



AGENDA  
HAMPSHIRE LIQUOR COMMISSION  
MEETING  
March 30, 2020  
12:00 P.M.

1. Call to Order.
2. Establish Quorum.
3. Approve Meeting Minutes of December 5, 2019.
4. A motion to authorize the Village President (as Liquor Control Commissioner) to issue the attached Order to temporarily allow for sales of alcohol liquor in the village, for consumption off premises.
5. Other Business
6. Adjournment.

## HAMPSHIRE LIQUOR COMMISSION

December 5, 2019

Jeff Magnussen, Chairman, called the meeting to order at 6:30 p.m.

Present: Trustee Kelly, Klein

Trustee Kelly moved, to approve the minutes for June 20, 2019.

Seconded by Klein  
Motion carried by voice vote  
Ayes: All  
Nays: None  
Absent: None

Reviewed liquor applications for the year 2020:

They noticed the Hampshire Chamber did not apply for one, Village President mentioned the Chamber hired a new woman so we'll give them time, their fee for a license is \$50.

Trustee Klein moved to approve the 2020 liquor license as each one was read out loud.

Seconded by Klein  
Motion carried by roll call vote  
Ayes: Kelly, Klein, Magnussen  
Nays: None  
Absent: None

### Adjournment

Trustee Kelly moved, to adjourn the Liquor Commission meeting at 6:38 p.m.

Seconded by Trustee Klein  
Motion carried by voice vote  
Ayes: All  
Nays: None  
Absent: None

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Jeff Magnussen, Village President

**MEMORANDUM**

**CONFIDENTIAL / ATTORNEY – CLIENT PRIVILEGE**

**TO:** Village of Hampshire / Local Liquor Control Commission  
**FROM:** Mark Schuster / Village Attorney  
**DATE:** March 27, 2020  
**RE:** Sales for Off-Premises Consumption

The Illinois Liquor Control Commission has issued a “guidance” as of March 19, 2020 (“COVID-19 Related Action Guidance to Local Liquor Control Commissions for On-Premises Only Retailers”), as follows:

Consistent with prior law and policy, the Illinois Liquor Control Commission continues to defer to the Local Liquor Control Commission authority on determining whether a business -- licensed to sell alcoholic liquor -- may sell alcoholic liquor for off-premises consumption.

Therefore, the Illinois Liquor Control Commission will accept the decision of a Local Liquor Control Commission to authorize an On-Premises Only Retailer to sell alcoholic liquor for consumption off the licensed premises.

- State retail licenses that authorize on-premises only sales will be authorized to sell alcoholic liquor for off-premises consumption if such sales are authorized by the local liquor control commission.
- On-Premises Only Retailer “to go” or delivery privileges would remain effective until the termination of a health emergency by State officials.
- License holders will be strictly held to their license on-premises only privilege once the health emergency is lifted.

Retailers selling alcoholic liquor for off-premises consumption shall abide by all laws, rules and policies established by Executive Order 2020-07, the Illinois Liquor Control Act, Illinois Liquor Control Commission Rules and local ordinance and policy that apply to packaged sales or “to go” sales.

Under this guidance, the Local Liquor Control Commissioner may authorize sales of package goods, for consumption off the premises, for any retailer licensed to sell alcohol beverages in the Village.

At this time, there are two classes of license in the Village which call for sales for on-premises consumption: Class C-2: Restaurant; and Class C-3: Restaurant with Outdoor Seating. It is my

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*Attorneys at Law*

understanding that Rosati's and Rose Garden hold Class C-2 licenses; and Red Ox and Copper Barrel hold Class C-3 licenses at this time. <sup>1</sup>

Under the Village Code, the Village President is hereby authorized to and shall act as the local liquor control commissioner and is charged with the administration of and empowered pursuant to the Illinois liquor control act of 1934, as amended, 235 Illinois Compiled Statutes 5/1-1 et seq., and such ordinances and resolutions relating to alcoholic liquor as may be enacted from time to time by the board of trustees. He is assisted in these tasks by the Local Liquor Control Commission.

Therefore, the Commission might consider and could authorize the Village President (as Liquor Control Commissioner) to issue an Order, as attached, to temporarily allow for sales of alcohol liquor in the village, for consumption off premises.

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<sup>1</sup> The following businesses are presently licensed for carry-out sales: The Kave; Tuscan Sun; Minnehan's; Arrowhead, Citgo; Block's; Speedway; Marathon; T/A; Loves and Casey's.

# Village of Hampshire

## Liquor Control Commissioner

### ORDER

Because of the ongoing state of emergency resulting from the COVID-19 virus, under state of emergency declared by the Governor of the State of Illinois, and in light of the COVID-19 Related Action Guidance to Local Liquor Control Commissions for On-Premises Only Retailers), issued by the Illinois Liquor Control Commission on March 19, 2020, and the Local Liquor Control Commission of the Village having considered the circumstances, and having by majority vote approved of off-premises sales of alcohol liquors by certain license holders under certain conditions, IT IS HEREBY ORDERED as follows:

1. Each holder of a Liquor License in the following classifications: Class C-2 Restaurant; and Class C-3 Restaurant with Outdoor Seating, shall be and is for the duration allowed by this Order authorized to sell and/or deliver alcoholic liquor in the original package for consumption off-premises.
2. Any retailer selling alcoholic liquor for off-premises consumption pursuant to this Order shall abide by all laws, rules and policies established by Executive Order 2020-07; by the Illinois Liquor Control Act; by applicable Illinois Liquor Control Commission Rules; and by local ordinance, that apply to sales of packaged liquors for consumption off the premises.
3. The authority granted by this Order shall continue until the earlier to occur of the following: revocation, rescission or termination of this Order, or termination of Executive Order 2020-07 by the Governor of the State of Illinois, lifting the state of emergency resulting from the COVID-19 virus.
4. Immediately upon revocation, rescission or termination of this Order, or termination of Executive Order 2020-07 by the Governor of the State of Illinois, lifting the state of emergency resulting from the COVID-19 virus, whichever shall first occur, any such retailer cease such sales for consumption off-premises and shall strictly abide by the conditions and limitations of his/her/their Class C-2 or Class C-3 liquor license, respectively.
5. Upon execution, a copy of this Order shall be delivered to the Chief of Police, and shall be served by him or his designee on the holder of any Class C-2 or Class C-3 liquor license in the Village, without delay.

Dated: March \_\_\_\_, 2020

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Jeffrey R. Magnussen  
Local Liquor Control Commissioner  
Village of Hampshire