

NOVEMBER 10, 2020,
SANGAMON COUNTY LIQUOR COMMISSIONER TEMPORARY RULE
REQUIRING LIQUOR LICENSEES TO COMPLY WITH COVID-19 REQUIREMENTS
[NOTE: Supersedes November 5, 2020, Temporary Rule]

WHEREAS, businesses licensed to sell alcoholic beverages at retail have operated with restrictions designed to protect the public health during the COVID-19 pandemic in order for the businesses and the overall economy to prosper; and

WHEREAS, the COVID-19 pandemic continues, positivity rates in our area have increased, and the pandemic threatens the health of all persons in Sangamon County, including employees and patrons of these licensees; and

WHEREAS, based upon current data in Sangamon County, our medical advisory group has recommended additional mitigation restrictions to avoid those conditions in which the safety of any person is likely to be endangered by the keeping open of such place where alcoholic liquor is sold at retail or dispensed; and

WHEREAS, the Sangamon County Board Chairman, in his capacity as the Sangamon County Liquor Commissioner, is authorized to make rules relating to the administration and enforcement of the Sangamon County Code, Chapter 5.04, entitled "Alcoholic Beverages;" and

WHEREAS, Section 5.04.380 of the Code grants the Liquor Commissioner the authority to close for a time period as determined by the Liquor Commissioner a licensee's business if, in his opinion, the safety of any person is likely to be endangered by the keeping open of such place where alcoholic liquor is sold at retail or dispensed; and

WHEREAS, it is the Liquor Commissioner's opinion that the operation of a licensee's business while not in compliance with the COVID-19 protective measures set forth in Exhibit A (attached hereto) endangers the safety of persons who are employees and patrons of the business and, thus, the business is subject to closure for a time period determined by the Liquor Commissioner pursuant to Section 5.04.380; and

WHEREAS, a violation of Section 5.04.380 also subjects licensees to Section 5.04.370 monetary penalties, which may include a fine of not less than two hundred fifty dollars for the first offense, not less than five hundred dollars for the second offense, and not less than one thousand dollars for any offense thereafter; and

WHEREAS, any such violation may also subject licensees to any other action that may be taken by the Liquor Commissioner under Section 5.04.140, including, but not limited to, the revocation or suspension of a license; and

WHEREAS, Section 5.04.360 of the Code incorporates the Illinois Liquor Control Act and all regulations issued by the Illinois Liquor Commission applicable to Sangamon County; and

WHEREAS, the Illinois Liquor Control Act is to be liberally construed, to the end that the health, safety, and welfare of the People of the State of Illinois shall be protected (235 ILCS 5/1-2); and

WHEREAS, the Illinois Liquor Control Act gives the Liquor Commissioner the authority to grant or suspend for not more than 30 days or revoke for cause all local licenses issued to persons for premises within his jurisdiction (235 ILCS 5/4-4(1)); and

WHEREAS, the Illinois Liquor Control Act further provides the Liquor Commissioner with the authority to revoke or suspend any license issued by him if he determines that the licensee has violated the Act, any provision of Chapter 5.04, any Liquor Commissioner rule, or any regulation of the Illinois Liquor Commissioner, in addition to imposing fines as allowed by the Act (235 ILCS 5/7-5).

WHEREFORE, through the authority granted by the aforementioned laws, the Liquor Commissioner hereby enacts the following temporary rule, which has the force of law, and shall apply to all classes of license under Section 5.04.050 of the Code, but shall not apply to licenses granted for internet sales: **All licensees must operate their businesses in compliance with Exhibit A (attached hereto).**

This temporary rule is effective November 13, 2020, at 12:01 a.m. and shall remain in effect until further action by the undersigned.

A handwritten signature in black ink, appearing to read "A. Sam Melt", written over a horizontal line.

Sangamon County Board Chairman
Sangamon County Liquor Commissioner

Date: 11-10-20

EXHIBIT A
(11/10/2020)

- A. Reservations required for each party.
- B. Establishments must close at 11:00 p.m. and not reopen earlier than 6:00 a.m. the following day.
- C. No indoor dining or indoor bar service shall be provided.
- D. Seating of patrons shall be limited to tables located outside.
- E. Tables must be 6 feet apart.
- F. No seating of multiple parties at one table.
- G. Establishments shall not allow indoor dancing or indoor standing.
- H. Establishments shall not allow patrons to order, sit, or congregate at bar (bar stools should be removed).
- I. Establishments shall not allow patrons to stand or congregate indoors or outdoors while waiting for a table or exiting the establishment.
- J. Establishments must have an adequate supply of face coverings for staff, as well as a policy and training for staff to wear their face coverings. Employees must wear face coverings over their nose and mouth. Establishments shall ensure that all patrons wear face coverings over their nose and mouth while they are indoors.
- K. Hand-washing sinks must be accessible, functional with hot and cold running water, and fully stocked with soap, hand drying devices, and waste cans. Hand sanitizing stations must be provided, as appropriate, in multiple locations to encourage hand hygiene by both patrons and employees to supplement hand washing. Train and remind employees of effective hand hygiene practices, including washing hands with soap and water for at least 20 seconds.
- L. Establishments shall not allow Karaoke.

**NOVEMBER 10, 2020,
NOTICE TO ALL FOOD SERVICE ESTABLISHMENTS
OPERATING IN SANGAMON COUNTY, ILLINOIS, OF
COVID-19 REQUIREMENTS**

[NOTE: Supersedes November 5, 2020, Notice]

Pursuant to Chapter 5.20 of the Sangamon County Code, food service establishments must have a permit or license to operate in Sangamon County.

The Sangamon County Department of Public Health (the "Department"), as the authorized representative of the Sangamon County Board of Health, is authorized to inspect all Licensees to determine compliance with Chapter 5.20.

Despite the Department's and Licensees' efforts to mitigate the COVID-19 pandemic, positivity rates in our area have increased.

Based upon the current data for Sangamon County, our medical advisory group has recommended additional mitigation restrictions to avoid those conditions which present a substantial immediate hazard to the public health.

Therefore, the failure of any Licensee to take those protective measures set forth on Exhibit A (attached hereto) poses a substantial immediate hazard to the public health, a violation of Section 5.20.080(C) of the Sangamon County Code, because such failure markedly increases the risk of exposure to COVID-19 to persons working at the Licensees' establishments and those persons patronizing those establishments; these exposed persons, in turn, pose a threat to the community at large.

ACCORDINGLY, LICENSEES TAKE NOTICE: Effective immediately, and as authorized by Chapter 5.20, if such failures to take protective measures against COVID-19 as set forth in Exhibit A occur in the operations of any Licensee's food service establishment, the Department will issue a written notice to the Licensee or operator citing such condition as a violation of Section 5.20.080(C), specifying the corrective action to be taken, and specifying the time period within which such action shall be taken; if the Department deems it necessary, such order shall also state that the permit is suspended at the time of inspection and that all food service operations are to be immediately discontinued.

Operating a food service establishment in violation of Section 5.20.080(C) and the failure to comply with any Department order issued pursuant to Section 5.20.080(C) are both violations of Chapter 5.20 which, in addition to any other penalties which may be imposed, subject the operator to a monetary fine of not more than five hundred dollars, with each day the violation continues constituting a separate offense.

SANGAMON COUNTY DEPARTMENT OF PUBLIC HEALTH

Effective: November 13, 2020, at 12:01 a.m. and until further notice.

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