

**VILLAGE OF OSWEGO
KENDALL AND WILL COUNTIES, ILLINOIS**

ORDINANCE NO. 22 - 36

**AN ORDINANCE AMENDING TITLE 3 CHAPTER 2 AND TITLE 3 CHAPTER 7 OF THE
VILLAGE CODE IN THE VILLAGE OF OSWEGO, KENDALL AND WILL COUNTIES,
ILLINOIS**

(TEMPORARY LIQUOR LICENSE; SPECIAL EVENTS)

**ADOPTED BY
THE PRESIDENT AND BOARD OF TRUSTEES
OF THE
VILLAGE OF OSWEGO**

This 3rd day of May 2022

Published in this pamphlet form by authority of the President
and Board of Trustees of the Village of Oswego on May 4, 2022.

ORDINANCE NO. 22 - 36

**AN ORDINANCE AMENDING TITLE 3 CHAPTER 2 AND TITLE 3 CHAPTER 7 OF THE
VILLAGE CODE IN THE VILLAGE OF OSWEGO, KENDALL AND WILL COUNTIES,
ILLINOIS**

(TEMPORARY LIQUOR LICENSE; SPECIAL EVENTS)

WHEREAS, the Village of Oswego (“Village”) has a population of more than 25,000 and is therefore a “Home Rule Unit” under the 1970 Illinois Constitution; and

WHEREAS, the Illinois Constitution of 1970 provides that a Home Rule Unit may exercise any power and perform any function pertaining to its government and affairs, including but not limited to the power to regulate for the protection of the public health, safety, morals and welfare; to license, to tax; and to incur debt; and

WHEREAS, the Village has in full force and effect a codified set of those ordinances of the Village which are of a general and permanent nature, which said codified set is known and designated as the Village Code of the Village of Oswego, as amended; and

NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF OSWEGO, KENDALL AND WILL COUNTIES, ILLINOIS IN THE EXERCISE OF THEIR HOME RULE, STATUTORY AND OTHER POWERS, as follows:

Section 1: That provisions of Title 3 Chapter 2 of the Village Code of the Village of Oswego are hereby amended as follows:

Sec. 3-2-2. Permit; procedure, fees.

- (E) Public special event permit applications to be completed for events open to the public and shall include, but not be limited to, the following information:
1. Description, nature, purpose, date, hours and location of the event for which the permit is applied and an estimate of anticipated attendees and/or participants;
 2. Name, address and phone number of the sponsoring organization for the event and/or the name, address, phone number and e-mail address of the person responsible for conducting the event;
 3. Whether there will be street closures or the need for barricades; including details of the accessibility plans for the event;
 4. Information regarding whether admission fees or charges are to be assessed to attendees or participants;
 5. Whether vehicle parking will be restricted and identify parking areas for attendees, participants, sponsors, employees and volunteers;
 6. Other permits and/or licenses may be necessary in addition to the special event permit, including, but not limited to, a temporary liquor license, raffle license, sign permit, banner permit, temporary structure permits and flame certificates;
 - (a) No temporary structure shall remain on the property for more than three days after the conclusion of the special event.

7. Description of the type and nature of any entertainment, including, but not limited to, music acts, performances or carnival rides at the event;
 8. Information regarding whether alcoholic liquor consumption is planned, and if so, the hours, location and type of alcoholic liquor to be served.
 - (a) A temporary liquor license approved by the village and state shall be required. The temporary license shall be for a single period of not more than four consecutive days period of not more than fifteen (15) consecutive days, or fifteen (15) non-consecutive days at the same location, same themed event.
 - ~~(b) Not more than one temporary liquor license shall be granted in any one period of 60 days;~~
 - ~~(c)~~ (b) Retail sale and consumption of alcoholic liquor shall be limited to the premises specified in the permit;
 - ~~(d)~~ (c) The licensed premises for the sale and consumption of alcoholic liquor shall be entirely and securely enclosed with fencing, barricades, or other barriers. Fencing may include chain link fencing, snow fencing, metal interlocking fencing, or other similar materials that create a secure and enclosed area. Natural barriers may include berms, hills, bodies of water, or other similar naturally occurring or artificially created features which create a secure and enclosed area.
 - ~~(e)~~ (d) Approval of a temporary liquor license shall be at the discretion of the liquor commissioner as governed by chapter 7 of this title;
 9. Description of the provision for refuse needs for the event which shall be in compliance with village policies, code provisions and state law;
 10. A list of all vendors participating at the event;
 11. Description and number of restrooms, portable facilities and sinks available for the event. An adequate number of restrooms shall be provided and an appropriate number of handicapped facilities must be available;
 12. A certificate of general liability insurance, naming the Village of Oswego and its officers, employees, agents and representatives as additionally insureds, must be received before the event can be permitted. The certificate of general liability insurance must have \$1,000,000.00 in general liability coverage. The name and the date of the event must be listed in the description section of the certificate of insurance;
 13. Food may be sold, if approved, and a temporary food permit must be obtained from the Kendall County Health Department;
 14. Sufficient security shall be provided by the sponsoring organization, or person responsible for the special event. The village police department shall determine the appropriateness of any security and may require the sponsoring organization, or person responsible for the special event to hire police officers for the special event, if deemed necessary;
 15. A signed hold harmless agreement may be required.
- (F) All village ordinances and safety rules pertaining to noise, parking restrictions, fireworks, recreational fires, outdoor electrical and weather conditions shall be followed.
1. No person shall cause or allow the emission of sound during daytime hours (7:00 a.m. to 10:00 p.m.) which exceeds 60 decibels. No person shall cause or allow the emission of sound during nighttime hours (10:00 p.m. to 7:00 a.m.) which exceeds 55 decibels, and as specified in title 6, chapter 10, "Noise Control Regulations," of this Code.
 2. There are no special exceptions for on street parking. All vehicles must be legally parked according to village ordinance and Illinois State Statute. There is no parking on public streets between the hours of 2:00 a.m. and ~~6:00~~ 5:00 a.m.

(J) All special events, on public property, requiring a permit shall post a concealed carry sign as required by the Illinois Firearm Concealed Carry Act 430 ILCS 66/65(10). The Illinois State Police approved sign must be clearly and conspicuously posted at the entrances to the special event.

Section 2: That provisions of Title 3 Chapter 7 of the Village Code of the Village of Oswego are hereby amended as follows:

Sec. 3-7-4 – Temporary ~~permits~~, liquor license.

The local liquor control commissioner shall have power to issue a temporary ~~permit~~ liquor license for the sale of alcoholic liquor at a private or public assembly where food and drink is sold, served or dispensed. Such temporary ~~permit~~ license shall be issued only to: a) a political subdivision or authority, in accordance with section 6-15 of the Illinois Liquor Control Act of 1934; ~~b) a nonprofit club, society or fraternal or benevolent organization for the sale of alcoholic liquor to be consumed on the premises; c) a winery for the sale of its wine or microbrewery for the sale of its crafted beer; or d) a distillery for the sales of its spirits; or e) b)~~ for a license holder in good standing of a Class A, A-1, A-2, C, D, E, G, I, L, M, N-1, N-2, Q-1 or Q-2 Village of Oswego liquor license to allow sales off premises in conjunction with a special event.

- (A) The temporary ~~permit~~ liquor license authorizes the licensee retail sale of beer, wine or spirits on the specified premises. The boundaries of the licensed premises and the duration of the license shall be established by the liquor control commissioner. No alcoholic beverages shall be brought onto, or taken out of, the premises, or consumed on the premises other than that provided by the licensee. The retail sale and consumption of alcoholic beverages authorized through a special event permit shall be limited to the premises specified in the permit as contained in section 3-2-3 of this title.
- (B) A temporary ~~permit~~ liquor license shall be for a period of not more than ~~four days~~, fifteen (15) consecutive days, or fifteen (15) non-consecutive days at the same location, same themed event. Not more than one temporary permit shall be granted to any one political subdivision, club, society, organization, winery, microbrewery or Class A, A-1, A-2, C, D, E, G, I, L, M, N-1, N-2, Q-1 or Q-2 license holder in good standing in any one period of 60 days. A fee of \$75.00 shall be assessed for the issuance of each temporary ~~permit~~ license.
- (C) The ~~permittee licensee, or~~ special event sponsor, and/or applicant shall have sufficient persons at each entrance and exit to the specified premises to collect any fee, prohibit alcoholic beverages from entering or exiting the premises, check identification, and place a nontransferable hand stamp or tamperproof wristband on any person 21 years of age or older. No person without a hand stamp or wristband may purchase or consume alcoholic beverages on the premises.
- (D) Special event permittees are excluded from the BASSET training requirement. Servers at not-for-profit special events are excluded from mandatory server training requirements.

Section 3: SEVERABILITY

This ordinance and every provision thereof shall be considered severable. If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate or nullify the remainder thereof, which remainder shall remain and continue in full force and effect.

Section 4: REPEALER

All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 5: EFFECTIVE DATE

This Ordinance shall be in full force and effect immediately upon its passage, approval and publication in this pamphlet form which is hereby authorized, as provided by law.

PASSED by the Board of Trustees of the Village of Oswego, Kendall and Will Counties, Illinois this 3rd day of May 2022.

TOM GUIST	<u>AYE</u>	TERRY OLSON	<u>AYE</u>
-----------	------------	-------------	------------

KIT KUHRT	<u>AYE</u>	JENNIFER JONES SINNOTT	<u>AYE</u>
-----------	------------	------------------------	------------

JAMES MARTER	<u>AYE</u>	BRIAN THOMAS	<u>AYE</u>
--------------	------------	--------------	------------

APPROVED by me, Troy Parlier, as President of the Village of Oswego, Kendall and Will Counties, Illinois this 3rd day of May 2022.

TROY PARLIER, VILLAGE PRESIDENT

TINA TOUCHETTE, VILLAGE CLERK

STATE OF ILLINOIS)
)
COUNTY OF KENDALL) SS

CLERK'S CERTIFICATE
(ORDINANCE)

I, Tina Touchette, the duly qualified and acting Village Clerk of the Village of Oswego, Kendall and Will Counties, Illinois, do hereby certify that I am the keeper of its books and records and that the attached hereto is a true and correct copy of an Ordinance entitled:

**AN ORDINANCE AMENDING TITLE 3 CHAPTER 2 AND TITLE 3 CHAPTER 7 OF THE
VILLAGE CODE IN THE VILLAGE OF OSWEGO, KENDALL AND WILL COUNTIES,
ILLINOIS**

(TEMPORARY LIQUOR LICENSE; SPECIAL EVENTS)

which Ordinance was duly adopted by said Board of Trustees at a meeting held on the 3rd day of May 2022, approved by the Village President on the 3rd day of May 2022 and thereafter published in pamphlet form to the extent required by law.

I do further certify, in my official capacity, that a quorum of said Board of Trustees was present at said meeting and that the Board complied with all requirements of the Illinois Open Meetings Act.

IN WITNESS WHEREOF, I have hereunto set my hand this 4th day of May 2022.

Tina Touchette, Village Clerk
Village of Oswego

(Seal)