



ORDINANCE NO. 979

**AN ORDINANCE AMENDING THE VILLAGE OF MACKINAW
MUNICIPAL CODE SAID MUNICIPAL CODE BEING ORDINANCE
NO. 513 OF THE VILLAGE OF MACKINAW TO PROVIDE
AMENDMENTS RELATING TO OPERATION OF BEER GARDEN**

Published in pamphlet form by authority of the Village President and
Board of Trustees of the Village of Mackinaw.

April 23, 2019

STATE OF ILLINOIS)
COUNTY OF TAZEWELL) SS
VILLAGE OF MACKINAW)

CERTIFICATE OF ORDINANCE

I, the undersigned, do hereby certify that I am the duly appointed, qualified and acting Village Clerk of the Village of Mackinaw, Tazewell County, Illinois (the "Issuer"), and as such official I am the keeper of the records and files of its President and Board of Trustees (the "Corporate Authorities").

I do further certify the foregoing constitutes a full, true and complete excerpt from the proceedings of the regular meeting of the Corporate Authorities held on the *22nd day of April 2019*, insofar as same relates to the adoption of *Ordinance No. 979*, entitled:

AN ORDINANCE AMENDING THE VILLAGE OF MACKINAW MUNICIPAL CODE SAID MUNICIPAL CODE BEING ORDINANCE NO. 513 OF THE VILLAGE OF MACKINAW TO PROVIDE AMENDMENTS RELATING TO OPERATION OF BEER GARDEN

A true, correct and complete copy of which ordinance (the "Preliminary Ordinance" or "Ordinance") as adopted at such meeting appears in the transcript of the minutes of such meeting. The Preliminary Ordinance was adopted and approved by the vote and on the date therein set forth.

I do further certify the deliberations of the Corporate Authorities on the adoption of such Preliminary Ordinance were taken openly and was on the agenda at least 48 hours before the meeting at which it was adopted, that the adoption of such ordinance was duly moved and seconded, that the vote on the adoption of such ordinance was taken openly and was preceded by a public recital of the nature of the matter being considered and such other information as would inform the public of the business being conducted, that such meeting was held at a specified time and place convenient to the public, that notice of such meeting was duly given to all of the news media requesting such notice, that such meeting was called and held in strict compliance with the provisions of the Open Meetings Act of the State of Illinois, as amended, and the Illinois Municipal Code, as amended, and that the Corporate Authorities have complied with all of the applicable provisions of such Act and such Code and their procedural rules in the adoption of such ordinance.

The pamphlet form of *Ordinance No.979*, including the ordinance and a cover sheet thereof, was prepared and a copy of such Ordinance was posted for public inspection in the municipal building, the Mackinaw United States Post Office, and the Mackinaw Library commencing on *April 23, 2019* and continuing for at least ten days thereafter. The original ordinance was adopted by the Board of Trustees of the Village of Mackinaw at a regular meeting, attended by **five** members of the Board, and approved by the President, as said Ordinance appears on file in my office and as the same is recorded in the Book of Ordinances of said Village.

IN TESTIMONY WHEREOF, I have hereunto set my hand and the official seal of said Village of Mackinaw, Illinois, this **2nd day of May 2019**.



Village Clerk

ORDINANCE NO. 979

AN ORDINANCE AMENDING THE VILLAGE OF MACKINAW MUNICIPAL CODE
SAID MUNICIPAL CODE BEING ORDINANCE NO. 513 OF THE VILLAGE OF
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BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MACKINAW.

SECTION 1: § 113.460 of the Village Code of the Village of Mackinaw is hereby amended in the following manner and method (additions shown in underlined font and renumber accordingly):

§113.460 OPERATION OF BEER GARDEN

- (A) **BEER GARDEN** means an additional designed area adjoining the licensed premise, having access from the main premises only, and enclosed by a permanent barrier with a minimum height of four feet with an emergency means of egress, the enclosure to be located where and with such restrictions and design as the Local Liquor Control Commission shall direct.
- (B) **TEMPORARY BEER GARDEN** means an additional designed area adjoining the licensed premise, having access from the main premises only, and enclosed by a temporary barrier with a minimum height of four feet with an emergency means of egress, the temporary enclosure to be located where and with such restrictions and design as the Local Liquor Control Commission shall direct. A temporary beer garden may only be held once per month per the Local Liquor Control Commission.
- (C) Applicants applying for or holding a Class A, E, or F license may file a request with the Local Liquor Control Commission for the issuance of a license to operate a "beer garden" or "temporary beer garden" as herein defined, to be constructed and operated upon such terms and conditions as may be approved or imposed by the Local Liquor Control Commission
(Ord. 853, passed 9-24-12)

SECTION 2: If any section or part of this Ordinance is held invalid, it shall not affect the validity of the remainder of this Ordinance.

SECTION 3: This Ordinance shall take effect 10 days after publication thereof as provided by law.

SECTION 4: Ordinance No. 513 of the Village of Mackinaw, as amended by this Ordinance, shall remain in full force and effect and all previous amendments to Ordinance No. 513 shall remain in force and effect except as modified by this Ordinance.

PASSED in due form on a roll call vote by the Board of Trustees of the Village of Mackinaw at a duly held meeting on the 22nd day of April, 2019.

APPROVED:



Craig M. Friend – Village President

ATTEST:



Lisa Spencer – Village Clerk

AYES: 5
NAYS: 0
ABSENT: 1