

## **ORDINANCES 2012**

### **12-01**

An ordinance amending the Jackson County Waste Management Ordinance

### **12-02**

An ordinance amending the county hotel tax ordinance

### **12-03**

Changes to the Liquor Control Ordinance

### **12-04**

An altered speed zone ordinance (a 45 mile per hour speed limit beginning at Old Ill Route 13 and extending southerly to Chautauqua Road for a distance of 0.5 mile

### **12-05**

An ordinance for the establishment of an altered speed zone of 30 mph on a portion of Majestic Oak Drive (from Pump House Rd. extending easterly for a distance of approximately 0.56 miles)

### **12-06**

The annual tax levy ordinance

### **12-07**

A altered speed zone ordinance (a 30 mile per hour speed limit beginning at Park Street and extending southwesterly for a distance of approximately 0.5 mile)

# ORDINANCE 2012- 1

## AN ORDINANCE AMENDING THE JACKSON COUNTY WASTE MANAGEMENT ORDINANCE

**WHEREAS**, the County Board of Jackson County, Illinois adopted the Jackson County Waste Management Ordinance (ordinance) on August 14, 2008; and

**WHEREAS**, the ordinance does not contain conditions for violations and penalties for contamination of a County-owned recycling drop-off container; and

**WHEREAS**, the present amending ordinance is intended to amend the Waste Management Ordinance to include such conditions for violations and penalties; and

**WHEREAS**, the present amending ordinance is adopted by virtue of the authority of the Jackson County Board, Jackson County, Illinois; and

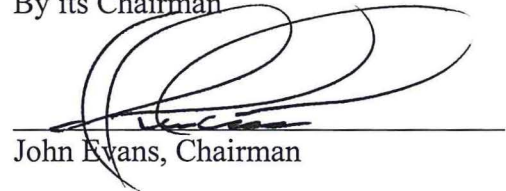
**THEREFORE**, the Jackson County Board ordains and adopts the following:

1. The amendments made and adopted by this present amending ordinance shall be incorporated into paragraph 2 of Section 11, Part A of the existing Jackson County Waste Management Ordinance as if originally part of it; further (additions underlined, deletions ~~struck-out~~):
2. "SECTION 11. Administration and Enforcement"
  - A) Enforcement - VIOLATIONS AND PENALTIES
    2. Any person who scavenges solid waste and/or recyclable materials that have been set out specifically for collection by persons or the County or any person who adds any material that causes contamination to any County-owned recycling drop-off container designated for certain recyclable materials may be subject to a fine of up to five hundred (\$500) dollars for each occurrence. Each day of any violation of this ordinance which continues constitutes a separate offense for each day in violation.

3. The Jackson County Board is authorized to insert and incorporate the amendments made by this ordinance into the existing Jackson County Waste Management Ordinance; further
4. The Jackson County Board Chairman shall be authorized to sign this present ordinance; further
5. The amendments in this present ordinance shall become effective upon adoption of this ordinance by the Jackson County Board; further
6. The Jackson County Waste Management Ordinance shall not be altered or repealed in any way by this present ordinance except as specifically stated herein.

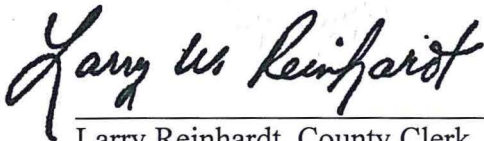
Adopted by the Jackson County Board on February 21th, 2012, by the requisite majority at its regular monthly meeting.

By its Chairman



John Evans, Chairman

ATTEST:



Larry Reinhardt, County Clerk  
Jackson County, Illinois



**JACKSON COUNTY ORDINANCE NO. 2012 - 2**

**AN ORDINANCE AMENDING THE COUNTY HOTEL TAX ORDINANCE**

WHEREAS, Section 5-1030 of the Counties Code (55 ILCS 5/5-1030) authorizes the county board to impose a tax at a rate not to exceed 5% upon all persons engaged in the business of renting, leasing or letting rooms in a hotel which is not located within a city, village, or incorporated town that imposes a tax under Section 8-3-14 of the Illinois Municipal Code (65 ILCS 518-3-14); and

WHEREAS, the proceeds from such a tax, less any amount necessary to defray the costs of administering and collecting the tax, shall be expended to promote tourism, conventions, expositions, theatrical, sporting and cultural activities within the county, and to attract nonresident overnight visitors to the county; and

WHEREAS, the county board supports and encourages tourism, conventions, expositions, theater, sporting and cultural activities within Jackson County; and

WHEREAS, the imposition of a hotel tax will help defray the expenses of promoting tourism, conventions, expositions, theater, sports and cultural activities within Jackson County.

WHEREAS, the Jackson County Board adopted Ordinance No. 2007-2 on June 13, 2007 that initiated the county hotel tax; and

WHEREAS, as a result of recent activities and changes the County intends to update and amend its ordinance as set forth below.

NOW THEREFORE the Jackson County Board does hereby ordain the following:

1 .For the purpose of this Ordinance, whenever any of the following words, terms or definitions are used herein, they shall have the meaning ascribed to them in this Ordinance.

A. "Hotel" means any building or buildings or structure or structures in which a person may, for a consideration, obtain on a daily basis a room or rooms, living quarters, sleeping or housekeeping accommodations. The term includes but is not limited to inns, motels, tourist homes or courts, lodging houses, rooming houses and bed and breakfast establishments.

B. "Owner" means any person having an ownership interest in, conducting the operation of a hotel or motel room, or receiving the consideration for the rental of such hotel or motel room.



C. "Permanent resident" means any person who occupies any room or rooms, living quarters, sleeping or housekeeping accommodations, regardless of whether or not it is the same room or room, living quarters, sleeping or housekeeping accommodations, in a hotel for at least thirty (30) consecutive days.

D. "Person" means any natural person, trustee, court appointed representative, syndicate, association, partnership, firm, club, company, corporation, business trust, institution, or other political subdivision, contractor, supplier, vendor, vendee, operator, user or owner, or any officers, agents, employees or other representative, acting either for himself or for any other person in any capacity, or any other entity recognized by law as the subject of rights and duties. The masculine, feminine, singular or plural is included in any circumstances.

E. "Rent" means the consideration received for occupancy, valued in money, whether received in money or otherwise, including all receipts, cash, credits and property or services of any kind or nature. The term includes gross rental receipts.

2. There is hereby levied and imposed a tax of five percent (5%) of the rent charged for the privilege and use of renting a hotel room, as defined herein, within the County for each twenty-four (24) hour period or any portion thereof for which a daily room charge is made.

3. The proceeds of such renting or leasing received by the hotel from a permanent resident shall be excluded from the tax imposed herein.

4. The ultimate incidence of, and liability for payment of said tax is to be borne by the person who seeks the privilege of occupying the hotel or motel room, said person hereinafter referred to as "renter".

5. The tax herein levied shall be paid in addition to any and all other taxes and charges. It shall be the duty of the owner of every hotel to secure said tax from the renter of the hotel room, and to pay over to the County Treasurer or any authorized representative of the County said tax under procedures prescribed by the County Treasurer, or as otherwise provided in this Ordinance.

6. Every person required to collect the tax levied by this Ordinance shall secure said tax from the renter at the time he collects the rental payment for the hotel. Upon the invoice receipt or other statement or memorandum of the rent given to the renter at the time of payment, the amount due under the tax provided in this Ordinance shall be stated separately on said document.

7. The County Treasurer, or authorized representative of the County, may enter the premises of any hotel for inspection and examination of records in order to effectuate the proper administration of this Ordinance, and to assure the enforcement of the collection of the tax imposed. It shall be unlawful for any person to prevent, hinder, or interfere with the County Treasurer or authorized representative in the discharge of the duties in the



enforcement of this Ordinance. It shall be the duty of every owner to keep accurate and complete books and records to which the County Treasurer or authorized representative shall at all times have full access, which records shall include a daily sheet showing:

- a. The number of hotel rooms rented during the twenty four (24) hour period, including multiple rentals of the same hotel room where such shall occur; and
- b. The actual hotel tax receipts collected for the date in question.
- c. The failure of an owner to provide full access to the County Treasurer or authorized representative to its books and records memorializing its rental of rooms within the owner's hotel shall be a violation of this Ordinance and shall be punishable by a fine of not less than \$50 and not more than \$500 per incident. The prevention of, hindrance of obstruction of or the interference with the County Treasurer or authorized representative shall be punishable by a fine of not less than \$50 and not more than \$500 per incident.

8. Commencing on August 1, 2007, the owner or owners of each hotel within the unincorporated areas of Jackson County shall file tax returns showing tax receipts received with respect to each hotel room during each month commencing on August 1, 2007. The return shall be due on or before the last day of each succeeding calendar month, and the return shall indicate for what period the return is to be filed; i.e., return for August tax receipts is due on or before the last day of September. Thereafter reporting periods and taxes shall be paid in accordance with the provision of this Ordinance. At the time of filing said tax returns; the owner shall pay to the County Treasurer all taxes due for the period to which the tax return applies.

9. If for any reason any tax is not paid when due, a penalty at the rate of one and one-half percent ( $1\frac{1}{2}\%$ ) compounded every thirty (30) days or portion thereof, from the date of delinquency, including all fees incurred to collect said tax and/or penalty shall be added and collected.

10. Whenever any person shall fail to pay any tax as herein provided, the State's Attorney shall, upon the request of the county board, bring or cause to be brought an action to enforce the payment of said tax on behalf of the county in any court of competent jurisdiction.


11. All proceeds resulting from the imposition of the tax under this Ordinance, including penalties shall be paid to the Treasurer of the County of Jackson into a special and restricted fund to be appropriated, used and applied for the promotion and development of tourism, conventions, expositions, theater, sports and cultural activities within Jackson County, as determined by the Jackson County Board.

12. It is the intent of the County Board that the present ordinance replace Ordinance 2007-2. Provided, however, that nothing herein shall affect any actions of the County and its officers, agents, employees or any private or public entity or person that was done in reliance on or under the authority of the previous ordinance.

13. The enactment shall take effect immediately.

ADOPTED BY THE JACKSON COUNTY BOARD AT ITS REGULAR MONTHLY MEETING THIS 23<sup>rd</sup> DAY OF AUGUST 2012.

By its Chairman

  
\_\_\_\_\_  
John D. Evans

ATTEST:

  
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Larry W. Reinhardt, County Clerk

SEAL



**ORDINANCE NO. 2012- 3**

**JACKSON COUNTY LIQUOR CONTROL ORDINANCE**

**AMENDED SEPTEMBER 18, 2012**

WHEREAS, the County Board, Jackson County, Illinois, finds that it is in the interests of the public health, safety, and welfare of the people of Jackson County, Illinois, and pursuant to statutory authority granted in the Illinois Liquor Control Act, that amendments to the Jackson County Liquor Control Ordinance should be adopted; and

WHEREAS, there exists Jackson County Liquor Control Ordinance 2010-08, adopted December 8, 2010; and the present amending ordinance is in no way intended to repeal or abrogate the earlier Ordinance, except as stated below; and

WHEREAS, the terms and conditions under which all licenses, conditions, legal rights, and privileges that were approved and conferred prior to the adoption of this present amending ordinance shall be binding and in effect; and

WHEREAS, the purpose of this present amendment is to modify hours of operation, increase license fees, and to clarify classifications.

THEREFORE, BE IT ORDAINED by the County Board of Jackson County, Illinois, that the Jackson County Liquor Control Ordinance adopted in 2010, as amended, and all resolutions of the County Board of Jackson County which may have been enacted pursuant thereto be, are hereby amended as follows:

**ARTICLE I**

**General Provisions**

**Section 1. Construction**

This ordinance shall be liberally construed to the end that the health, safety, and welfare of the people of Jackson County 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.

**Section 2. Definitions**

Unless the context otherwise requires, the following word and phrases as used in this Chapter shall be construed according to the definitions set forth below:

A. Alcohol. The product of distillation of any fermented liquid, whether rectified or diluted, whatever may be the origin thereof, and includes synthetic ethyl alcohol. It does not include denatured or wood alcohol.

B. Alcoholic Liquor. Includes alcohol, spirits, wine and beer and every liquid or solid, patented or not, containing more than one-half of one percent of alcohol by volume, and capable of being consumed as a beverage by a human being.

C. 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.

D. Beer Gardens/Outdoor Cafes. Any open-air area, which is part of the licensed premise of a Class A or Class B licensee under this Ordinance, with or without fencing, adjacent to and accessible to an establishment possessing a liquor license under this ordinance in which beer, wine, or any other alcoholic liquor is sold, offered for sale, delivered, or consumed.

E. Bowling Alley. An establishment or premise, or part of an establishment or building, as the case may be, wherein the game of bowling, played with composition balls and ten wooden pins is played.

F. Caterer Retailer. A person who serves alcoholic liquors for consumption, either on-site or off-site, whether the location is licensed or unlicensed, as an incidental part of food service. Prepared meals and alcoholic liquors are sold at a package price agreed upon under contract.

G. Club. An organization formed under the laws of the 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 owning, hiring or leasing a building or space in a building or 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, that such club shall file with the Local Liquor Control Commissioner at the time of its application for a license under this chapter two copies of a list of names and residences of its board of directors, and similarly file within ten days of the election of any officer, 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 at 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 of sale of alcoholic liquor to the members of the club, or the bona fide guests of the members thereof, beyond the amount of such salary as may be fixed and voted on at the annual meeting by the members or by its board of directors and other governing body out of the general revenue of the club.

H. Control Premise. The total area of the premise which the licensee owns and/or controls for which the licensee is responsible; it shall include but is not limited to the licensed premise, parking lots, and any other area adjacent to the Licensed Premise.

I. Delivery. The act of transferring or giving in any manner or by any means alcoholic Liquor to another by any person, whether as principal, proprietor, agent, servant or employee.

J. Entertainment. Any music, whether live, pre-recorded, or broadcasted via radio, television, or any other media; any sporting contest, including but not limited to volleyball, horseshoes, wrestling, and boxing; and, any dance, play, theatrical production, comedy presentation, motion picture, or contest involving humans or animals as contestants.

K. Hotel and 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 adequate pay to travelers and guests, whether transient, permanent or residential, in which twenty-five or more rooms are used for the sleeping accommodations of such guests and having one or more public dining rooms where meals are served to such guests.

L. Licensee. Any person, corporation, or partnership holding a license under the terms and provisions of this Chapter.

M. Licensed Premise. That area as described in the application where alcoholic liquor is or will be served, stored or sold and all areas which are internally or externally connected thereto by doorways, and which are integrally related to the operation of the licensed establishment and upon which alcoholic liquor may be lawfully consumed pursuant to this Ordinance.

N. Original package. A bottle, flask, jug, can, cask, barrel, keg, or any other receptacle or container, used, corked or capped, sealed and labeled by the manufacturer of alcoholic liquor to contain and convey any alcoholic liquor.



O. 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 an 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 guests, and obtaining at least fifty-one percent (51%) of the annual gross revenue from the sale of food.

P. Retail Sale. The sale for use or consumption and not for resale.

Q. Sale. Any transfer or exchange in any manner or by any means whatsoever for consideration, and includes and means sales made by any person, whether as principal, proprietor, agent, servant, or employee.

R. Spirits. Any beverage, which contains alcohol obtained by distillation, mixed water or other substance in solution and includes brandy, rum, whiskey, gin, or other spirituous liquors, and such liquors when rectified, blended or otherwise mixed with alcohol or other substances.

S. Change In Interest or Ownership. The phrase change in interest of ownership means:

- (1) a change in the form of ownership from an individual or partnership to a corporation, or from a partnership to an individual;
- (2) a change from an individual to a partnership such as the addition or deletion of any partner; or
- (3) the transfer of over five percent (5%) of the stock in a corporation, except for a corporation listed on a national stock exchange in which event the transfer of a controlling interest, or over twenty-five (25%) of the stock thereof.
- (4) With respect to an entity not covered in (1), (2), or (3) above, the transfer of any actual or beneficial ownership interest of 5% or more.

T. Tavern. Any public place kept, used, maintained, advertised or held out to be public as a place where alcoholic liquor is served and where food is not served in the form of meals.

U. Wine. Any alcoholic beverage obtained by or through the fermentation of the natural contents of fruits or vegetables, containing sugar, including such beverages when fortified by the addition of alcohol or spirits, as defined herein.

V. Microbrewery. Any person who manufactures beer only at a designated premises to make sales to importing distributors, distributors, and to non-licensees for use and consumption only, who stores beer at the designated premises, and who is allowed to sell at retail from the licensed premises, provided that a brew pub licensee shall not sell for off premises consumption more than 50,000 gallons per year.

### Section 3. Applicability of State Law.

All provisions of "AN ACT relating to alcoholic liquors" Laws 1933-34, Second Sp. Sess., approved Jan. 31, 1934, eff. July 1, 1934. (235 ILCS 5/1-1 et seq.), as amended or shall be amended are hereby incorporated and made a part of this Ordinance insofar as the provisions of such state law pertain to this county. In the event of a conflict between state law and any provisions of this Ordinance, the state law shall govern.

### Section 4. Severability.

If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or is held to be otherwise invalid, such decision shall not affect the validity of the remaining portions of this Ordinance.

## ARTICLE II

### Liquor Control Commissioner

#### Section 1. Commissioner Defined

The Chairman of the County Board of the County of Jackson, State of Illinois, shall be the Liquor Control Commissioner, and shall act as such in and for that area in the County of Jackson, State of Illinois, which is not within the limits of any city, incorporated town or village.

#### Section 2. Compensation

The Liquor Control Commissioner of Jackson County shall receive compensation in the amount of One Thousand Dollars (\$1000.00) per year for performing his duties of office, said sum shall be paid monthly in equal installments.



### Section 3. Powers and Duties of the Local Liquor Control Commissioner

The Liquor Control Commissioner of Jackson County, Illinois, shall have the following powers and duties:

A. To issue new and renewal liquor licenses in accordance with the provisions of this Ordinance.

B. The Liquor Control Commissioner may, after proper hearing revoke, or suspend for not more than thirty (30) days, any license issued by him under the terms of this Ordinance for any of the following reasons:

- (1) Violation of any of the provisions of this Ordinance or any violation of any provision of the laws of the state relating to the sale of alcoholic liquors.
- (2) The willful making of any false statements as to a material fact in an application for a license or the renewal thereof;
- (3) If the 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 the 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 any 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.

C. To enter, or to authorize any person acting as an agent of the Commissioner, any inspector, law enforcement, or peace officer to enter at any time upon any premises licensed hereunder for the purpose of determining whether any of the provisions of this ordinance have been or are being violated, and, to inspect or examine such premises at the time of entry thereon.

D. To require that all licensed premises be maintained and operated in a sanitary condition, and, in compliance with all applicable rules and regulations, of the Health Department of the County of Jackson, and, in compliance with all zoning and land use regulations of Jackson County, Illinois, and require any additional security or enforcement to assure compliance with all applicable rules, regulations, and ordinances



of the County of Jackson and the State of Illinois; to assure the public safety, welfare, and best interests of people of Jackson County;

E. 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 Jackson.

F. To receive complaints from any citizen regarding violation of any of the provisions of this Ordinance or of the Illinois Liquor Control Act, or complaints regarding any other applicable laws, ordinances, rules, or regulations concerning violations thereof, and, to act upon such complaints as herein provided.

G. To receive personally, or through a designated agent, all local license fees and to pay the same forthwith to the County Treasurer.

H. The Liquor Control 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 of Illinois. In conducting such examinations, the Liquor Control Commissioner may authorize an agent to act on his behalf.

#### Section 4. Records

The Liquor Control Commissioner shall maintain or cause to be maintained a complete record of all licenses issued pursuant to this Ordinance.

### **ARTICLE III**

#### **Liquor Advisory Board**

##### Section 1. Establishment of Liquor Advisory Board

There is hereby established a Liquor Advisory Board which shall have the powers and duties as set forth in this Article.

## Section 2. Membership

A. The Liquor Advisory Board shall consist of the following members:

- (1) The Sheriff or his/her representative;
- (2) The State's Attorney or his/her representative;
- (3) The Chair of the Health and Safety Committee;
- (4) A representative from the Jackson County Health Department;
- (5) At least one, but not more than three, citizens of the County to be appointed biannually by the Chair of the County Board with the approval of the full County Board.

B. In cases where an application for a new liquor license has been made, the Liquor Advisory Board shall also include, for purposes of reviewing such new application, the two County Board members for the district in which the proposed establishment is to be located.

## Section 3. Powers and Duties

The Liquor Advisory Board shall have the following powers and duties:

- A. To review all liquor license applications, both new and renewals;
- B. To meet and discuss liquor license applications with all applicants;
- C. To render an advisory opinion as to the merits or demerits of each liquor license application it reviews;
- D. To receive complaints made against licensees and to inform the Liquor Control Commissioner of those complaints which require further action under this Ordinance;
- E. To monitor all licensees for compliance with state and local law; and
- F. To seek public input and to receive community concerns regarding liquor and liquor licenses.

#### Section 4. Criteria for Liquor Advisory Board Recommendations

The Liquor Advisory Board shall consider the following criteria in making its recommendations regarding license applications to the Liquor Control Commissioner:

- A. Compliance by the applicant with state laws and local ordinances;
- B. Potential impact upon and demand for public services by the applicant, should the license be granted;
- C. Proximity to and potential impact upon residential property, schools, and religious buildings by the applicant, should the license be granted;
- D. Potential impact upon traffic safety by the applicant, should the license be granted;
- E. Adequacy of street lighting and on-site lighting in the location of the establishment;
- F. Availability and adequacy of parking for the establishment;
- G. Character and nature of the proposed establishment;
- H. Whether live entertainment will be provided by the licensee and the nature of such entertainment;
- I. The manner of operation of the establishment or the proposed manner of operation of the establishment, if a new application, including, but not limited to, staffing levels, the ability and commitment to abide by laws and regulations, and the ability to monitor activities both within the confines of the establishment and upon the real property containing the establishment;
- J. The financial responsibility of the applicant and the past performance of the applicant, if any, in the area of liquor sales and services; and
- K. The health, safety, and welfare of the area in which the establishment is located or proposed to be located.

#### Section 5. Meetings

A. The Liquor Advisory Board shall meet not less than semi-annually to carry out its duties.

B. The Liquor Advisory Board shall establish dates, times, and places for its meetings.



C. Emergency meetings may be called upon the vote of four (4) members of the Liquor Advisory Board.

D. Notice of all Liquor Advisory Board meetings shall be provided to all interested parties pursuant to the Open Meetings Act.

## **ARTICLE IV**

### **Licenses**

#### **Section 1. License Required**

Licenses shall be granted for the sale of alcoholic liquors in all its forms as defined in the statutes of this state, subject to the conditions of this ordinance. No person, either by himself or his agent or any person acting as an agent, barkeeper, clerk, or servant of another shall sell or offer for sale at retail in the unincorporated areas of the county any alcoholic liquor without first having obtained a license to do so as hereinafter provided; and, it shall likewise be unlawful for any person to sell or offer for sale any intoxicating liquors, in violation of the terms and conditions of such license and this Ordinance and the laws of this state.

#### **Section 2. License Required for Each Place Operated by Licensee**

A. A separate license shall be required for each individual place of business operated by a licensee, and such license shall not be transferable from one licensee to another licensee, unless in conformity with this ordinance.

B. If a licensee or applicant has two or more physical structures on a Control Premise and wishes to sell, offer for sale, deliver, or allow consumption in more than one of the physical structures on the Control Premise, the licensee or applicant must apply for and possess a separate license for each physical structure on the Control Premise.

#### **Section 3. Application**

A. All applications for licenses under this article shall be in writing, under oath, on forms provided by the Local Liquor Commissioner.

B. Each application shall be signed by the applicant. If the applicant is a partnership, all partners shall sign the application. If the applicant is a corporation or club, the application shall be signed and verified by the president and secretary. The information recited in the application shall be under oath or affirmation as to each person signing the application.

C. Applications for new licenses shall be made as early as practicable by the applicant in order for a full review as contemplated by this Ordinance. Applications for a renewal license shall be made on or before November 30 of the year preceding the license year. Applications for a renewal license made on or after December 1 shall be accompanied by a late fee in the amount of \$50.00, in addition to the appropriate license fee as set forth in Article V, Section 2, Subsection A.

Section 4. Persons Ineligible to Hold a License.

- A. A person who is not a bona fide resident of the County of Jackson.
- B. A person who is not of good character and reputation of the County of Jackson.
- C. A person who is not a citizen of the United States.
- D. A person who has been convicted of a felony or who has been convicted of pandering or any other crime of immorality or a person who has been convicted of being a keeper of a house of ill fame under the laws of the State of Illinois, or any other federal or state law, unless the Liquor Control Commissioner determines, within his or her sole discretion, that such person now warrants the public trust.
- E. A person whose license issued under this article or the Illinois Liquor Control Act has been revoked for cause.
- F. A person who at the time of application for renewal of any license issued under this article would not be eligible for such license upon a first application.
- G. A person whose business is conducted by a manager or agent, unless such manager or agent possesses the same qualifications required of the licensee.
- H. 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.



I. Any law enforcing public official, any member of the County Board, or any public official with liquor licensing and enforcement responsibilities. No such official shall be interested, in any way, either directly or indirectly, in the sale or distribution of alcoholic liquor.

J. Any person, club, association or corporation not eligible for a state retail liquor dealer's license.

K. A partnership, unless all of the member of such partnership shall be qualified to obtain a license.

L. A corporation, if any officer, manager or director thereof, or any stockholder or stockholders owning in the aggregate more than five percent (5) of the stock of such corporation, would not be eligible to receive a license here under for any reason other than citizenship or residence within the political subdivision. Provided however, that the manager of a corporation shall be required to comply with the residency requirement or the corporation shall appoint an agent who complies with the residency requirement.

M. 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.

N. A person who has been convicted of a gambling offense as proscribed by Article 28 of the Criminal Code of 1961, (720 ILCS 5/28-1 et seq.) as heretofore or hereafter amended.

O. A person to whom a federal wagering stamp has been issued by the federal government for the current tax period.

P. A partnership to which a federal wagering stamp has been issued by the federal government for the current tax period or if any of the partners have been issued a federal wagering stamp by the federal government for the current tax period.

Q. A corporation if the corporation or any officer, manager or director thereof or any stockholder owning in the aggregate more than 5% of the stock of said corporation has been issued a federal gaming device stamp or a federal wagering stamp for the current tax period.

R. A person under the age of twenty-one (21) years or under any legal disability.

Section 5. Duration

A. All licenses shall be issued for a term not to exceed one year.

B. All licenses shall expire on December 31 next following the issuance of such license, unless otherwise stated.

Section 6. Transfer of License

A. A license shall be a purely personal privilege and shall not constitute property. Nothing in this Ordinance shall be construed to grant a right to transfer or accept the transfer of any license.

B. If the applicant seeks to transfer the license to a new location, the proposed location must comply with all rules, regulations, and statutes of the State of Illinois as well as this Ordinance, applicable to the operation and maintenance of a licensed premise.

C. The transfer of a license issued hereunder from one person to another or from one legal entity to another shall only be made in the case of a bona fide sale or transfer for valuable consideration of the business, and upon the determination by the Liquor Control Commissioner that the purchaser possesses the qualifications as required of an applicant for the original license. The purchaser shall be required to complete a license application.

Section 7. Cessation of Business

A. The death of a licensee, termination of a partnership, dissolution of a corporation, or bankruptcy of a licensee shall cause the license to cease to exist; except that the administrator or executor of the estate or trustee in bankruptcy may continue to operate the business for three (3) months upon order of the appropriate court; provided, however, that the trustee, administrator or executor of an estate shall meet the qualifications set forth in this ordinance.

B. A licensee who will be ceasing to do business or who closes his or her place of business for more than ten (10) days shall give the Commissioner written notice of such cessation or closing as soon as practical after the decision to close or cease business is made, but in any event before the cessation or closing. Such notice shall state the reason therefore and the date of closing or cessation. Any licensee who ceases to do business or closes his or her place of business for a period of more than thirty (30) successive days, and who fails to show good cause, shall be subject to having his or her license suspended, revoked or a fine imposed.



C. Any licensee who obtains a transfer of license pursuant to Section 6 of this Article, and who fails to commence business operations on or before the date specified in the application for transfer, shall give the Commissioner written notice specifying the reasons for the failure to commence business operations. Any licensee who fails to show good cause shall be subject to having his or her license suspended or revoked.

#### Section 8. Changes in Interest-Ownership

Changes in the interest or ownership of any licensed premise are subject to the following requirements:

A. Any changes in partners, officers, directors, persons holding directly or beneficially more than five percent of the stock or ownership interest, or managers of establishments licensed under this Ordinance, shall be reported in writing to the Liquor Control Commissioner within ten (10) days of the change; provided, however, that changes in stock ownership need not be reported where the stock is publicly traded if the stock transfer is less than twenty-five (25%) of the stock. All such persons shall meet all the requirements of this Ordinance and must otherwise qualify to hold a license.

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 effective on the date of said change.

C. When a license has been issued to a corporation and a change has taken place in the officers, directors, managers or shareholders of more than five percent (5%) of the stock resulting in the holding of office or such shares by one who is not eligible for a license, said license shall terminate, effective on the date of said change.

#### Section 9. Changes in Operation

A license issued under the provisions of this Ordinance shall permit the sale of alcoholic liquor only within the licensed premises described in the application and only under the conditions imposed in this Ordinance on the particular class of license described therein. Any change or alteration in the operation of the licensed premise, which varies in any manner from that on the date of the issuance of the license, shall be reported in writing to the Liquor Control Commissioner within ten (10) days. Failure to report the change in operation may result in a suspension or revocation of the license. A licensee who conducts its business through a manager or agent shall notify the Liquor Control Commissioner within seven (7) days of any change in manager or agent.

## Section 10. Renewals

The Liquor Control Commissioner may renew a license at the expiration thereof; provided that the applicant makes application for renewal and meets the eligibility requirements of this ordinance and all its provisions.

## Section 11. Display

Every licensee under this article shall cause his license to be framed under glass and posted in a conspicuous place within the premises licensed, so that any person entering such premises may easily read the license.

# ARTICLE V

## Classification and Schedule of Fees

### Section 1. Classifications of Licenses

Licenses to sell alcoholic liquors at retail are hereby divided into eight (8) classes as follows:

A. Class A. Class "A" licenses shall authorize the sale of alcoholic liquors on the premises of any tavern for consumption on the premises, as well as other retail sales of such liquor in the original package which shall be consumed on or off the premises.

B. Class B. Class "B" licenses shall authorize the retail sale of alcoholic liquors on the premises in any restaurant for consumption on the premises, as well as other retail sales of such liquor in the original package which shall be consumed on or off the premises.

C. Class C. Class "C" licenses shall authorize the retail sale of alcoholic liquors in the original packages and not for consumption on the premises where sold.

D. Class ID. Class "ID" licenses shall authorize the retail sale of only beer and/or wine only in the original packages and not for consumption on the premises where sold.

E. Class E. Class "E" licenses shall authorize the sale of alcoholic liquors on the premises of any club for consumption on the premises. Club shall be as defined in this ordinance.



F. Class F. Class "F" licenses shall authorize the sale of alcoholic liquors by community associations or groups which are not for profit organizations. Said licenses shall be effective only from one (1) to three (3) days duration.

G. Class G.

1. A Class "G1" license shall authorize the sale and offer for retail sale of wine for consumption on the premises, as well as other retail sales of such wine in the original package which shall be consumed on or off the premises.

2. A Class "G2" license shall authorize the retail sale alcoholic liquors on the premises of any winery for consumption on the premises, as well as other retail sales of wine in the original package, which shall be consumed on or off the premises.

H. Class H. Class "H" license shall authorize a licensee (under this ordinance) to transfer a portion of its alcoholic liquor inventory from its licensed premises to the premises specified in the license hereby created and to sell or offer for retail sale or consumption, only on the premises specified in the license hereby created, the transferred alcoholic liquor as well as other retail sales of such liquor in the original package which shall be consumed on or off the premises. Such license shall be granted only for the following time periods; one day or less, two or more days to a maximum of fifteen days per location in any twelve month period. The applicant for the license hereby created must submit with the application proof satisfactory to the Local Liquor Control Commissioner that the applicant will provide dram shop liability insurance to the maximum limits and that such license request is not otherwise prohibited by law.

I. Class I. Class "I" license shall authorize a caterer retailer to serve alcoholic liquors as an incidental part of a food service that serves prepared meals which excludes the serving of snacks as the primary meal, either on or off-site whether licensed or unlicensed. The applicant for the license hereby created must submit with the application proof satisfactory to the Local Liquor Control Commissioner that the applicant will provide dram shop liability insurance to the maximum limits and that such license request is not otherwise prohibited by law. The applicant/licensee shall notify the Jackson County Sheriff's Department and the Jackson County Health Department of the location of each event.

J. Class J. Class "J" license shall authorize the retail sale of alcoholic liquors on the premises of any microbrewery for consumption on the premises, as well as other retail sales of beer in the original package, which shall be consumed on or off the premises.

Section 2. Fees

A. The annual license fee for each license shall be as follows:

|          |            |
|----------|------------|
| Class A  | \$1,000.00 |
| Class B  | \$750.00   |
| Class C  | \$1,000.00 |
| Class D  | \$250.00   |
| Class E  | \$600.00   |
| Class F  | \$75.00    |
| Class G1 | \$350.00   |
| Class G2 | \$500.00   |
| Class H  | \$100.00   |
| Class I  | \$1,000.00 |
| Class J  | \$350.00   |

B. In the event the initial application is for a period of less than the full license year, the annual fee as set forth in subsection (a) shall be reduced in proportion to the full calendar months, which have elapsed in the license period prior to the issuance of the license.

**ARTICLE VI**

**Regulation of Operations**

Section 1. Hours of Operation

A. It shall be unlawful to sell, to offer for sale or deliver at retail, or to give away in or upon any licensed premise, any alcoholic liquor except during the following hours:

- (1) From 7:30 a.m. on Monday, Tuesday, Wednesday, Thursday, Friday, and Saturday until 2:00 a. m. of the next day;
- (2) From 10:00 a.m. on Sunday until 2:00 a.m. on Monday;



(3) Holders of Class "G2" and Class "J" licenses shall cease the sale, the offering for sale, the delivering at retail, or the giving away in or upon the licensed premises of any alcoholic liquor after 10:00 p.m. on any day.

B. It shall be unlawful to keep open for business, to admit the public or permit the public to remain within, or to permit the consumption of alcoholic liquor by any person in or upon the licensed premise in which alcoholic liquor is sold at retail after 2:00 a.m.

C. The only persons permitted to remain within the licensed premise after 2:00 a.m. are the licensee, employees, and persons engaged in cleaning and maintenance purposes. No alcoholic liquor shall be consumed by anyone on the premise between the hours of 2:00 a.m. and 7:30 a.m.

D. No licensee shall allow the pick-up of alcoholic liquor by the package for consumption off the premise after the hours for sale set forth in this section.

## Section 2. Gambling

No gambling devices of any kind or nature, games of chance, punch boards, slot machines, dice or any instrument of gambling shall be permitted or allowed upon any premise licensed for the sale of alcoholic liquors unless permitted by State Statutes. Video gaming and video gaming terminals shall be specifically permitted only when licensed by the Illinois Gaming Board and operated in accordance with the Video Gaming Act (240 ILCS 40/1 et. seq.). There shall be an annual fee of twenty-five dollars (\$25.00) for each video gaming terminal as defined by and licensed pursuant to the Video Gaming Act.

## Section 3. Regulations as to Persons Under the Age of Twenty-One

A. No licensee, or any agent, servant, representative or employee of such licensee shall sell, give or deliver alcoholic liquor to any person under the age of twenty-one (21) years, or to any intoxicated parson.

B. No persons, after purchasing or otherwise obtaining alcoholic liquor shall sell, give or deliver alcoholic liquor to any person under the age of twenty-one years.

C. No licensee, or any agent, servant, representative or employee of such licensee shall permit or allow any person under the age of twenty-one (21) years to remain on the licensed premises while in the possession of or consuming alcoholic liquor, This section does not apply to possession by a person under the age of twenty-one (21) years making a delivery of alcoholic liquor in pursuance of his/her employment.

D. No person under the age of twenty-one (21) years shall purchase, attempt to purchase, accept delivery, accept as a gift, consume or possess in any manner, including by consumption, alcoholic liquor.

E. It shall be unlawful for any person to misrepresent his or her age for the purpose of purchasing, accepting or receiving alcoholic liquor.

F. In an action for a violation of Subsections A. or C. of this Section, evidence may be presented, which will be considered in mitigation, that the licensee, or agent, representative or employee of such licensee, demanded and was presented identification of the type specified in Section 4 of this Article.

G. Any person upon whom such demand is made shall display at least one photo identification card of the type specified in Section 4 of this Article, which contains a birth date. If any person fails to produce evidence of age upon request, he or she shall be considered to be a person who is not entitled to be served alcoholic liquor.

#### Section 4. Acceptable Identification

Only the following types of identification shall be accepted for purposes of entering a licensed establishment and/or purchasing or obtaining alcoholic liquor: vehicle operator's license; State Photo Identification Card for non— drivers; visa or passport.

#### Section 5. Restrictions on Entry Into Licensed Premises

A. No licensee, or any agent, representative, manager or employee of such licensee, shall permit or allow any person under the age of eighteen (18) years to enter or remain upon any premise licensed pursuant to this ordinance.

B. No person under the age of eighteen (18) years shall enter or remain upon any premise licensed pursuant to this ordinance.

C. Subsections A. and B. shall not apply when any of the following conditions are met:

- (1) The licensed premises is a bowling alley or package liquor store;



- (2) The person is accompanied by a parent or legal guardian;
- (3) The licensed premise obtains 51 of the annual gross revenue from the sale of food or other services or commodities.

For purposes of Subsection C.3 the licensee shall submit to the Commissioner documentation sufficient to prove that 51% of the annual gross revenue is derived from the sale of food, services or commodities other than alcoholic liquor. The Commissioner at his discretion, may request additional documentation or an audit of any establishment's records conducted in accordance with generally accepted accounting procedures, in order to prove compliance with this subsection. The cost of an audit shall be at the expense of the licensee.

D. The party charged with a violation in any court or administrative hearing shall have the burden of proving that subsections (1), (2), or (3) hereinabove apply.

#### Section 6. Consumption of Alcoholic Liquor In Public

A. No person shall consume alcoholic liquor on or about the parking lot or area adjacent to a licensee's Licensed Premise, other than in a Beer Garden/Outdoor Cafe for which the Licensee holds a valid license under this Ordinance.

B. No person shall consume alcoholic liquor on or about any public street, alley, sidewalk or public way within the area of Jackson County outside the corporate limits of any town, village, city or incorporated municipality.

#### Section 7. Happy Hours Prohibited

The provisions of state law concerning "happy hours" as found in 2351LCS 5/6-28, and any future amendments thereto, are hereby adopted and incorporated herein by reference.

### **ARTICLE VII**

#### **Beer Gardens/Outdoor Cafes**

##### Section 1. Approval Required

No licensee holding a Class A or Class B license under this Ordinance shall operate a beer garden or outdoor cafe as defined by this Ordinance except upon application to and approval by the Liquor Commissioner, subject to the terms, conditions, and restrictions of this Ordinance and of state law.

## Section 2. Fees for Beer Garden/Outdoor Cafes

In addition to any other fees required under this Ordinance, a licensee seeking to operate a beer garden/outdoor cafe shall submit at the time of application the following fees:

A. Fifty Dollars (\$ 50.00) if the applicant will not offer and/or does not plan to offer entertainment to the patrons of its beer garden/outdoor café;

B. One Hundred Dollars (\$100.00) if the applicant offers or plans to offer entertainment of any type to the patrons of its beer garden/outdoor café.

## Section 3. Time of Application

The application for a beer garden/outdoor cafe shall be filed along with the application for liquor license and with the application for renewal of liquor license. If a licensee wishes to begin operation of a beer garden/outside cafe during the course of a license year, the licensee shall submit an application to the Liquor Commissioner prior to commencing such operation.

## Section 4. Contents of Application for Beer Garden/Outdoor Café

In addition to any other information required by this Ordinance for the issuance of a liquor license, the applicant seeking to operate a beer garden/outdoor cafe, shall also submit a drawing or diagram of the area designated as a beer garden/outdoor cafe. This drawing or diagram shall clearly display:

A. Any and all lighting and fencing;

B. The occupancy rate as approved by the State Fire Marshal; and

C. Seating and serving plans.

## Section 5. Modification by Liquor Commissioner

At the time of the application or at any time during the license year, after consideration of the location of the beer garden/outside cafe, the nature of the business activity conducted in the beer garden/outdoor café, the record of prior violations by the licensee of this Ordinance or state law, and the public health, safety, and welfare, the Liquor Control Commissioner may impose specific requirements upon the licensee in the operation of the beer garden/outdoor cafe which may include, but is not limited to, provisions as to lighting, fencing, the erection of sound barriers, and the prohibition of entertainment.



## Section 6. Violations of This Article

A violation of this Article or any other applicable provision of this Ordinance or of state law with respect to the operation of the beer garden/outdoor cafe may result in the closure of the beer garden/outdoor café and the prohibition of its re-opening, in addition to any other penalties as authorized by this Ordinance.

## **ARTICLE VIII**

### **Violations**

Any person found to have violated any provisions of this ordinance may be fined not less than one hundred (\$100.00) dollars nor more than one thousand (\$1,000.00) dollars for each offense, and every day that such violation is continued shall constitute a separate and distinct offense. In addition thereto, the Jackson County Liquor Control Commissioner may after proper hearing revoke, or suspend for not more than thirty (30) day, any license issued by him under the terms of this ordinance if he determines that the licensee has violated any of the provisions of the ordinance or any provision of the Illinois Liquor Control Act, (Chapter 235 of the Illinois Compiled Statutes); and, when a license shall have been revoked for any cause, no license shall be granted to any person for the period of one year thereafter for the conduct of the business of selling alcoholic liquors in the premises described in such revoked license. Not more than ten thousand (\$10,000.00) dollars in fines under this Article may be imposed against any licensee during the period of his license.

## **ARTICLE IX**

### **Hearing Procedures**

## Section 1. Type of Notice Required

A. Whenever this ordinance requires a hearing before the Liquor Control Commissioner concerning a license or licensee, the licensee shall be afforded reasonable notice of such hearing. Such notice shall state:

- (1) The time, place, and nature of the hearing.
- (2) A statement of the legal authority and jurisdiction under which the hearing is to be held.
- (3) A reference to the particular Sections of the ordinances involved.

- (4) A statement informing the licensee that he may respond by presenting evidence and argument.

## Section 2. Hearings

A. A hearing required under this ordinance shall be held in accordance with the following rules:

- (1) A hearing shall be held at a reasonable time, date and place.
- (2) No cause shall be heard earlier than three (3) days after receipt by a licensee of the notice required under this article.
- (3) A licensee may present evidence and argument and can be represented by a licensed attorney of this state.
- (4) The Commissioner may limit, but not prohibit, the presentation of evidence and argument.

B. Where a licensee has received the requisite notice under this article and fails to appear at hearing, the Commissioner may act ex parte.

## Section 3. Decisions

Any decision, order, or determination rendered by the Commissioner which affects the rights, duties, or privileges of a licensee, shall be in writing and shall notify the licensee personally or by certified mail of the decision.

## Section 4. Waiver

Compliance with any or all of the provisions of this Article concerning procedure may be waived by written stipulation of all parties.

## Section 5. Continuances for Hearings

A. A request for a continuance of any hearing in any matter before the Liquor Control Commissioner will not be allowed by the Commissioner unless for good and valid reason in writing.

B. The Liquor Control Commissioner may, in its discretion, grant a continuance if extenuating and unusual circumstances are presented in support of the request for continuance.



Section 6. Record of Hearing

A complete record of all evidence, testimony and comments before the Liquor Control Commissioner shall be made by certified court reporter or may be electronically taken by tape recording.

Section 7. Witnesses

Witnesses shall be sworn, but in all other respects, hearings shall be informal and the strict rules of evidence shall not apply.

Section 8. Review

A. Review of the proceedings before the Liquor Control Commissioner shall be limited to a review of the official record of the proceedings. No new or additional evidence shall be admitted or considered.

B. All costs of preparing and transcribing an official record on appeal to the State Liquor Control Commission shall be borne by the licensee requesting a review of the official proceedings.

Section 9. Prosecutions of Non-Licensees

Violations of this ordinance allegedly committed by non-licensees shall be prosecuted by the State's Attorney of Jackson County on behalf of the county in the Circuit Court of the First Judicial Circuit, Jackson County, Illinois. Such prosecutions shall be before the court without a jury with the burden of proof upon the County of Jackson. The standard of evidence shall be preponderance of the evidence. Upon convictions for any violation of this ordinance, the Court shall set a fine by a non-licensee pursuant to Article VIII Violations of this ordinance.

**ARTICLE X**

**Savings Clause**

The present amending ordinance shall in no way be construed to repeal or alter, other than as stated in the present amending ordinance, any other provision of the Jackson County Liquor Ordinance. The terms and conditions under which all licenses, conditions, legal rights, and privileges that were approved and conferred prior to the adoption of this present amending ordinance shall be binding and in effect.

## ARTICLE XI

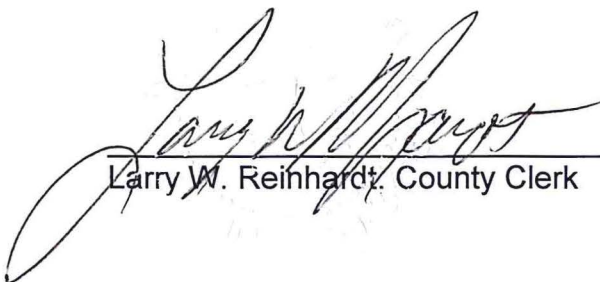
### Effective Date

This ordinance shall be in force and effect on September 18, 2012, following its adoption by the County Board of Jackson County.

Approved and enacted this 18<sup>th</sup> day of September, 2012 at a regular meeting of the Jackson County Board.

  
\_\_\_\_\_  
Jackson County Board Chairman

ATTEST:

  
\_\_\_\_\_  
Larry W. Reinhardt, County Clerk



**AN ORDINANCE FOR THE ESTABLISHMENT  
OF AN ALTERED SPEED ZONE**

12-04

**IT IS HEREBY DECLARED** by the Board of Jackson County, Illinois, that the basic statutory vehicular speed limits established by Section 11-601 of the Illinois Vehicle Code are more than that considered reasonable and proper on the highway listed below for which Murphysboro Township has maintenance responsibility and which is not under the jurisdiction of the Department of Transportation, State of Illinois.

**BE IT FURTHER DECLARED** that this Board has caused to be made an engineering and traffic investigation upon the highway listed below; and,

**BE IT FURTHER DECLARED** that, by virtue of Section 11-604 of the above Code, this Board determines and declares that reasonable and proper maximum speed limit on Country Club Road as listed below shall be 45 m.p.h.

**A 45 mile per hour speed limit beginning at Old Illinois Route 13 and extending southerly to Chautauqua Road for a distance of approximately 0.5 mile**

**BE IT FURTHER DECLARED** that signs be erected giving notice thereof in conformance with the standards and specifications contained in the Manual on Uniform Traffic Control Devices.

**BE IT FURTHER DECLARED** that this ordinance shall take effect immediately after the erection of said signs giving notice of the maximum speed limit.

\*\*\*

*I, Larry Reinhardt, County Clerk in and for Jackson County, in the State aforesaid, and keeper of the records and files thereof, as provided by statute, do hereby certify the foregoing to be a true, perfect, and complete copy of an ordinance adopted by the Board of Jackson County at its regular meeting held at Murphysboro on September 18, 2012.*

**IN TESTIMONY WHEREOF**, I have hereunto set my hand and affixed the seal of said County this 18<sup>th</sup> day of September, 2012.

  
Larry Reinhardt, County Clerk

**SEAL**

**AN ORDINANCE FOR THE ESTABLISHMENT  
OF AN ALTERED SPEED ZONE**

12-05

**IT IS HEREBY DECLARED** by the Board of Jackson County, Illinois, that the basic statutory vehicular speed limits established by Section 11-601 of the Illinois Vehicle Code are more than that considered reasonable and proper on the highway listed below for which Murphysboro Township has maintenance responsibility and which is not under the jurisdiction of the Department of Transportation, State of Illinois.

**BE IT FURTHER DECLARED** that this Board has caused to be made an engineering and traffic investigation upon the highway listed below; and,

**BE IT FURTHER DECLARED** that, by virtue of Section 11-604 of the above Code, this Board determines and declares that reasonable and proper maximum speed limit on Majestic Oak Drive as listed below shall be 30 m.p.h.

**A 30 mile per hour speed limit beginning at Pump House Road and extending easterly for a distance of approximately 0.56 mile**

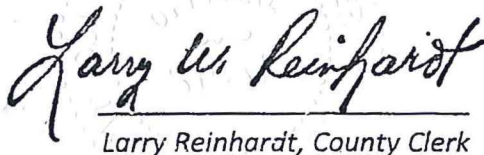
**BE IT FURTHER DECLARED** that signs be erected giving notice thereof in conformance with the standards and specifications contained in the Manual on Uniform Traffic Control Devices.

**BE IT FURTHER DECLARED** that this ordinance shall take effect immediately after the erection of said signs giving notice of the maximum speed limit.

\*\*\*

*I, Larry Reinhardt, County Clerk in and for Jackson County, in the State aforesaid, and keeper of the records and files thereof, as provided by statute, do hereby certify the foregoing to be a true, perfect, and complete copy of an ordinance adopted by the Board of Jackson County at its regular meeting held at Murphysboro on October 16, 2012.*

**IN TESTIMONY WHEREOF**, I have hereunto set my hand and affixed the seal of said County this 16<sup>th</sup> day of October, 2012

  
Larry Reinhardt, County Clerk

**SEAL**



12-06

**AN ORDINANCE PROVIDING FOR AND MAKING THE ANNUAL TAX LEVY FOR  
JACKSON COUNTY, ILLINOIS FOR THE YEAR DECEMBER 1, 2012  
THROUGH NOVEMBER 30, 2013**

**WHEREAS, the Jackson County Board is authorized and required by law to levy and collect taxes annually for various purposes; and**

**WHEREAS, the Jackson County Board has heretofore adopted a budget for the fiscal year beginning December 1, 2012 and ending November 30, 2013;**

**NOW, THEREFORE, BE IT ORDAINED BY THE JACKSON COUNTY BOARD, THAT THE SUM OF \$10,881,733.00 is hereby levied upon all taxable property in Jackson County, Illinois, as equalized or assessed by the Department of Revenue, for the purpose of meeting and defraying the necessary expenses and liabilities as set forth in the aforesaid annual budget and the budgets of the County agencies referred to herein. The following levies are hereby made and adopted:**

- 1. The sum of \$ 4,492,504.00 is levied pursuant to 55 ILCS 5/5 - 1024, for general corporate purposes;**
- 2. The sum of \$ 947,402.00 is levied pursuant to 55 ILCS 5/5 - 1028, for Ambulance purposes;**
- 3. The sum of \$ 350,000.00 is levied pursuant to 745 ILCS 10/9 - 107, for costs of tort liability protection;**
- 4. The sum of \$ 125,000.00 is levied pursuant to 745 ILCS 10/9 - 107, for costs of insurance contracts for worker's compensation;**
- 5. The sum of \$ 32,000.00 is levied pursuant to 745 ILCS 10/9 -107, to provide for the County's payment and contribution for unemployment insurance;**
- 6. The sum of \$ 1,452,147.00 is levied pursuant to 40 ILCS 5/7 - 171 & 5/7 - 132, for the County's payment and contribution to the Illinois Municipal Retirement Fund (I.M.R.F.);**
- 7. The sum of \$ 665,000.00 is levied pursuant to 40 ILCS 5/21 - 110, 5/21 -110.1, for the County's payment and contribution to the Social Security System;**
- 8. The sum of \$ 736,768.00 is levied pursuant to 55 ILCS 5/5 - 25003, for Public Health purposes;**
- 9. The sum of \$ 47,695.00 is levied pursuant to 55 ILCS 5/5 - 23029, 23030, 23039, 23040, for the purpose of treating and caring for those affected with Tuberculosis;**

**TRUTH IN TAXATION  
CERTIFICATE OF COMPLIANCE**


I, the undersigned, hereby certify that I am the presiding officer of the Jackson County Board, and as such presiding officer I certify that the levy ordinance, a copy of which is attached, was adopted pursuant to, and in all respects in compliance with sections 18-60 through 18-85 of the Truth in Taxation law of the State of Illinois.

Notice and hearing requirements of Sections 18-70 through 18-85 of the Truth in Taxation Act are applicable

This certificate applies to the 2012-2013 levy.

Date: November 28, 2012.

Presiding Officer:

A handwritten signature in dark ink, appearing to read "John Evans", written over a horizontal line.

John Evans,  
Jackson County Board Chair

ATTEST:

A handwritten signature in dark ink, appearing to read "Larry E. Reinhardt", written over a horizontal line.

Larry E. Reinhardt, County Clerk & Recorder



**AN ORDINANCE FOR THE ESTABLISHMENT  
OF AN ALTERED SPEED ZONE**

12-07

**IT IS HEREBY DECLARED** by the Board of Jackson County, Illinois, that the basic statutory vehicular speed limits established by Section 11-601 of the Illinois Vehicle Code are more than that considered reasonable and proper on the highway listed below for which Carbondale Township has maintenance responsibility and which is not under the jurisdiction of the Department of Transportation, State of Illinois.

**BE IT FURTHER DECLARED** that the Carbondale Township Highway Commissioner has caused to be made an engineering and traffic investigation upon the highway listed below; and,

**BE IT FURTHER DECLARED** that, by virtue of Section 11-604 of the above Code, this Board determines and declares that reasonable and proper maximum speed limit on Brush Hill Road as listed below shall be 30 m.p.h.

**A 30 mile per hour speed limit beginning at Park Street and extending southwesterly for a distance of approximately 0.5 mile**

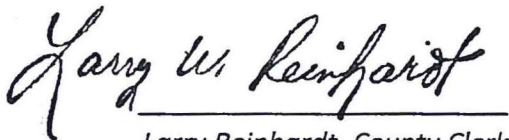
**BE IT FURTHER DECLARED** that signs be erected giving notice thereof in conformance with the standards and specifications contained in the Manual on Uniform Traffic Control Devices.

**BE IT FURTHER DECLARED** that this ordinance shall take effect immediately after the erection of said signs giving notice of the maximum speed limit.

\*\*\*

*I, Larry Reinhardt, County Clerk in and for Jackson County, in the State aforesaid, and keeper of the records and files thereof, as provided by statute, do hereby certify the foregoing to be a true, perfect, and complete copy of an ordinance adopted by the Board of Jackson County at its regular meeting held at Murphysboro on December 18, 2012.*

**IN TESTIMONY WHEREOF**, I have hereunto set my hand and affixed the seal of said County this 18<sup>th</sup> day of December, 2012



Larry Reinhardt, County Clerk

**SEAL**