4: LICENSE REQUIREMENTS:**3-3-4-1: License Required:**

- A. It shall be unlawful to sell, manufacture, bottle, blend, possess on the premises, or offer for sale in the Village any alcoholic liquor without having obtained a retail liquor license, or in violation of the terms of such license.
- B. It shall be unlawful for any person licensed to sell liquor under any license issued by the Liquor Commissioner to sell, give away, or otherwise dispose of alcoholic liquor at any place other than the place specifically described in the license obtained by the establishment.
- C. It shall be unlawful for patrons of licensed restaurants, patron bars, or lounges to bring upon such licensed premises alcoholic beverages to be served or consumed by said patrons.

3-3-4-2: Applications for License:

- A. Applications for such licenses shall be made to the Liquor Commissioner in writing and completed in its entirety (including any other requested documents) under oath, and signed by the applicant. If said application is made on behalf of a club or corporation, then the same shall be signed by a duly authorized agent; if made on behalf of a partnership, then the same shall be signed by the persons entitled to share in the profits thereof
- B. All liquor license applications and applicants applying for liquor licenses in the Village of Lincolnshire will demonstrate and comply with the requirements outlined in the Liquor Contract Act of 1934 under section 235 ILCS 5/6-2 titled, "Issuance of license to certain persons prohibited."
- C. Any misrepresentation, omission or false statement on an application for a liquor license, or in regard to any information requested during the application process, shall constitute grounds for the denial of a liquor license or rejection of the application. If such misrepresentation, omission or false statement, as mentioned above, is discovered after a liquor license has been granted, said misrepresentation, omission or false statement shall constitute grounds for the revocation of said liquor license. (1984 Code)
- D. Before any action is taken upon any initial application as provided in this Chapter, the applicant shall pay to the Village the sum as established in the Comprehensive Fee Schedule set forth in Chapter 15 of Title 1 of this Code, no part of which shall be refundable, to cover the Village's costs in reviewing and investigating such applicant. Provided, however, that in the event the new license is created by the Board of Trustees and the Liquor Commissioner grants the applicant a license the initial application fee, as established in the Comprehensive Fee Schedule set forth in Chapter 15 of Title 1 of this Code shall be credited toward said license fee.

- E. The applicant for a liquor license under the provisions of this Chapter must pay the balance of the license fee for such license within fourteen (14) days from the adoption of the ordinance creating the appropriate license and authorizing its issuance to the applicant. In the event any applicant fails to pay the license fee within said fourteen (14) day period, such license shall be forfeited and the number of authorized licenses of the particular class involved is automatically reduced by one.
- F. Each such license shall terminate on April 30 next following its issuance date, and renewals thereof shall be paid on or before May 1 of each ensuing year.
1. The fee to be paid shall be reduced by half for the cost of the initial license only for licenses issued during the period November 1 to April 30. The fee for any additional licenses issued to the same premises shall be the entire amount as established in the Comprehensive Fee Schedule set forth in Chapter 15 of Title 1 of this Code.
 2. Nothing herein shall be construed to permit the payment of only a single license fee (including additional amounts for separate bars) and the granting of a single license for any building or buildings under a single ownership where the real parties seeking the permission to sell alcoholic liquors are separate corporate entities who are not parents, subsidiaries, or affiliates of the owner of such building or buildings. (Ord. 86-8880-17; Ord. 98-1550-12, 04/13/98)
- G. No person shall be allowed to file an application for the issuance of a new liquor license more than once during any twelve (12) month period. (Ord. 86-868-05)

3-3-4-3: Ineligible Applicants:

No license shall be issued to persons who do not meet the requirements set forth in the Illinois Compiled Statutes Chapter 235, Section 5/6-2 titled, "Issuance of licenses to certain persons prohibited."

3-3-4-4: Dram Shop Insurance Requirements:

No license shall be granted to any applicant until such applicant furnishes evidence satisfactory to the Liquor Commissioner that the applicant maintains dram shop insurance which complies with this Chapter. This includes a copy of the policy or policies that such applicant is covered by a policy of dram shop insurance written by a responsible insurance company authorized and licensed to do business in the State of Illinois insuring such applicant against liability for any injury or death or loss of support which such applicant may incur under the provisions of Chapter 235, § 5/6-21, of the Illinois Compiled Statutes. Said limits for insurance coverage are subject to change whenever the maximum liability provisions in the aforementioned Chapter 235 of the Illinois Compiled Statutes are changed, it being required that insurance coverage be maintained in the same amount as the maximum liability stated in said Chapter 235. (Ord. 98-1549-11)

3-3-4-5: Issuance of License:

All applications for licenses shall be kept on file in the office of the Liquor Commissioner, and fees for all licenses shall be paid to the Village Clerk or designee who shall certify to the Liquor Commissioner the names and addresses of all licensees paying fees to him together with the class of license for which payment is made and thereupon said Liquor Commissioner shall issue the license provided for in this Chapter to all applicants who have complied with all the requirements of this Chapter.

Provided, however, no license shall be issued to any person ineligible to receive the same under the laws of the State of Illinois or the provisions of this Chapter, as from time to time amended. (Ord. 74-348-24)

3-3-4-6: Renewal Privileges:

Any licensee may renew a license at the expiration thereof provided the licensee is qualified to receive a license, and the business, club, or organization is in good standing at the time of renewal, and the premises for which such renewal license is sought are suitable for such purpose. The renewal privilege herein provided for shall not be construed as a vested right which shall in any case prevent the Board of Trustees from increasing or decreasing the number of licenses to be issued within the Village.

3-3-4-7: Transfer and License:

- A. A retail liquor license shall be a purely personal privilege, good for a period not to exceed one year after issuance (unless sooner forfeited, revoked, or terminated as herein provided) and shall not constitute property; nor shall it be subject to attachment, garnishment or execution; nor shall it be alienable or transferable, voluntarily or involuntarily or subject to being encumbered or hypothecated.
- B. Such license shall cease and terminate upon the death of the licensee, and shall not descend by the laws of the state of intestate succession. However the executor or administrator of the estate of any deceased licensee, and the trustee of any insolvent or bankrupt licensee, when such estate consists in part of alcoholic liquor under the order of a court of competent jurisdiction, may exercise the privileges of the deceased or insolvent or bankrupt licensee after the death of such descendant, or such insolvency or bankruptcy, until the expiration of such license, but in no event for a period longer than six months after the death, bankruptcy or insolvency of such licensee. The executor or administrator of the estate or a business representative of any deceased owner, partner or shareholder owning five percent or more of a licensed business shall immediately notify in writing the liquor and license commission of such death, and indicate what changes in ownership and/or management will result from the death.
- C. When the licensee is a corporation, the license shall terminate whenever fifty percent (50%) or more of the ownership interest therein changes from that shown on the original license application. In such event, the corporation, through its officers, must make application for the issuance of a new license as provided herein. Provided, however, that the provisions of this subsection D shall not apply where the transfer of an ownership interest is made to an owner shown on the original license application who owned fifty percent (50%) or more of the ownership interest of such corporation at the time the original license application was filed

with the Village.

- D. When the licensee is a partnership or corporation, no change in ownership from that shown on the original application involving the withdrawal of any partner or shareholder owning in the aggregate more than five percent (5%) of the stock of such corporation shall be made without reporting such change in ownership in writing to the local Liquor Commissioner within ten (10) days of any such change in ownership. Any such change in ownership made without complying with the terms hereof shall constitute grounds for suspension of the liquor license issued to such partnership or corporation. (Ord. 86-868-05)

3-3-4-8: Change of Location, Upgrading of License, Sale of Business:

- A. A retail liquor dealer's license shall permit the sale of alcoholic liquor only in the premises described in the application and license. Such location may be changed at no additional fee provided a written request is completed, there is no change in ownership, and the request is approved by the Board of Trustees.
- B. A licensee, where no change in ownership is involved, may apply for an upgrade of his liquor license and, if approved by the Board of Trustees, shall pay to the Village the difference between the new license and the fee for the initial license. If the change in liquor license classification results in a lower fee, the licensee shall not be entitled to a refund of the difference.
- C. When a licensee is selling or has sold the premises for which the license was issued, and the buyer applies for a liquor license from the Village, if the Mayor and Board of Trustees find that said application conforms to the requirements of local and State law, they may authorize the reissuance of the current license to such buyer, upon the buyer's payment to the Village as established in the Comprehensive Fee Schedule set forth in Chapter 15 of Title 1 of this Code.

3-3-4-9: Change in Personnel:

- A. Any changes in partnerships, officers, directors, persons holding directly or beneficially more than five percent (5%) of the stock or ownership interest, or managers of establishments licensed under this Chapter, shall be reported in writing to the Liquor Commissioner within ten (10) days of the change. A change in on-site manager requires completion of a new manager/agent form, and that person must also submit to a fingerprint background check. All new personnel shall meet all the standards of this Chapter and must otherwise qualify to hold a liquor license. All such changes in personnel shall be subject to review by the Liquor Commissioner.
- B. When a license has been issued to a partnership and a change of ownership occurs resulting in a partnership interest by one who is not eligible to hold a liquor license, said license shall terminate.
- C. When a license has been issued to a corporation and a change takes place in officers, directors, shareholders of more than five percent (5%) of the stock or

managers resulting in the holding of office or such shares of stock by one who is not eligible for a license, said license shall terminate.

- D. When a license has been issued to an individual, who becomes or is no longer eligible for a license, said license shall terminate.

3-3-4-10: Cessation of Business:

Any licensee who ceases to do business or closes his place of business for a period of more than thirty (30) successive days shall be subject to having his license declared forfeited and lapsed by order of the Liquor Commissioner. If any licensee desires to close the business or place of business for more than thirty (30) successive days, he shall so notify the Liquor Commissioner in writing, including the reasons therefor and requesting an extension, and the Liquor Commissioner may grant such an extension on a showing of good cause. (Ord. 74-348-24)

3-3-4-11: Licensing of Premises for which License is Revoked:

When any license hereunder shall have been revoked for any cause at the discretion of the Liquor Commissioner, no license shall be granted to any person for the period of one year thereafter for the conduct of the sale of alcoholic liquor in the premises in such revoked license. (Ord. 74-348-24)

3-3-5: EMPLOYEE REQUIREMENTS:

3-3-5-1: Employment of Minors:

- A. It shall be unlawful for any licensee, manager, or agent to employ any persons under seventeen (17) years of age in the licensed premises where alcoholic beverages are drawn, poured, missed, served, or consumed; provided, however, the employment of minors between the age of fourteen (14) and seventeen (17) to perform bus-boy, wait staff and kitchen duties, not otherwise prohibited, when in connection with the service of meals at any private club, fraternal organization or veteran's organization shall be permitted.
- B. It shall be unlawful to employ any persons under the age of twenty-one (21) years for the purpose of drawing, pouring, or mixing any alcoholic liquor. However, a person less than twenty-one (21) years of age, but at least eighteen (18) years of age, may be employed as a waiter or waitress and may serve or deliver alcoholic liquor when in the presence of or under the direct supervision and control of the owner or manager/agent who is of at least twenty-one (21) years of age. Class H and I license holders must employ a person twenty-one (21) years of age or older for the purpose of selling package liquor. (Ord. 05-2005-69)

3-3-5-2: Training:

- A. A licensee must only employ persons for the purpose of selling, serving, drawing, pouring or mixing any alcoholic liquor, or checking evidence of age for the purchase of alcoholic beverages, who have completed a state-certified beverage

alcohol sellers and servers education and training (BASSET) program within 90 days of commencing employment.

- B. Prior to completing a BASSET program, all new employees shall work under the supervision of an employee who has completed the BASSET program.
- C. The original or renewal license application shall be accompanied with proof of completion of BASSET training for the manager of the licensee.
- D. The licensee shall be required to maintain records demonstrating proof of completion of BASSET training for each applicable employee for the term of their employment and a period of one year thereafter, in a manner that will allow inspection, upon demand, by any authorized representative of both state and local liquor control authorities.
- E. It shall be unlawful for any employee of a licensee, to sell, serve, draw, pour or mix any alcoholic liquor, or check evidence of age for the purchase of alcoholic beverages, unless such employee either has completed the BASSET program or is working under the supervision of an employee who has completed the BASSET program.
- F. A BASSET program must comply with and be no less comprehensive than the requirements outlined in 77 Ill. Adm. Code 3500. (Ord. 15-3363-90, Amd. Ord. 16-3405-132, eff. 07/01/2016)

3-3-6: RESTRICTIONS AND CONDITIONS OF LICENSE:

3-3-6-1: Display of License:

Every licensee shall cause his Village liquor license and State of Illinois liquor license to be displayed in a prominent place in the licensed premises where it may be viewed by the general public. In the event that the licensee shall hold more than one liquor license issued to his business, the State license shall be displayed adjacent to the primary liquor license issued to each Village licensed liquor establishment.

3-3-6-2: Books and Records Maintained:

It shall be the duty of all licensees hereunder to keep books and records of the licensed business at the licensed premises at all times for the purpose of investigation and control.

- A. For such licensees who are maintaining records on the cash basis, the following books and records shall be kept at the licensed premises at all times:
 - 1. A record of cash receipts from all sources. This record must be kept in accordance with the rules and procedural requirements of the Illinois Department of Revenue.

2. A record of all cash disbursements for payment of merchandise purchases. This record must be documented by paid invoices or receipts.
 3. A record of all cash disbursements for operating expenses (including rent, salaries, light, power and heat, payroll, and other taxes) and all other expenses. This record shall show to whom payment was made and for what purpose.
 4. Monthly or quarterly statements must be available for inspection disclosing cash receipts, cash disbursements for merchandise purchases and cash disbursements for operating expenses, and all other expenses, which will reflect the licensee's gross profit, net profit or net loss, and the person or persons sharing directly or indirectly in the said net profit or loss. Where physical inventories are not taken quarterly, it will be permissible to determine gross profit on the basis of deducting purchases from sales.
 5. A record must also be maintained of cash on hand and cash in the bank. Bank statement and canceled checks must also be on file.
- B. For such licensees who maintain records on an accrual basis, their method of record keeping must be one conforming to the rules and regulations of the Illinois Department of Revenue. The records of such licensees shall be documented in the same manner as those of licensees on a cash basis, and, in addition, they shall maintain records supporting entries made for accruals of income and expenses. (Ord. 74-348-24)

3-3-6-3: Hours of Sale:

Except as hereinafter provided, no alcoholic liquor shall be sold, given away or offered for sale or consumed on the licensed premises: (Ord. 13-3294-20, 07/22/13)

- A. No person shall sell or offer for sale alcoholic liquor in the original package for consumption off the premises between the hours of one o'clock (1:00) A.M. and seven o'clock (7:00) A.M. on each day of the week.
- B. No person shall sell or offer for sale alcoholic liquor for consumption on the premises between the hours of two o'clock (2:00) A.M. and seven o'clock (7:00) A.M. on each day of the week.
- C. No person shall keep open for business or admit the public to any premises on which alcoholic liquor is sold at retail during the hours within which the sale of such alcoholic liquor is prohibited; provided, however, the establishment may be kept open during such hours but no alcoholic liquor may be sold to or consumed by the public or the membership during such hours.

3-3-6-4: Location Restrictions:

No license shall be issued for the sale at retail of any alcoholic liquor on any premises

- A. In violation of the zoning or building ordinances of this Village,
- B. Within one hundred feet (100') of any church, school other than an institution of higher learning, hospital, home for aged or indigent persons or for veterans, their spouses or children. Such proximity prohibition shall not apply to renewal of a license for the sale at retail of alcoholic liquor on premises within one hundred feet (100') of any church or school where such church or school has been established within such one hundred feet (100') since the issuance of the original license; nor the hotels offering restaurant service, regularly organized clubs, or to restaurants, food shops or other places where sale of alcoholic liquors is not the principal business carried on in such place of business. The distance of one hundred feet (100') shall be measured to the nearest part of any building used for worship services or educational programs and not to property boundaries, but in other cases it shall be measured property line to property line. The Liquor Commissioner may grant exemptions from the setback requirements as described in 235 ILCS 5/6-11 (a-5).

3-3-6-5: Clear View of Inside of Premises:

A clear view of the inside of the licensed premises shall be provided as follows:

- A. In premises in which the sale of alcoholic liquor for consumption on the premises is licensed, other than in restaurants, hotels, motels or clubs, no screen, blind, curtain, partition, article or thing shall be permitted in the windows or on the door of such licensed premises, nor inside such premises, which shall prevent a clear view into the interior of such licensed premises from street, road or sidewalk at all times, and no booth, screen, partition or other obstruction, nor any arrangement of lights or lighting shall be permitted in or about the interior of such premises which shall prevent a full view of the entire interior of such premises. The entire space used by the public must be so located that there shall be a full view of the entire interior of such premises, and the entire space used by the public must be so located that there shall be a full view of the same from the street, road or sidewalk.
- B. All rooms where alcoholic liquor is sold for consumption on the premises shall be continually lighted during business hours so that all parts of the interior of the premises shall be clearly visible.
- C. In case the view into any such licensed premises required by the foregoing provisions shall be willfully obscured by the licensee or by him willfully suffered to be obscured or obstructed, such license may be revoked in the manner herein provided.
- D. In order to enforce the provisions of this Section, the Liquor Commissioner shall have the right to require the filing with him of plans, drawings, and photographs showing the clearance of the view as above required.

3-3-6-6: Warning to Minors:

All liquor license holders shall display, at all times in a prominent place, a printed card obtained from the Illinois Liquor Control Commission, which shall read "Be prepared to show PROOF OF AGE." It is the responsibility of the entity to update the year on the printed card as necessary.

3-3-6-7: Schedule of Prices of Alcoholic Drinks:

All liquor license holders shall maintain a schedule of the prices that they charge for all alcoholic drinks to be served and consumed on the licensed premises. This schedule shall be current and made available upon demand by any duly authorized representative of the Village or by any patron. (89-1105-72)

3-3-6-8: HEALTH AND SANITARY REQUIREMENTS:

- A. It shall be the duty of every person licensed to carry on a business under the provisions of this Chapter to at all times keep the premises, where such business is carried on, clean and in proper sanitary conditions in full compliance with all applicable rules or regulations of the Health Department of the County of Lake, State of Illinois, and in full compliance with the Lincolnshire Village Code and the ordinances regulating the condition of premises used for the storage or sale of food for human consumption, and it shall be unlawful to do otherwise. (Ord. 86-868-05)
- B. In addition to the above, it shall be the duty of each licensee dispensing draught beer to have coils and other equipment used in drawing draught beer cleaned at least once every week in some manner or means, either chemical or mechanical. The use of steam or hot water alone is not permissible. A record shall be kept of the dates when the required cleaning was done. This record must be signed by the person who actually performed the work of cleaning. (Ord. 74-348-24)

3-3-6-9: Sealing and Removal of Open Wine Bottles from a Restaurant

At a patron's request, a licensee may seal a partially consumed bottle of wine in a transparent, one-time use, tamper-proof bag for removal from the licensee's premises.

3-3-7: PROHIBITED ACTS, CONDITIONS:

3-3-7-1: Sales to Unfit Persons:

No licensee, officer, associate, member, representative, agent, manager, or employee shall sell, give, or deliver alcoholic liquor to any person who is noticeably intoxicated or otherwise impaired or exhibiting disorderly behavior. Intoxicated, impaired, or disorderly persons shall not be allowed to congregate on the licensed premises after such condition is known to the person selling or serving alcohol.

3-3-7-2: Minors:

No licensee, officer, associate, member, representative, agent, manager, or employee shall sell, give, or deliver alcoholic liquor to any person under twenty-one (21) years of age.

3-3-7-3: Misrepresentation of Alcoholic Beverages or Containers:

It shall be unlawful for any person to sell or offer for sale, dispense, pour or mix, or have in his possession on such licensed premises:

- A. Any original package of alcoholic liquor which contains any kind or quality of alcoholic liquor other than that which has been sealed and labeled by the manufacturer of such alcoholic liquor.
- B. Any original package of alcoholic liquor to which there has been added any water or other substance.
- C. Any bottles, casks, or other containers containing alcoholic liquor which contains any deleterious, contaminated, filthy, putrid substance or insects.
- D. Any alcoholic liquor which is represented, by label or otherwise, to be of given brand name when same is not of such brand.
- E. Any alcoholic liquor which is represented to be of certain ingredients when it does not in fact contain all such ingredients in the quantities represented.
- F. All glasses or other receptacles used for the selling, dispensing, pouring, or mixing of alcoholic drinks for consumption on the premises shall be of at least one ounce in capacity, and the same must indicate clearly by a line or otherwise the point at which such one ounce is reached or determined. (Ord. 74-348-24)

3-3-7-4: Prohibited Entertainment:

It shall be unlawful to permit the following conduct on licensed premises:

- A. Performances of:
 - a. Acts or simulated acts of sexual intercourse or otherwise sexual in nature.
 - b. The actual or simulated touching, caressing or fondling of the breasts, buttocks, or genitals.
 - c. The actual or simulated display of the breasts, buttocks, or genitals.
- B. Permitting any person to remain upon licensed premises who exposes to public view any portion of his or her breasts, buttocks, or genitals.
- C. It is unlawful for any licensee to conduct or to permit on the licensed premises any lingerie or fashion show or exhibit of any contest, show, or exhibit involving the removal, alteration, or wetting of any clothing.
- D. Gambling shall be prohibited except by a local not-for-profit organization holding a valid state gambling license for special events upon the approval of the Liquor Commissioner.
- E. It is unlawful for any licensee to conduct or to permit on the licensed premises any contest, exhibition, demonstration, competition, activity, or amusement that poses a threat to the health or safety of the participants or any other person, including without limitation, wrestling or boxing matches, arm wrestling, throwing, rolling, or

otherwise propelling objects or any person, activities involving animals, and activities involving running, jumping, or leaping.

Movie theaters holding a liquor license shall be allowed to show motion pictures or films depicting the aforementioned entertainment as long as the motion pictures or films have been classified by the Motion Picture Industry.

3-3-7-5: General Prohibitions:

It shall be unlawful:

- A. For any person to sell, barter, transport, deliver, furnish, or possess any alcoholic liquor for beverage purposes, except as specifically provided in the Illinois Compiled Statutes, Chapter 235 (Liquor Control Act), and the provisions of this Chapter. (Ord. 86-868-05)
- B. For a licensee, his agent or employees, to allow, permit, or suffer to remain on his premises any person who shall solicit for themselves or for others for prostitution, or solicit any patron to purchase alcoholic beverages. (Ord. 87-960-46)
- C. For any person to drink any alcoholic liquor in any public street, public parkway, public driveway, or public parking lot in the Village.
- D. For any licensee, officer, associate, member, representative, agent, manager, or employee to operate the licensed premises other than in compliance with all applicable statutes and ordinances.
- E. For any licensee, officer, associate, member, representative, agent, manager, or employee to operate the licensed premises so as to allow assaults, fights, and disorderly conduct to occur on or about the licensed premises. (Ord. 87-960-46)

3-3-7-6: Acts of Agent or Employee:

Every act or omission of whatsoever nature, constituting a violation of any of the provisions of this Chapter by any officer, director, manager, or other agent or employee of any licensee, if said act is committed or omission is made with the authorization, knowledge or approval of the licensee shall be deemed and held to be an act of such employer of licensee and said employer or licensee shall be punishable in the same manner as if said act or omission had been done or committed by him personally. (Ord. 74-348-24)

3-3-7-7: Permitted Happy Hours:

- A. It shall be unlawful for any licensee to operate a happy hour which does not comply with Section 6-28.5 of the Liquor Control Act of 1934. (Ordinance 17-3740-168, 03/20/17)

3-3-8: APPLICABILITY AND PENALTY PROVISIONS:

- A. Nothing in this Chapter shall excuse or relieve the owner, proprietor, or person in charge of any place within the Village where alcoholic liquor is sold from the restrictions and requirements of any other Chapters of this Code or other

ordinances of the Village or of the statutes of the State or of the United States government. (Ord. 74-348-24)

- B. Any person violating any provisions of this Chapter shall be subject to the fine set forth in the Comprehensive Fine Schedule of the Code described in 17-1.

Appendix B

LIQUOR CONTROL	AMOUNT OF FEE	CODE SECTION
Liquor License, application	\$250.00	3-3-24-2(R)
Liquor License, Review Fee	\$250.00	3-3-24-2(R)
Liquor License – Class A (Not-for-profit clubs and organizations)	\$500.00 plus \$200.00 ea. bar	3-3-2-63
Liquor License – Class B (Restaurant – full liquor)	\$2,500.00 plus \$500.00 ea. bar	3-3-2-63
Liquor License – Class C (Restaurant – beer and wine only)	\$2,500.00 plus \$500.00 ea. bar	3-3-2-63
Liquor License – Class D (Hotel/motel)	\$2,500.00	3-3-2-63
Liquor License – Class E (Bar or lounge – hotel/motel only)	\$2,500.00 plus \$500.00 ea. bar	3-3-2-63
Liquor License – Class F (Golf courses and private clubs for profit)	\$2,000.00 2,500.00 plus \$500.00 ea. bar	3-3-2-63
Liquor License – Class G (One day license)	\$25.00	3-3-2-63
Liquor License – Class H (Package liquor)	\$2,500.00 2,000.00 plus \$500.00 ea. bar	3-3-2-63
Liquor License – Class I (Package beer and wine only)	\$2,500.00 1,500.00 plus \$500.00 ea. bar	3-3-2-63
Liquor License – Class J (Catering)	\$1,500.00	3-3-2-63
Liquor License – Class K (Brew Pub – full liquor)	\$2,500.00	3-3-2-63
Liquor License – Class L (Salon/Day Spas)	\$2,500.00 1,000.00	3-3-2-63
Liquor License – Class M (Movie Theaters)	\$2,500.00	3-3-2-63
Liquor License – Class N (Banquets)	\$2,500.00 3,000.00	3-3-2-63
Liquor License – Class O	\$1,000.00	3-3-2-6
Liquor License – Class P (Ord. 14 3336 63)	\$2,500.00	3-3-2-6
Liquor License – Class Q (Ord. 15 3363 90, Eff. 4/27/15)	\$3,000.00	3-3-2-6
Additional licenses, per license	\$500.00	3-3-2-63
Liquor License, Change of Location, Upgrading of License, Sale of Business	\$2,500.00	3-3-2-134-8

AMUSEMENTS	AMOUNT OF FEE	CODE SECTION
Entertainment on licensed premises, additional fees	\$100.00	3-3-8
Exhibitions, carnivals, application fee, per day	\$50.00	3-4A-2
Athletic Events – Less than 100 seats	\$100.00	3-4B-1
Athletic Events – 500 to 1,000 seats	\$200.00	3-4B-1
Athletic Events – over 1,000 seats	\$300.00	3-4B-1
Motion Picture Theatrical – Less than 500 seats	\$100.00	3-4C-1
Motion Picture Theatrical – 500 to 1,000 seats	\$200.00	3-4C-1
Motion Picture Theatrical – over 1,000 seats	\$300.00	3-4C-1
Dance, public, each dance	\$5.00	3-4D-2

TITLE 3: Business and License Regulations

CHAPTER 3: Liquor Control

Sections:

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- 3-3-1-1: Construction
- 3-3-1-2: Definitions
- 3-3-2: License Requirements
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- 3-3-2-6: License Fees and Number
- 3-3-2-7: Issuance of License
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- 3-3-7-5: General Prohibitions
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- 3-3-7-7: Happy Hours Prohibited
 3-3-8: Entertainment on Licensed Premises
 3-3-9: Applicability of Other Ordinances and Laws
 3-3-10: Penalty

3-3-1: INTERPRETATION

3-3-1-1: Construction

This Chapter shall be liberally construed to the end that the health, safety, and welfare of the people of Lincolnshire may thereby be protected, and, to the end that temperance in the consumption of alcoholic liquors may be encouraged and fostered by judicious and careful regulation and control of the sale and distribution of alcoholic liquors.

3-3-1-2: Definitions

All words and phrases used in this Chapter, which are defined in the Illinois Liquor Control Act Illinois Compiled Statues, Chapter 235, entitled "An act relating to alcoholic liquors" enacted January 31, 1934, and in effect July 1, 1934, shall have the same meanings herein as they have in said Act, except for the following words and phrases which shall be defined as follows:

ALCOHOLIC LIQUOR

Includes alcohol, spirits, wine, beer, and every liquid or solid, patented or not, containing alcohol, spirits, wine, or beer and capable of being consumed as a beverage by a human being. The provisions of this Chapter shall not apply to any liquid or solid containing on-half of one percent (.5%) of alcohol by volume or less, or to liquids or solids containing in excess of one-half of one percent (.5%) of alcohol by volume if dispensed by a licensed pharmacy pursuant to a medical prescription.

BEER

A beverage obtained by the alcoholic fermentation of an infusion or concoction of barley, or other grain, malt, and hops in water, and includes, among other things, beer, ale, stout, lager beer, porter and the like.

CLUB

A corporation organized under the laws of this State, not for pecuniary profit, solely for the promotion of some common object other than the sale or consumption of alcoholic liquors, kept, used and maintained by its members through the payment of annual dues, and owing, hiring or leasing a building or space in a building, of such extent and character as may be suitable and adequate for the reasonable and comfortable use and accommodation of its members and their guests and provided with suitable and adequate kitchen and dining room space and equipment and maintaining a sufficient number of servants and employees for cooking, preparing and serving food and meals for its members and their guests; provided,

such club files with the local Liquor Control Commissioner at the time of its application for a license under this Chapter two (2) copies of a list of names and residences of its members, and similarly files within ten (10) days of the election of any additional member, his name and address; and, provided further, that its affairs and management are conducted by a board of directors, executive committee, or similar body chosen by the members of their annual meeting and that no member or any officer, agent or employee of the club is paid, or directly or indirectly receives, in the form of salary or other compensation any profits from the distribution or sale of alcoholic liquor to the club or the members of the club or its guests introduced by members beyond the amount of such salary as may be fixed and voted at any annual meeting by the members or by its board of directors or other governing body out of the general revenue of the club.

DINING AREA

The seating area where patrons or customers are to be seated at tables or a counter primarily for service of meals.

HOTEL or MOTEL

Every building or other structure kept, used maintained, advertised, and held out to the public to be a place where meals are actually and regularly served and consumed, where sleeping accommodations are offered for pay to travelers and guests, whether transient, permanent, or residential, in which twenty-five (25) or more rooms are used for sleeping accommodations of such guests, having one or more public dining rooms where meals are served to such guests, where alcoholic liquor may be served and/or stored in separate liquor service or lounge areas which are adjacent to food service areas, where live entertainment may be provide din connection with said service or meals and/or alcoholic liquor. The sleeping accommodations, dining rooms and liquor service area shall be in the same building or buildings, and such building or buildings, structure or structures shall be provided with adequate and sanitary dining room and kitchen equipment and capacity. (See Section 3-3-8 as to entertainment on licensed premises.)

LEGAL AGE

The minimum age designated by law of a person to whom it is lawful to sell, give, or deliver and/or possess particular type of alcoholic liquor.

LICENSEE

Any person, firm, corporation, partnership, or club holding a license under the provisions of this Chapter.

LOUNGE AREA

The seating or standing area where patrons or customers are to be served primarily alcoholic liquor.

ORIGINAL PACKAGE	Any bottle, flask, jug, can, cask, barrel, keg, hogshead, or other receptacle or container, whatsoever, used, corked or capped, sealed and labeled by the manufacturer of alcoholic liquor, to contain and to convey any alcoholic liquor.
PATRON BAR	The bar area where patrons or customers will be seated on stools or standing immediately adjacent to the bar primarily for the service of alcoholic liquor.
RESTAURANT	Any public place kept, used, maintained, advertised, and held out to the public as a place where meals are served, and where meals are actually and regularly served, without sleeping accommodations, such space being provided with adequate and sanitary kitchen and dining room equipment and capacity and having employed therein a sufficient number and kind of employees to prepare, cook, and serve suitable food for its guests.
SALE	Any transfer, exchange, or barter in any manner, or by any means whatsoever including the transfer of alcoholic liquors by and through the transfer or negotiation of warehouse receipts or certificates, and includes and means all sales made by any person, whether principal, proprietor, agent, servant, or employee. The term "sale" includes any transfer of alcoholic liquor from a foreign importer's license to an importing distributor's license even if both licenses are held by the same person.
SELL AT RETAIL and SALE AT RETAIL	Refer to and mean sales for use or consumption and not for resale in any form. (Ord. 86-868-05)
SERVICE BAR	A Fixed facility or area where alcoholic beverages and supplies are stored and displayed solely for the licensee's employees to mix and serve alcoholic beverages to patrons seated or standing in a lounge or dining area. (Ord. 87-946-32)
TO SELL	Includes to keep or expose for sale and to keep with intent to sell.
VILLAGE	As used in this Chapter shall be taken to mean and include all territory within the geographical limits of the Village of Lincolnshire, State of Illinois which is presently incorporated in the Village of Lincolnshire, and that territory which may from time to time be annexed to the Village of Lincolnshire.
WINE	Any alcoholic beverage obtained by the fermentation of the nature contents of fruits, or vegetables, containing sugar,

including such beverages when fortified by the addition of alcohol or spirits as above defined. (Ord. 86-868-05)

3-3-2: LICENSE REQUIREMENTS:

3-3-2-1: License Required:

- A. It shall be unlawful for any person to sell or offer for sale, at retail, within the limits of the Village, any alcoholic liquor without having first properly obtained a retail liquor dealer's license as provided for in this Chapter. It shall also be unlawful for any person to sell or offer for sale, at retail, within the limits of the Village, any alcoholic liquor that does not have a current, valid license authorized and issued hereunder.
- B. It shall be unlawful for any licensee to sell or offer for sale, at retail, within the limits of the Village, any alcoholic liquor except in the manner authorized by and in compliance with the terms and restrictions of this Chapter and any licenses issued hereunder. (Ord. 74-348-24; Ord. 74-353-29; ord. 77-499-33)
- C. It shall be unlawful for patrons of licensed restaurants, patron bars or lounges to bring upon any such licensed premises alcoholic beverages to be there served or consumed by said patrons.
- D. It shall be unlawful for any person licensed to sell liquor under any license issued by the Liquor Control Commissioner to sell, give away or otherwise dispose of alcoholic liquor at any place other than the place specifically described in his license whether such place be in the same building or not, provided that nothing herein contained shall be so construed as to prevent any hotel operator, or motel operator licensed under this Chapter from serving alcoholic liquor to registered guests of the hotel or motel in any room or part of the hotel or motel. However, such liquor so served shall be kept in and served from a licensed location, place or room in said hotel or motel.
- E. It shall be unlawful for any licensee under this Chapter to operate a liquor business without having obtained a liquor license issued by the Illinois Liquor Control Commission. (Ord. 86-868-05)

3-3-2-2: Applications for License:

Applications for such licenses shall be made to the Liquor Control Commissioner in writing, signed by the applicant, if an individual, or by a duly authorized agent thereof, if a club or corporation, and by the persons entitled to share in the profits thereof, if a partnership, verified by oath or affidavit, and shall contain the following information, statements, and documents:

- A. The name, age, including birth date, and address of the applicant in the case of an individual; the names, ages, including birthdates, and addresses of the persons entitled to share in the profits thereof in the case of a partnership; and in the case

of a corporation for profit, a true and correct copy of the charter of the corporation, the date of incorporation, the place of incorporation, and if not in the State of Illinois, then a statement that the corporation is qualified to do business in Illinois and the date when the corporation became so qualified; the names and addresses of the officers and directors of the corporation and all stockholders who own at least five percent (5%) or more of the issued and outstanding stock of the corporation, and their nominees, if applicable; the name and address of the corporation's registered agent in Illinois, and if a foreign corporation, the name and address of the corporation's resident agent in Illinois; the business address of any such partnership or corporation; and the social security number and driver's license number (including name of state issuing same if not Illinois) of all of the above indicated individuals. For the purposes of the following provisions of this Chapter, the term applicant shall be construed to include each and every one of the above named individuals, both in their individual and representative capacities;

- B. The citizenship of the applicant, his place of birth, and if a naturalized citizen, the time and place of his naturalization;
- C. The character of business of the applicant; and in case of a corporation, the objects for which it was formed; and the name or style under which the business is to be conducted on the premises for which the license is sought;
- D. The length of time that said applicant has been in business of that character;
- E. The location and description of the premises or place of business which is to be operated under such license, including the number of bars to be operated thereon; whether the applicant owns such premises for which the license is sought, and if not, the name, address, age, including birth date, social security number, and driver's license number of the owner of said premises and owner's agent, if any; the starting date and termination date of any lease of the premises by the applicant, and a statement of whether the applicant has any option rights to the premises; and applicant shall furnish with said application a true copy of his deed or contract for deed if owner or contract purchaser, or a copy of his lease if he is a tenant;
- F. A statement whether applicant has made similar application for a similar license on premises other than described in this application, regardless of whether located in the Village, and the disposition of such application;
- G. A statement that applicant and any manager or other agent of the applicant who shall be in general control of the business on the premises have never been convicted of a felony and are not disqualified to receive a license by reason of any matter or thing contained in this Chapter or other ordinances of this Village or laws of this State;
- H. Whether a previous license by any state or subdivision thereof, or by the Federal government, has been revoked, and the reasons therefor;

- I. A statement that the applicant will not violate any provision of this Chapter or other ordinances of the Village or any of the laws of the State of Illinois in the conduct of his place of business;
- J. That if legal ownership of any premises of which an application for a license is made under the provisions of this Chapter is held in a land trust, a disclosure of all beneficiaries of said trust and owners of said property under said trust shall be disclosed to the Liquor Control Commissioner in the manner required under this Code;
- K. If the applicant is a club, a statement that it meets all the requirements of a club under Chapter 235 of the Illinois Compiled Statutes, as from time to time amended;
- L. A statement whether any manufacturer, importing distributor or distributor directly or indirectly paid or agreed to pay for the license requested, or advanced money or anything else of value, or any credit, or is a person directly or indirectly interested in the ownership, conduct or operation of the proposed place of business;
- M. A statement whether the business for which a license is sought will be conducted by a manager or agent, and if so, the name address, age including birth date, of such manager or agent, including his social security number and driver's license number (including name of state issuing same of not Illinois), and a statement whether such manager has made other application for a similar license for any premises other than the one for which a license is being sought, and the disposition of such application, and a statement whether such manager or agent has ever in the past had a previous license issued by any state or subdivision thereof, or by the Federal government, revoked, and the reasons therefore;
- N. Any applicant hereunder, whether individually or as a duly authorized agent of a club or corporation, by making application hereunder authorizes the Village and its agents to conduct whatever investigation that may be deemed necessary to confirm the facts required in the application, or otherwise to confirm that the applicant is lawfully permitted to obtain a license under the provisions of this Chapter, other ordinances of the village, and applicable State law, and to investigate any other matters relevant to the issuance of the license being requested. The application is to contain a statement to the effect that the applicant agrees to such an investigation.
- O. Applicant shall also submit with his application a certificate from the Department of Community Development of the Village that the premises for which the license is sought is in conformity with all applicable building and zoning codes, ordinances and regulations of the Village;¹ (Ord. 74-348-24; Ord. 74-353-29; Ord. 77-499-331)
- P. Applicant shall also submit with his Village liquor license application a copy of the application for his Illinois liquor license as it will be submitted to the Illinois Liquor Control Commission. Within thirty (30) days after the issuance of the Village local liquor license, licensee shall provide to the Liquor Control Commissioner a copy of

¹ See Title 5 and 6 of this Village Code.

the State of Illinois license as issued to the licensee. (Ord. 88-1007-39)

- Q. Applicant shall also submit with his application a certificate from the Health Department of the County of Lake, State of Illinois that the premises for which the license is sought is in conformity with all applicable rules and regulations of the Health Department of the County of Lake, State of Illinois.
- R. Before any action is taken upon any initial application as provided in this Chapter, the applicant shall pay to the Village the sum as established in the Comprehensive Fee Schedule set forth in Chapter 15 of Title 1 of this Code, no part of which shall be refundable, to cover the Village's costs in reviewing and investigating such applicant. Provided, however, that in the event the application is approved by the Board of Trustees and the applicant applies for the license and pays the initial license fee within the time provided, as established in the Comprehensive Fee Schedule set forth in Chapter 15 of Title 1 of this Code shall be credited toward said license fee.
- S. The applicant for a liquor license under the provisions of this Chapter must apply for the appropriate class license and pay the initial license fee for such license within fourteen (14) days from the adoption of the ordinance creating the appropriate license and authorizing its issuance to the applicant. In the event any applicant fails to apply for a license and pay the initial license fee within said fourteen (14) day period, such license shall be revoked and the number of authorized licenses of the particular class involved is automatically reduced by one.
- T. No person shall be allowed to file an application for the issuance of a new liquor license more than once during any twelve (12) month period. (Ord. 86-868-05)

In addition to the above and foregoing information, such applications shall contain such other and further information as the Liquor Control Commissioner of the Village, or the corporate authorities of the Village may require from time to time. (Ord. 74-348-24; Ord. 74-353-29; Ord. 77-499-33)

3-3-2-3: Effect of Application Information Misrepresentations:

Any misrepresentation, omission or false statement on an application for a liquor license, or in regard to any information requested during the application process, shall constitute grounds for the denial of a liquor license or rejection of the application. If such misrepresentation, omission or false statement, as mentioned above, is discovered after a liquor license has been granted, said misrepresentation, omission or false statement shall constitute grounds for the revocation of said liquor license. (1984 Code)

3-3-2-4: Dram Shop Insurance Requirements:

No license shall be granted to any applicant until such applicant shall furnish evidence satisfactory to the Liquor Control Commission (including a copy of the policy or policies that such applicant is covered by a policy of dram shop insurance written by a responsible insurance company authorized and licensed to do business in the State of Illinois insuring such applicant against liability for any injury or death or loss of support which such applicant may incur under the provisions of Chapter 235, § 5/6-21, of the Illinois Compiled Statutes, as from time to time

amended, in the amount of fifty-five thousand dollars (\$55,000.00) for bodily injury and death; fifty-five thousand dollars (\$55,000.00) for property damage liability and sect-five thousand dollars (\$65,000.00) for loss of means and support and loss of society. Said limits for insurance coverage are subject to change whenever the maximum liability provisions in the aforementioned Chapter 235 of the Illinois Compiled Statutes are changed, it being required that insurance coverage be maintained in the same amount as the maximum liability stated in said Chapter 235. (Ord. 98-1549-11)

3-3-2-5: Classification of Licenses:

Retail liquor licenses shall be divided into the following classes:

- Class A (Not-for-profit clubs and organizations)
Issued only to such civic, benevolent, fraternal, patriotic, social, recreational, or other organizations that qualify as a not-for-profit corporation under the General Corporations Not-for-Profit Act of the State of Illinois,² and shall permit the sale of alcoholic liquor by the drink only and for consumption on the premises only; (Ord. 86-868-05)
- Class B (Restaurant – full liquor- no dancing)
Issued to authorize the sale of alcoholic liquor in conjunction with the sale of food only

Restaurant Requirements

The total square footage of the patron bar(s)/service bar(s), measured corner to corner, must be no greater than fifteen percent (15%) of the total square footage of the dining area(s).

The total seating at the patron bar(s) must be less than fifteen percent (15%) of the total seating in the dining area(s).

The total seating in the lounge area(s) must be less than thirty-three percent (33%) of the seating in the dining area(s).

The total square footage of the lounge area(s) (not including the total square footage of the patron bar(s)/service (bar(s))) must be less than thirty-three percent (33%) of the total square footage of the patron bar(s)/lounge area(s) and dining area(s) combined.

Hotel/Motel Restaurant Requirements

The total square footage of the patron bar(s)/service bar(s), measured corner to corner, must be less than ten percent (10%) of the total square footage of the dining area(s).

The total seating in the patron bar(s) must be less than ten percent (10%) of the total seating in the dining area(s).

² S.H.A. Ch. 32 §§163a.1 et seq.

The total square footage of the lounge area(s), not including the square footage of the patron bar(s)/service bar(s), must be less than thirty-three percent (33%) of the total square footage of the patron bar(s)//lounge area(s) combined.

Class C (Restaurant – full liquor – dancing by patrons only)
Issued to authorize the sale of alcoholic liquor in conjunction with the sale of food only. Dancing by patrons only shall also be allowed.

Restaurant Requirements

The total square footage of the patron bar(s)/service bar(s), measured corner to corner, must be no greater than fifteen percent (15%) of the total square footage of the dining area(s).

The total seating at the patron bar(s) must be less than fifteen percent (15%) of the total seating in the dining area(s).

The total seating in the lounge area(s) must be less than thirty-three percent (33%) of the seating in the dining area(s). The total square footage of the lounge area(s) (not including the total square footage of the patron bar(s)/service bar(s)) must be less than thirty-three percent (33%) of the total square footage of the patron bar(s)/service bar(s) lounge area(s) and dining area(s) combined.

Hotel/Motel Restaurant Requirements

The total square footage of the patron bar(s)/service bar(s), measured corner to corner, must be less than ten percent (10%) of the total square footage of the dining area(s).

The total seating at the patron bar(s) must be less than ten percent (10%) of the total seating in the dining area(s).

The total square footage of the lounge area(s), not including the square footage of the patron bar(s)/service bars), must be less than thirty-three percent (33%) of the total square footage of the patron bar(s)/service bar(s) lounge area(s) combined. (Ord. 87-946-32)

Class D (Restaurant – beer and wine only – no dancing)
Issued to authorize the sale of beer and wine only in conjunction with the sale of food only. No bar shall be permitted.

Class E (Hotel-motel)
Issued to authorize the sale of alcoholic liquor at temporary bars for parties and special functions and for “room service.” Note: A hotel or motel as defined herein may also be issued any class license provided for herein as is applicable to the particular hotel or motel in question.

Class F (Package liquor store only)
Issued for a period of one year and permits the sale of alcoholic liquor only in the original package and only for consumption off the premises.

- Class G** (One day license)
Issued for twenty-four (24) hours, and shall only permit the sale of alcoholic liquor by the drink and for consumption on the premises. (Ord. 86-868-05)
- All applications for a one-day Class G liquor license must be submitted at least fifteen (15) days prior to the date of issuance of such license. No person, firm, corporation, partnership, club, or association shall be entitled to the issuance of more than three (3) one-day Class G liquor licenses within a period of twelve (12) months. No more than six (6) one-day Class G liquor licenses shall be issued within a period of twelve (12) months for the same location or premises. (Ord. 88-1016-48)
- Class H** (Bar or lounge – hotel/motel only)
Issued to authorize the sale of alcoholic liquor at a bar or lounge located in a hotel or motel only.
- The total square footage of the patron bar(s)/service bar(s), measured corner to corner, may not exceed twenty percent (20%) of the total square footage of the patron bar(s)/service bar(s) and lounge area(s) combined.
- The seating at the patron bar (bar stools) may not exceed thirty-three percent (33%) of the total seating in the lounge area(s). (Ord. 87-946-32)
- Class I** (Golf courses and private clubs for profit)
Issued to authorize the sale of alcoholic liquor at golf courses; at the club house or from carts on the course and at private clubs to members and guests of the members only.
- Class J** (Package beer and wine only)
Issued to authorize the retail sale of beer and wine only, in their original packages only, not for consumption on the premises where sold, but where the beer and wine only is intended for delivery to or to be taken away by the consumer.
- Class K** (Catering)
Issued to authorize the retail sale of alcoholic liquor in conjunction with the catering of food for parties, weddings and special events only. (Ord. 86-868-05)
- Class L** (Limited Hotel/Motel Licenses)
A. Issued to authorize the sale, consumption, or delivery of alcoholic beverages to patrons, of a hotel or motel defined as and consisting of: guests, overnight guests, invitees of those guests and invitees of the hotel or motel, so long as those patrons are using the dining, banquet or conference facilities of the hotel or motel in conjunction with the offering, service or sale of food. Dancing by the aforesaid patrons only shall also be permitted for banquets, conferences and special events also in conjunction with the offering, service or sale of food.

- B. Any licensee holding and operation under a Class L license shall not operate a bar, lounge, restaurant, or other food or drink establishment that is open to the general public within the premises of the hotel or motel.
- C. As part of an application for a Class L license, the applicant shall provide a site plan or diagram depicting the area or areas in which alcoholic beverages will be sold or otherwise delivered by the hotel or motel agents or employees. If room service is to be offered by the hotel or motel and that service may include the delivery of the alcoholic beverages, then the applicant shall provide a statement of the manner in which such service shall be provided. If the application is approved and a Class L liquor license is issued, then the licensee shall be limited, with the exception of room service, to the sale, consumption or delivery of alcoholic beverages in the area(s) depicted in the site plan which shall constitute part of the application.
- D. If the licensee is going to make available "In-room mini bars" for use by the hotel's or motel's guests within individual room, then the licensee shall be required to keep such mini bars locked, to be opened by means of a key and the licensee may make the key available only to the registered guests who are of lawful drinking age. (Ord. 89-1069-36)

Class M (Limited Hotel/Motel In-Room Mini Bars License)

- A. Issued only to a full service hotel or motel with no less than two hundred fifty (250)rooms to authorize the sale of alcoholic beverages from "In-room mini bars" for use by the hotel's or motel's guests within individual rooms.
- B. The Licensee shall be required to keep such mini bars locked, only to be opened by means of a key to be issued by the licensee. The licensee may make the key available only to registered guests who are of lawful drinking age. The licensee shall not issue such a key for any room which is to be occupied exclusively by persons under the lawful drinking age.
- C. The licensee shall, at all times, have attached to the front of each mini bar or unit the relevant sections of the State Liquor control Act of 1934 (§ 5/6-16 and 5-/6-20 of Chapter 235 of the Illinois compiled Statutes) which sets forth the legal age at which persons may purchase, consume or possess alcoholic liquors. (Ord. 89-1107-74)

Class N (Brew Pub – full liquor – dancing by patrons only)

Issued to authorize the licensee to manufacture beer only on the premises specified in the license, to make sales of the beer manufactured on the premises to importing distributors, distributors, and to non-licensees for use and consumption, to store the beer upon the premises, and to sell and offer for sale at retail.

Issued to authorize the sale of alcoholic liquor in conjunction with the sale of food only. Dancing by patrons only shall also be allowed.

Brew Pub Requirements

The total square footage of the patron bar(s)/service bar(s), measured corner to corner, must be no greater than fifteen percent (15%) of the total square footage of the dining area(s).

The total seating at the patron bar(s) must be less than fifteen percent (15%) of the total seating in the dining area(s).

The total seating in the lounge area(s) must be less than fifty percent (50%) of the seating in the dining area(s). The total square footage of the lounge area(s) (not including the total square footage of the patron bar(s)/service bar(s)) must be less than thirty-three percent (33%) of the total square footage of the patron bar(s)/service bar(s) lounge area(s) and dining area(s) combined. (Ord. 96-1423-07)

Class O

(Salon/Day Spas)

Issued to authorize the retail sale of alcoholic liquor, for consumption on the specified premises, as a secondary and accessory use to a principal salon/day spa business, as such business is defined in Title 6 of the Village Code.

Customers and patrons shall: (a) not be served alcoholic beverages except for the period of time during which the customer receives salon/day spa services from the license holder; and (b) not be served more than three (3) alcoholic beverages during such period of time.

No live entertainment of any nature shall be permitted on the specified premises.

No sign or any other external indicia shall be permitted on the specified premises or surrounding property that indicates that alcoholic liquor is available for retail sale at the specified premises.

Hours for the sale and/or consumption of alcoholic liquor shall be in accordance with section 3-3-3-1 of the Code, but in no case shall the sale or consumption of alcoholic liquor take place outside the normal business hours of the salon/day spa. (Ord. 14-3311-37)

Class P

(Movie Theaters)

Issued to authorize the retail sale of alcoholic liquor, for consumption on the licensed premises as a secondary and accessory use to a principal movie theater business.

Service of alcoholic beverages shall be limited to a designated lobby bar area.

Service of alcoholic beverages may be made only to persons purchasing a movie ticket and wearing a tamper-resistant wristband approved by the Village. The wristband shall be valid only for the date on which it is obtained from the movie theater. A wristband may only be issued by theater personnel who meet the requirements of Section 3-3-6 of this Chapter.

Alcoholic beverages may be consumed in the movie theater auditoriums, but may not be delivered or served in any movie theater auditorium.

The containers in which alcoholic beverages are served must be of a different color, size, and design than those in which non-alcoholic beverages are served.

No more than one alcoholic beverage may be delivered to a customer in any one trip to the bar, and no customer shall be served more than three (3) alcoholic beverages on any day. The number of alcoholic beverages served to a customer each day shall be recorded on that customer's wristband.

There may be no service of alcoholic beverages unless the movie theater is actually open for the showing of movies. Under no circumstances may alcoholic beverages be served more than one hour prior to the advertised showing time of the first movie to be shown on any day, except for private rentals and events. (Ord. 14-3336-63)

Class Q

(Taverns)

Issued to authorize the retail sale of alcoholic liquor for consumption on the licensed premises only. (Ord. 15-3363-90)

All new liquor licenses issued and all liquor licenses renewed after the effective date of this amendment shall be in compliance with the above classes and shall accurately reflect the nature of the licensee's actual business. (Ord. 86-868-05)

The number of licenses authorized herein for Classes A, B, C, D, E, F, H, I, J, K, L, M, N, O, P, and Q shall remain at the number set forth in this Chapter; provided, however, that any license in said classes which is revoked or not issued shall automatically reduce the number of authorized licenses of the particular class by the total number of revoked or non-issued licenses in the particular class. In addition, the local Liquor Control Commissioner shall notify in writing the Village Clerk and Board of Trustees of any revocation or non-issuance of any authorized license within ten (10) days of such occurrence. (Ord. 86-868-05; Ord. 89-1069-36; Ord. 89-1107-74; Ord. 15-3363-90)

3-3-2-6: License Fees and Number:

The number of liquor licenses authorized to be issued in the Village shall be limited to the number below. No new or additional liquor licenses may be issued in the Village unless and until the Mayor and Board of Trustees adopts an ordinance increasing the number of one or more of the following classes. Fees for each license may be found as established in the Comprehensive Fee Schedule set forth in Chapter 15 of Title 1 of this Code. (Ord. 88-1026-58, Ord. 98-1550-12)

Class	Initial and Renewal Description	Number of Liquor Licenses Authorized to be Issued in the Village of Lincolnshire
A	Each separate bar maintained on said premises over 1; provided, however, if the licensee's activities are of a seasonal nature (that is, there is	1

	a large or otherwise distinct fluctuation of activity at an identifiable point in time or during an identifiable period of time, which distinct fluctuation is pursuant to established practice or required by physical conditions such as weather), then the fee to be paid shall be reduced on proportion to the full calendar months of the non-seasonal period of the licensee when such license is not being used; further provided, however, if the licensee desires to sell or offer for sale alcoholic liquors at a time or times other than during its normal season, then an additional fee per day shall be paid for such times when alcoholic liquor is so sold.	
B	Each separate patron bar maintained on said premises over 1.	13
C	Each separate patron bar maintained on said premises over 1.	0 (Ord. 17-3740-168, 17-3741-169, 18-3791-221)
D		0 (Ord. 16-3410-137, 18-3779-207)
E		3
F		2 (Ord. 18-3779-207)
G		Unlimited
H	Each separate patron bar maintained on said premises over 1.	2 (Ord. 17-3740-168)
I	Each separate patron bar maintained on said premises over 1.	2 (Ord. 19-3796-226)
J		4 (Ord. 19-3796-226)
K		1 (Ord. 00-1733-41)
L		1
M		0
N		1
O		1
P		1
Q		3 (Ord. 16-3413-140, 17-3434-162, 17-3741-169)

Ord. 86-880-17; Ord. 87-962-48; Ord. 89-1054-21; Ord. 89-1069-36; Ord. 89-1081-48; Ord. 89-1086-53; Ord. 89-1107-74; Ord. 89-1113-80; Ord. 94-1348-32, 08/08/94; Ord. 96-1423-07, 02/12/96; Ord. 96-1424-08, 02/12/96; Ord. 96-1425-09, 02/12/96; Ord. 96-1429-13, 03/11/96; Ord. 96-1458-42, 09/09/96; Ord. 98-1550-12, 04/13/96; Ord. 98-1604-66, 10/12/98; Ord. 00-1709-17, 05/08/00; Ord. 00-1742-50, 12/11/00; Ord. 01-1767-25, 06/11/01; Ord. 01-1784-42, 10/08/01; Ord. 01-1790-48, 12/10/01; Ord. 02-1792-02, 02/11/02; Ord. 02-1814-24, 08/12/02; Ord. 03-1836-13, 04/14/03, Ord. 03-1834-14, 04/14/03; Ord. 03-1845-22, 05/12/03; Ord. 03-1854-31, 07/14/03; Ord. 04-1915-31, 08/23/04; Ord. 05-1946-10, 02/14/05; Ord. 05-1949-13, 02/14/05; Ord. 05-1950-14, 02/28/05, Ord. 05-1951-15, 02/28/05; Ord. 05-1952-16, 02-28-05; Ord. 05-1961-25, 03/28/05; Ord. 05-1962-27, 04/11/05; Ord. 05-1966-30, 04/25/05; Ord. 05-1968-33, 05/23/05; Ord. 05-1975-39, 06/13/05; Ord. 05/1991/55, 09/12/05; Ord. 05-2005-69, 11/14/05; Ord. 05-2006-70, 11/28/05; Ord. 06-2016-07; Ord. 06-2018-09, Ord. 06-2019-10, 02/27/06; Ord. 06-2033-25, 05/08/06; Ord.

06-2045-37, 07/10/06; Ord. 06-2962-54, 11/13/06; Ord. 06-2965-57, 11/27/06; Ord. 07-2975-03, 02/20/07; Ord. 07-3003-31, 09/24/07; Ord. 08/3027/10, 02/25/08; Ord. 08-3055-38; Ord. 08-3056-39, 08/25/08; Ord. 10-3129-06, 03/08/10; Ord. 10-3169-46, 11/08/10; Ord. 11-3179-01, 01/10/11; Ord. 11-3211-33, 08/29/11; Ord. 12-3234-04, 01-23-12; Ord. 12-3247-17, 05/29/12; Ord. 13-3287-13, 05/13/13; Ord. 13-3289-15, 08/28/13; Ord. 14-3315-41, 02-24-14; Ord. 14-3324-50, 03/10/14; Ord. 14-3330-57, 06-23-14; Ord. 15-3348-75, 01/25/16; Ord. 15-3349-76, 01/26/15; Ord. 15-3363-90, 04/27/15, Ord. 15-3367-94, 05/11/15; Ord. 15-3368-95, 05/26/15; Ord. 15-3371-98, 07/13/15; Ord. 15-3380-107, 11/23/15; Ord. 16-3397-124, 02/22/16, Ord. 16-3410-137, 07/25/2016; Ord. 16-3413-140, 08/22/2016; Ord. 17-3429-157, 01/09/2017; Ord. 17-3433-161 & 17-3434-162, 02/27/2017; Ord. 17-3740-168, 03/20/17; Ord. 17-3741-169, 04/12/17; Ord. 18-3779-207, 08/06/18; Ord. 18-3791-221, 11/26/18; Ord. 19-3796-226, 03/11/19

Each such license shall terminate on April 30 next following its issuance, and renewals thereof shall be paid on or before May 1 of each ensuing year.

The fee to be paid shall be reduced by half for the cost of the initial license only for licenses issued during the period November 1 to April 30. The fee for any additional licenses issued to the same premises shall be the entire amount as established in the Comprehensive Fee Schedule set forth in Chapter 15 of Title 1 of this Code. Nothing herein shall be construed to permit the payment of only a single license fee (including additional amounts for separate bars) and the granting of a single license for any building or buildings under a single ownership where the real parties seeking the permission to sell alcoholic liquors are separate tenants of such building or buildings. (Ord. 86-8880-17; Ord. 98-1550-12, 04/13/98)

3-3-2-7: Issuance of License:

All applications for licenses shall be kept on file in the office of the Liquor Control Commissioner, and fees for all licenses shall be paid to the Village Clerk who shall certify to the Liquor Control Commissioner the names and addresses of all licensees paying fees to him together with the class of license for which payment is made and thereupon said Liquor Control Commissioner shall issue the license provided for in this Chapter to all applicants who have complied with all the requirements of this Chapter.

Provided, however, no license shall be issued to any person ineligible to receive the same under the laws of the State of Illinois or the provisions of this Chapter, as from time to time amended. (Ord. 74-348-24)

3-3-2-8: Display of License:

Every licensee shall cause his Village liquor license and State of Illinois liquor license to be displayed in a prominent place in the licensed premises where it may be viewed by the general public. In the event that the licensee shall hold more than one liquor license issued to his business, the State license shall be displayed adjacent to the primary liquor license issued to each Village licensed liquor establishment.

3-3-2-9: Books and Records Maintained:

It shall be the duty of all licensees (except Class "C" licensees) hereunder to keep books and records of the licensed business at the licensed premises at all times for the purpose of investigation and control.

- A. For such licensees who are maintaining records on the cash basis, the following books and records shall be kept at the licensed premises at all times:
1. A record of cash receipts from all sources. This record must be kept in accordance with the rules and procedural requirements of the Illinois Department of Revenue.
 2. A record of all cash disbursements for payment of merchandise purchases. This record must be documented by paid invoices or receipts.
 3. A record of all cash disbursements for operating expenses (including rent, salaries, light, power and heat, payroll, and other taxes) and all other expenses. This record shall show to whom payment was made and for what purpose.
 4. Monthly or quarterly statements must be available for inspection disclosing cash receipts, cash disbursements for merchandise purchases and cash disbursements for operating expenses, and all other expenses, which will reflect the licensee's gross profit, net profit or net loss, and the person or persons sharing directly or indirectly in the said net profit or loss. Where physical inventories are not taken quarterly, it will be permissible to determine gross profit on the basis of deducting purchases from sales.
 5. A record must also be maintained of cash on hand and cash in the bank. Bank statement and canceled checks must also be on file.
- B. For such licensees who maintain records on an accrual basis, their method of record keeping must be one conforming to the rules and regulations of the Illinois Department of Revenue. The records of such licensees shall be documented in the same manner as those of licensees on a cash basis, and, in addition, they shall maintain records supporting entries made for accruals of income and expenses. (Ord. 74-348-24)

3-3-2-10: Transfer and License:

- A. A license shall be purely a personal privilege, good for not to exceed one year after issuance unless sooner revoked as in this Section provided, and shall not constitute property, or shall it be subject to attachment, garnishment or execution, nor shall it be alienable or transferable, voluntarily or involuntarily, or subject to being encumbered or hypothecated. Except as provided in subsection B hereof, such license shall not descent by the laws of testate or intestate devolution, but it shall cease upon the death of the licensee, provided that executors or administrators of the estate of any deceased licensee and the trustee of any insolvent or bankrupt licensee, when such estate consists in part of alcoholic liquor under order of the appropriate court, may exercise the privileges of the deceased or insolvent or bankrupt licensee after the death of such decedent, or such insolvency or bankruptcy until the expiration of such license but not longer than six

(6) months after the death, bankruptcy or insolvency of such licensee.

- B. A license may, upon the licensee's death, descend only to the licensee's spouse or children and in the event such licensee is not survived by a spouse or child then to the licensee's mother or father, provided, however, any such survivor must possess the same qualifications required by the deceased licensee. The passage of a license pursuant to the terms of this subsection shall not require the payment of any fees.
- C. Nothing contained in subsection B hereof shall create any vested or property right in any liquor license in any person whatsoever, nor shall it limit or restrict the right of the Village to at any time amend or repeal subsection B hereof.
- D. When the licensee is a corporation, the license shall terminate whenever fifty percent (50%) or more of the ownership interest therein changes from that shown on the original license application. In such event, the corporation, through its officers, must make application for the issuance of a new license as provided herein. Provided, however, that the provisions of this subsection D shall not apply where the transfer of an ownership interest is made to an owner shown on the original license application who owned fifty percent (50%) or more of the ownership interest of such corporation at the time the original license application was filed with the Village.
- E. When the licensee is a partnership or corporation, no change in ownership from that shown on the original application involving the withdrawal of any partner or shareholder owning in the aggregate more than five percent (5%) of the stock of such corporation shall be made without reporting such change in ownership in writing to the local Liquor Control Commissioner within ten (10) days of any such change in ownership. Any such change in ownership made without complying with the terms hereof shall constitute grounds for suspension of the liquor license issued to such partnership or corporation. (Ord. 86-868-05)

3-3-2-11: Renewal Privileges:

Any licensee may renew his license at the expiration thereof provided he is then qualified to receive a license and the premises for which such renewal license is sought are suitable for such purpose; and provided, further, that the renewal privilege herein provided for shall not be construed as a vested right which shall in any case prevent the Board of Trustees from increasing or decreasing the number of licenses to be issued within the Village.

3-3-2-12: Licensing of Premises for which License is Revoked:

When any license hereunder shall have been revoked for any cause at the discretion of the Liquor Control Commissioner, no license shall be granted to any person for the period of one year thereafter for the conduct of the sale of alcoholic liquor in the premises in such revoked license. (Ord. 74-348-24)

3-3-2-13: Change of Location, Upgrading of License, Sale of Business:

A retail liquor dealer's license shall permit the sale of alcoholic liquor only in the premises described in the application and license. Provided, however, that the licensee, where no change in ownership is involved, may apply for a change of location and, if approved by the Board of Trustees, no additional fees will be required.

In addition, a licensee, where no change in ownership is involved, may apply for an upgrade of his liquor license and, if approved by the Board of Trustees, shall pay to the Village the difference between the new license and the fee for the initial license. If the change in liquor license classification results in a lower fee, the licensee shall not be entitled to a refund of the difference.

In addition, when a licensee is selling or has sold the premises for which the license was issued, and the buyer applies for a liquor license of the Village, if the Mayor and Board of Trustees find that said application conforms to the requirements of local and State law, they may authorize the reissuance of the current license to such buyer, upon the buyer's payment to the Village as established in the Comprehensive Fee Schedule set forth in Chapter 15 of Title 1 of this Code.

3-3-2-14: Ineligible Applicants:

No license shall be issued to:

- A. Any person who is not of good character and reputation in the community in which he resides, or does business.
- B. A person who is not a citizen of the United States. (Ord. 00-1705-13, 04/10/00)
- C. A person who has been convicted of a felony under any Federal or State law, unless the Commissioner determines that such person has been sufficiently rehabilitated to warrant public trust after considering matters set forth in such person's application and the Commissioner's investigation. The burden of proof of sufficient rehabilitation shall be on the applicant.
- D. An applicant who has been convicted of being the keeper of, or who is keeping a house of ill fame.
- E. An applicant who has been convicted of pandering or other crimes or misdemeanors opposed to decency and morality.
- F. An applicant whose license issued under the Illinois Liquor Control Act has been revoked for cause.
- G. An applicant who, at the time of application for renewal of any license issued or revoked would not be eligible for license upon first application.
- H. A partnership, unless all the members of such partnership shall be qualified for a license.
- I. A corporation, if any officer, manager or director thereof, or any stockholder or stockholders owning in the aggregate of 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 County.

- J. A corporation unless it is incorporated in Illinois, or unless it is a foreign corporation which is qualified under the Illinois Business Corporation Act to transact business in Illinois.
- K. A person whose place of business is conducted by a manager or agent unless the manager or agent possesses the same qualifications required of the licensee.
- 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, or who has forfeited his bond to appear in court to answer charges for any such violation.
- M. A person 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 to be issued.
- N. Any law enforcing public officials, including members of local liquor control commissions, the Mayor, or members of the Village Board of Trustees, nor any official shall be interested directly in the manufacture, sale or distribution of alcoholic liquor, except that a license may be granted to such official in relation to premises which are not located within the territory subject to the jurisdiction of that official if the issuance of such license is approved by the State Liquor Control Commission.
- O. A person who is not a beneficial owner of the business to be operated by the licensee.
- P. A person who has been convicted of a gambling offense as proscribed by any of subsections (a)(3) through (a)(11) of 720 ILCS 5/28-1 of, or as proscribed by 720 ILCS 5/28-1.1 or 720 ILCS 5/28-3, the Criminal Code of 1961, or as proscribed by a statute replaced by any of the aforesaid statutory provisions. (Ord. 00-1705-13)
- Q. A person or entity to whom a Federal wagering stamp has been issued by the Federal government, unless the person or entity is eligible to be issued a license under the Raffles Act (230 ILCS 15/0.01 et seq.) of the Illinois Pull Tabs and Jar Games Act (230 ILCS 20/1 et seq.). (Ord. 00-1705-13)
- R. Any person not eligible for a State retail liquor license.
- S. Any person who owns or is an employee of a manufacturer or distributor of alcoholic liquors.
- T. Any person who has had a liquor license revoked for the premises for which the license is sought within one year of the date of application.
- U. Any person who has not paid the appropriate fees required by this Chapter on the date specified.

- V. A person who is legally indebted to the State, County, or Village for payment of other fees, charges, bills, or taxes which have remained unpaid for more than sixty (60) days.

3-3-3: RESTRICTIONS AND CONDITIONS OF LICENSE:

3-3-3-1: Hours of Sale:

Except as hereinafter provided, no alcoholic liquor shall be sold, given away or offered for sale or consumed on the licensed premises: (Ord. 13-3294-20, 07/22/13)

- A. No person shall sell or offer for sale alcoholic liquor in the original package for consumption off the premises between the hours of one o'clock (1:00) A.M. and seven o'clock (7:00) A.M. on each day of the week.
- B. No person shall sell or offer for sale alcoholic liquor for consumption on the premises between the hours of two o'clock (2:00) A.M. and seven o'clock (7:00) A.M. on each day of the week.
- C. No person shall keep open for business or admit the public to any premises on which alcoholic liquor is sold at retail during the hours within which the sale of such alcoholic liquor is prohibited; provided, however, that restaurant, club, hotel and motel establishment may be kept open during such hours but no alcoholic liquor may be sold to or consumed by the public or the membership during such hours.

3-3-3-2: Location Restrictions:

- A. General: No license shall be issued for the sale at retail of any alcoholic liquor on any premises in violation of the zoning or building ordinances of this Village, nor shall any license be issued for the sale at retail of any alcoholic liquor within one hundred feet (100') of any church, school other than an institution of higher learning, hospital, home for aged or indigent persons or for veterans, their spouses or children, provided that such proximity prohibition shall not apply to renewal of a license for the sale at retail of alcoholic liquor on premises within one hundred feet (100') of any church or school where such church or school has been established within such one hundred feet (100') since the issuance of the original license; nor the hotels offering restaurant service, regularly organized clubs, or to restaurants, food shops or other places where sale of alcoholic liquors is not the principal business carried on in such place of business. In the case of a church, the distance of one hundred feet (100') shall be measured to the nearest part of any building used for worship services or educational programs and not to property boundaries, but in other cases it shall be measured property line to property line. For the purposes of this Section 3-3-3-2, a licensee's principal business is measured by the majority of its gross revenues. (Ord. 86-868-05; Ord. 11-3190-12, 02/28/11)
- B. Automobile Service Stations: No alcoholic liquor shall be sold, given away or offered for sale or consumed on the premises of any property or business which also sells, gives away or offers for sale gasoline, oil or other automotive and truck

products. (Ord. 80-610-77)

- C. Change of Location: Licenses shall permit the sale of alcoholic liquor only in the premises described in the license therefor. Said license shall not be transferable to any other location in the Village unless a proper request in writing is submitted by the licensee and written permission is first obtained from the Liquor Control Commissioner. No change of location shall be permitted unless the proposed new location is a proper one for the sale of alcoholic liquor under the laws of the State and the codes and ordinances of the Village, as may from time to time be amended.

3-3-3-3: Change in Personnel:

- A. Any changes in partnerships, officers, directors, persons holding directly or beneficially more than five percent (5%) of the stock or ownership interest, or managers of establishments licensed under this Chapter, shall be reported in writing to the Liquor Control Commissioner within ten (10) days of the change. All new personnel shall meet all the standards of this Chapter and must otherwise qualify to hold a liquor license. All such changes in personnel shall be subject to review by the Liquor Control Commissioner.
- B. When a license has been issued to a partnership and a change of ownership occurs resulting in a partnership interest by one who is not eligible to hold a liquor license, said license shall terminate.
- C. When a license has been issued to a corporation and a change takes place in officers, directors, shareholders of more than five percent (5%) of the stock or managers resulting in the holding of office or such shares of stock by one who is not eligible for a license, said license shall terminate.
- D. When a license has been issued to an individual, who becomes or is no longer eligible for a license, said license shall terminate.

3-3-3-4: Cessation of Business:

Any licensee who ceases to do business or closes his place of business for a period of more than thirty (30) successive days shall be subject to having his license declared forfeited and lapsed by order of the Liquor Control Commissioner. If any licensee desires to close the business or place of business for more than thirty (30) successive days, he shall so notify the Liquor Control Commissioner in writing, including the reasons therefor and requesting an extension, and the Liquor Control Commissioner may grant such an extension on a showing of good cause. (Ord. 74-348-24)

3-3-3-5: Clear View of Inside of Premises:

A clear view of the inside of the licensed premises shall be provided as follows:

- A. In premises in which the sale of alcoholic liquor for consumption on the premises is licensed, other than in restaurants, hotels, motels or clubs, no screen, blind, curtain, partition, article or thing shall be permitted in the windows or on the door of

such licensed premises, nor inside such premises, which shall prevent a clear view into the interior of such licensed premises from street, road or sidewalk at all times, and no booth, screen, partition or other obstruction, nor any arrangement of lights or lighting shall be permitted in or about the interior of such premises which shall prevent a full view of the entire interior of such premises, and the entire space used by the public must be so located that there shall be a full view of the entire interior of such premises, and the entire space used by the public must be so located that there shall be a full view of the same from the street, road or sidewalk.

- B. All rooms where alcoholic liquor is sold for consumption on the premises shall be continually lighted during business hours so that all parts of the interior of the premises shall be clearly visible.
- C. In case the view into any such licensed premises required by the foregoing provisions shall be willfully obscured by the licensee or by him willfully suffered to be obscured or obstructed, such license may be revoked in the manner herein provided.
- D. In order to enforce the provisions of this Section, the Liquor Control Commissioner shall have the right to require the filing with him of plans, drawings, and photographs showing the clearance of the view as above required.

3-3-3-6: Warning to Minors:

To every place in the Village where alcoholic liquor is sold there shall be displayed at all times in a prominent place a printed card which shall be supplied by the Clerk and which shall read substantially as follows:

WARNING TO MINORS

You are subject to the fine set forth in the Comprehensive Fine Schedule of the Code described in 17-1 if you purchase alcoholic liquor or misrepresent your age for the purpose of purchasing or obtaining alcoholic liquor. (Ord. 86-868-05; Ord. 10-3131-08, 03/22/10)

3-3-3-7: Schedule of Prices of Alcoholic Drinks:

All liquor licensees shall maintain a schedule of the prices that they charge for all alcoholic drinks to be served and consumed on the licensed premises. This schedule shall be current and made available upon demand by any duly authorized representative of the Village or by any patron. (89-1105-72)

3-3-4: ADMINISTRATION:

3-3-4-1: Liquor Control Commissioner:

The Mayor of the Village shall be the Liquor Control Commissioner and shall be charged with the administration of the appropriate provisions of this Chapter and other ordinances of the Village relating to alcoholic liquors.

3-3-4-2: Powers of Liquor Control Commissioner:

The Mayor, as local Liquor Control Commissioner, shall be charged with the administration within the Village of the appropriate provisions of this Chapter, of such ordinances and resolutions relating to alcoholic liquor as may be enacted by the Village Board from time to time, and of such other legislation, including applicable administrative regulations and State or Federal laws which may become applicable within the village with respect to the sale of alcoholic liquor.

The Mayor may appoint one or more persons residing in the Village to assist him in the exercise of his powers and the performance of his duties as Liquor Control Commissioner, The Liquor Control Commissioner shall also have the following powers, functions and duties with respect to the licenses granted hereunder:

- A. To grant and/or suspend for not more than thirty (30) days, or revoke for cause, all licenses issued under this Chapter in the manner and under the procedures provided hereinafter. (Ord. 74-348-24)

In lieu of suspension or revocations, the Liquor Control Commissioner may instead levy a fine set forth in the Comprehensive Fine Schedule of the Code described in 17-1 on the licensee for such violations. The proceeds from such fines shall be paid into the general corporate fund of the Municipal Treasury. (Ord. 86-868-05; Ord. 10-3131-08, 03/22/10)

- B. To enter or to authorize any law enforcing officer to enter at any time upon any premises licensed under this Chapter in order to determine whether any of the provisions of State or Federal laws or of this Chapter or other ordinances or codes of the Village or any rules or regulations adopted by him or the State Commission have been or are being violated and at such time to examine said premises of said licensee in connection therewith.
- C. To receive complaints from any citizen within the Village that any of the provisions of State or Federal laws or of this Chapter or other codes or ordinances of the Village or any rules or regulations adopted in connection with the control of the sale of alcoholic liquors have been or are being violated and to act upon such complaints in the manner provided below.
- D. If the Liquor Control Commissioner has reason to believe that any continued operation of a particular licensed premises will immediately threaten the welfare of the community, he may, upon issuance of a written order stating the reason for such conclusion and without notice or hearing, order the licensed premises closed for not more than seven (7) days, giving the licensee an opportunity to be heard during that period, except that if such licensee shall also be engaged in the conduct of another business or businesses on the licensed premises such order shall not be applicable to such other business or businesses.
- E. To deny any application for the issuance or renewal of a license to an applicant he has determined to be ineligible therefore. (Ord. 74-348-24)
- F. To require that all licensed premises be maintained and operated in a sanitary condition, and in compliance with all applicable rules or regulations of the Health

Department of the County of Lake, State of Illinois, and in compliance with all building and zoning regulations of the Village.

- G. To require that any licensee secure and file with his office a certificate of approval showing compliance with all applicable rules or regulations of the Health Department of the county of Lake, State of Illinois, and a certificate of approval from the Community Development Department of the Village, showing compliance with all applicable rules and regulations of the Community Development Department of the Village.
- H. To serve notice of hearing upon any licensee to consider suspension or revocation of a license under circumstances which involve repeated reports of law enforcement officers of violations of the law upon the premises (real estate) adjacent to, and surrounding the structure in which alcoholic liquors are served pursuant to a license issued in compliance with this Chapter and where said violations are in relation to the use of offensive language, loud music, affrays, assaults, or other breaches of the peace amounting to nuisance.
- I. The Liquor Commissioner shall have the right hereunder to examine, or cause to be examined, under oath, any applicant for a license, or for a renewal thereof, or, any licensee upon whom a notice of revocation or suspension has been served, and, to examine or cause to be examined, the books and records of any such applicant or licensee. The Liquor Control Commissioner, in conducting such examination, may hear testimony and receive proof for his information in the performance of his duties, and in connection with such examination may issue subpoenas which shall be effective in any part of the State. In conducting such examinations, the Liquor Control Commissioner may authorize his agent to act on his behalf.
- J. The Liquor Control Commissioner of the Village shall recommend to the Board of Trustees such further regulations and restrictions regarding the issuance of, and operations under local licenses, not inconsistent with law, as the public good and convenience may require. (Ord. 86-868-05)

3-3-4-3: Inspections:

It shall be the duty of the Liquor Control Commissioner or his authorized agent(s), and he is hereby authorized and empowered from time to time, to inspect and examine the premises wherein retail liquor business is carried on, for the purpose of ascertaining whether or not all codes, ordinances and regulations of the Village or other governmental bodies having jurisdiction thereof, relative to the carrying on of such business are being complied with at such premises. Such inspection shall be made at least once each and every month during the time said licensee is engaged in such business. It shall be the duty of every such person licensed under the provisions of this Chapter to permit such inspection to be made and to exhibit the premises to such persons making such inspection and failure to so permit shall be sufficient cause to revoke or suspend the license for any such person.

3-3-4-4: Suspension and Revocation Procedures:

The Liquor Control Commissioner shall have the right to proceed by citation and notice of hearing to require any licensee under this Chapter to appear at a time and place specified in said notice to show cause why the license issued under this Chapter to said licensee by the Liquor Control Commissioner should not be suspended or revoked for violations of the provisions of this Chapter, rules or regulations adopted pursuant hereto or other applicable law.

- A. All such original proceedings shall be instituted by complaint in writing, shall state the particular provision, rule or regulation alleged to be violated and the facts in detail upon which such allegation is based and shall be signed by the Liquor Control Commissioner.
- B. The licensee against whom complaint has been filed shall be entitled to be served with a copy of the complaint or citation and shall be given notice of the time and place set for the hearing of said complaint. (Ord. 74-348-24)
- C. Said citation and notice of hearing shall be served on the licensee named therein pursuant to and in accordance with the provisions of Illinois Compiled Statutes, Chapter 235, § 5/1. (Ord. 86-868-05)
- D. Said licensee named in said citation and notice of hearing shall appear at the time and place designated in said citation and notice of hearing and at such hearing shall have all protections and rights allowed under law from time to time

Different or additional procedures from those provided by this Section may be established from time to time governing citations and hearings provided for herein upon being instituted by the Liquor Control Commissioner, or the corporate authorities of the Village, and approved by the corporate authorities of the Village. (Ord. 74-348-24)

3-3-5: HEALTH AND SANITARY REQUIREMENTS:

It shall be the duty of every person licensed to carry on a business under the provisions of this Chapter to at all times keep the premises, where such business is carried on, clean and in proper sanitary conditions in full compliance with all applicable rules or regulations of the Health Department of the County of Lake, State of Illinois, and in full compliance with the Lincolnshire Village Code and the ordinances regulating the condition of premises used for the storage or sale of food for human consumption, and it shall be unlawful to do otherwise. (Ord. 86-868-05)

3-3-5-1: Cleaning of Draught Beer Equipment:

In addition to the above, it shall be the duty of each licensee dispensing draught beer to have coils and other equipment used in drawing draught beer cleaned at least once very week in some manner or means, either chemical or mechanical. The use of steam or hot water alone is not permissible. A record shall be kept of the dates when the required cleaning was done. This record must be signed by the person who actually performed the work of cleaning. (Ord. 74-348-24)

3-3-6: EMPLOYEE REQUIREMENTS:

3-3-6-1: (Ord. Amd. 99-1629-13, eff. 03/08/99):**3-3-6-2: Employment of Minors:**

It shall be unlawful for any licensee, manager, or agent to employ any persons under seventeen (17) years of age in the licensed premises where alcoholic beverages are drawn, poured, missed, served, or consumed; provided, however, the employment of minors between the age of fourteen (14) and seventeen (17) to perform bus-boy, wait staff and kitchen duties, not otherwise prohibited, when in connection with the service of meals at any private club, fraternal organization or veteran's organization shall be permitted.

It shall be unlawful to employ any persons under the age of twenty-one (21) years for the purpose of drawing, pouring, or mixing any alcoholic liquor. However, a person less than twenty-one (21) years of age, but at least eighteen (18) years of age, may be employed as a waiter or waitress and may serve or deliver alcoholic liquor when in the presence of or under the direct supervision and control of the owner or manager/agent who is of at least twenty-one (21) years of age. A Class F or Class J license holder must employ a person twenty-one (21) years of age or older for the purpose of selling package liquor. (Ord. 05-2005-69)

3-3-6-3: Training:

A licensee must only employ persons for the purpose of selling, serving, drawing, pouring or mixing any alcoholic liquor, or checking evidence of age for the purchase of alcoholic beverages, who have completed a state-certified beverage alcohol sellers and servers education and training (BASSET) program within 90 days of commencing employment. Prior to completing a BASSET program, all new employees shall work under the supervision of an employee who has completed the BASSET program. The original or renewal license application shall be accompanied with proof of completion of BASSET training for the manager of the licensee. The Licensee shall be required to maintain records demonstrating proof of completion of BASSET training for each applicable employee for the term of their employment and a period of one year thereafter, in a manner that will allow inspection, upon demand, by any authorized representative of both state and local liquor control authorities. It shall be unlawful for any employee of a licensee, to sell, serve, draw, pour or mix any alcoholic liquor, or check evidence of age for the purchase of alcoholic beverages, unless such employee either has completed the BASSET program or is working under the supervision of an employee who has completed the BASSET program. A BASSET program must comply with and be no less comprehensive than the requirements outlined in 77 Ill. Adm. Code 3500. (Ord. 15-3363-90, Amd. Ord. 16-3405-132, eff. 07/01/2016)

3-3-7: PROHIBITED ACTS, CONDITIONS:**3-3-7-1: Sales to Unfit Persons:**

No licensee, officer, associate, member, representative, agent, manager, or employee shall sell, give or deliver alcoholic liquor to any person not entitled to receive or consume such alcoholic liquor under State law or to any intoxicated person or to any person known by him to be a habitual drunkard, spendthrift or insane, mentally ill, mentally deficient or in need of mental treatment. (Ord. 87-960-46; Ord. 95-1392-22, 06/12/95)

3-3-7-2: Minors:

- A. (Ord. 80-610-17; Ord. 86-868-05; Ord. 95-1392-22, 06/12/95)
- B. (Ord. 80-610-17; Ord. 95-1392-22, 06/12/95)
- C. Obtaining Alcoholic Liquor for Unfit Persons: It shall be unlawful for any person, including any licensee under this Chapter, or any officer, associate, member, representative, agent or employee of such licensee, after lawfully or unlawfully obtaining alcoholic liquor or beer or wine by purchase or otherwise, to sell, give or deliver such alcoholic liquor, beer, or wine to another person who is known to him to be a habitual drunkard, spendthrift or insane, mentally ill, mentally deficient or in need of mental treatment. (Ord. 86-868-05; Ord. 95-1292-22, 06/12/95)
- D. (Ord. 74-348-24; Ord. 95-1392-22, 06/12/95)
- E. (Ord. 86-868-05; Ord. 95-1392-22, 06/12/95)
- F. (Ord. 95-1392-22, 06/12/95)
- G. (Ord. 87-960-46; Ord. 95-1392-22, 06/12/95)

3-3-7-3: Misrepresentation of Alcoholic Beverages or Containers:

It shall be unlawful for any person to sell or offer for sale, dispense, pour or mix, or have in his possession on such licensed premises:

- A. Any original package of alcoholic liquor which contains any kind or quality of alcoholic liquor other than that which has been sealed and labeled by the manufacturer of such alcoholic liquor.
- B. Any original package of alcoholic liquor to which there has been added any water or other substance.
- C. Any bottles, casks, or other containers containing alcoholic liquor which contains any deleterious, contaminated, filthy, putrid substance or insects.
- D. Any alcoholic liquor which is represented, by label or otherwise, to be of given brand name when same is not of such brand.
- E. Any alcoholic liquor which is represented to be of certain ingredients when it does not in fact contain all such ingredients in the quantities represented.
- F. All glasses or other receptacles used for the selling, dispensing, pouring, or mixing of alcoholic drinks for consumption on the premises shall be of at least one ounce in capacity, and the same must indicate clearly by a line or otherwise the point at which such one ounce is reached or determined. (Ord. 74-348-24)

3-3-7-4: Prohibited Entertainment:

It shall be unlawful to permit the following conduct on licensed premises:

- A. Performances of acts, or simulated acts of sexual intercourse, masturbation, sodomy, bestiality, oral copulation, flagellation, or other sexual act.
- B. The actual or simulated touching, caressing or fondling of the breasts, buttocks, pubic hair, anus or genitals.
- C. The actual or simulated display of the breasts, buttocks, pubic hair, anus, vulva, or genitals.
- D. Permitting any person to remain upon licensed premises who expose to public view any portion of his or her breasts, buttocks, genitals, vulva, or anus.

3-3-7-5: General Prohibitions:

It shall be unlawful:

- A. For any person to sell, barter, transport, deliver, furnish, or possess any alcoholic liquor for beverage purposes, except as specifically provided in the Illinois Compiled Statutes, Chapter 235 (Liquor Control Act), and the provisions of this Chapter. (Ord. 86-868-05)
- B. For a licensee, his agent or employees, to allow, permit, or suffer to remain on his premises any person who shall solicit for themselves or for others for prostitution, or solicit any patron to purchase alcoholic beverages. (Ord. 87-960-46)
- C. For any person to drink any alcoholic liquor in any public street, public parkway, public driveway, or public parking lot in the Village.
- D. For any licensee or his agents or employees to permit card games or gambling on any premises licensed to sell alcoholic liquor, Illinois Compiled Statutes, Chapter 720, §5/28 et. Seq.) (Ord. 86-868-05)
- E. For any licensee, officer, associate, member, representative, agent, manager, or employee to operate the licensed premises other than in compliance with all applicable statutes and ordinances.
- F. For any licensee, officer, associate, member, representative, agent, manager, or employee to operate the licensed premises so as to allow assaults, fights, and disorderly conduct to occur on or about the licensed premises. (Ord. 87-960-46)

3-3-7-6: Acts of Agent or Employee:

Every act or omission of whatsoever nature, constituting a violation of any of the provisions of this Chapter by any officer, director, manager, or other agent or employee of any licensee, if said act is committed or omission is made with the authorization, knowledge or approval of the licensee shall be deemed and held to be an act of such employer of licensee and said employer or

licensee shall be punishable in the same manner as if said act or omission had been done or omitted by him personally. (Ord. 74-348-24)

3-3-7-7: Happy Hours Prohibited:

A. It shall be unlawful for any licensee to operate a happy hour which does not comply with Section 6-28.5 of the Liquor Control Act of 1934. (Ordinance 17-3740-168, 03/20/17)

3-3-8: ENTERTAINMENT ON LICENSED PREMISES:

Any person licensed under this Chapter shall have the privilege for a period of one year which coincides with the license year, upon the payment of an additional fee as established in the Comprehensive Fee Schedule set forth in Chapter 15 of Title 1 of this Code, of providing upon the licensed premises entertainment; provided, however, that the person licensed shall file for approval with the Liquor Control Commissioner a listing of the types of entertainment acts which are anticipated to perform during the license year on the licensed premises. Each licensed establishment, regardless of the number of liquor licenses held, need only provide one list for the establishment. In the event that all entertainment acts are not known at the beginning of the license year, the listing of the types of entertainment acts shall be updated by the person licensed, during the license year, as new acts become known, by the filing of supplemental listings with the Liquor Control Commissioner for approval.

In the event the Liquor Control Commissioner refuses to approve all or any portion of a submitted list of types of entertainment, the aggrieved liquor licensee may, within fourteen (14) days following notification of any such refusal, take an appeal to the Board of Trustees. The Board of Trustees shall hear the appeal and may sustain the action of the Liquor control Commissioner in whole or in part or may reverse said action in whole or in part.

The privilege granted by this section shall terminate on April 30 next following its granting, and renewals thereof shall be paid for on or before May 1 of each ensuing year. The fee to be paid shall be reduced in proportion to the full calendar months which have expired in the license year, and shall be paid at the time the license is granted.

The privilege granted by this Section shall also terminate upon the termination, for any cause, of the Village retail liquor dealer's license associated with the premises upon which the entertainment acts are taking place. (Ord. 86-888-05; Ord. 95-1550-12, 04/13/98)

3-3-9: APPLICABILITY OF OTHER ORDINANCES AND LAWS:

Nothing in this Chapter shall excuse or relieve the owner, proprietor, or person in charge of any place within the Village where alcoholic liquor is sold from the restrictions and requirements of any other Chapters of this Code or other ordinances of the village or of the Statutes of the State or of the United States government. (Ord. 74-348-24)

3-3-10: PENALTY:

Any person violating any provisions of this Chapter shall be subject to the fine set forth in the Comprehensive Fine Schedule of the Code described in 17-1. In addition thereto, the Lincolnshire Liquor Control Commissioner may suspend for not more than thirty (30) days or revoke any license issued by him if he determines that the licensee has violated any of the provisions of this Chapter, or any provisions of the Illinois Liquor Control Act Illinois Compiled Statutes, Chapter

235, and when a person has had a license revoked for any cause, no license shall be granted to that person, for the period of one year thereafter for the conduct of business of selling alcoholic liquors in the premises described in such revoked license. (Ord. 86-868-05; Ord. 10-3131-08, 03-22-10)