JANUARY 22, 2021
SANGAMON COUNTY LIQUOR COMMISSIONER TEMPORARY RULE REQUIRING LIQUOR LICENSEES TO COMPLY WITH COVID-19 REQUIREMENTS

Effective immediately and supersedes prior Temporary Rules related to Covid-19

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, COVID-19 positivity rates and other relevant local data metrics have declined significantly following the implementation of more strict local mitigations which included prohibition of indoor service.

WHEREAS, based upon the current data for Sangamon County, our medical advisory group has determined that further relaxation of mitigations is appropriate to permit Licensees to conduct expanded service, subject to the measures set forth in the Phase 4 of the Restore Illinois Plan - Restaurant & Bar Establishment Safety Guidelines - issued by the Illinois Department of Commerce & Economic Opportunity on August 25, 2020 (the “DCEO Guidelines”).

A copy of the DCEO Guidelines is available at:

WHEREAS, the medical advisory group has determined compliance with the DCEO Guidelines and prohibiting karaoke is necessary 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.

WHEREAS, when people with COVID-19 cough, sneeze, sing, talk, or breathe, they produce respiratory droplets. Respiratory droplets cause infection when they are inhaled or deposited on mucous membranes, such as those that line the inside of the nose and mouth. The amount of infectious smaller droplets and particles produced by the people with COVID-19 become concentrated enough to spread the virus to other people. These particles can be inhaled into the nose, mouth, airways, and lungs and cause infection. Droplets can also land on surfaces and objects, such as microphones, and be transferred by touch or sharing objects. With karaoke, in addition to spreading potentially infectious aerosols, singers sharing a microphone creates additional risk as the surface and interior of the microphone could harbor live virus which could be transferred between singers. Karaoke, therefore, is not permitted in Sangamon County at this time.

WHEREAS, all such measures are subject to modification at any time by subsequent written notice. Data trends may warrant a return to more strict mitigations based upon recommendations of the medical advisory group. The medical advisory group will continue to monitor relevant data metrics and consider a number of factors before recommending a return to more strict mitigations.
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 after the hour of 1:00 a.m., at any time while not in compliance with the DCEO Guidelines or allowing karaoke 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 5/12); 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 shall close at 1:00 a.m., must comply with the DCEO Guidelines which are incorporated as if fully set forth herein and shall not permit karaoke.
This temporary rule is effective immediately and shall remain in effect until further action by the undersigned.

_________________________________ Sangamon
County Board Chairman
Sangamon County Liquor Commissioner

Date: ___________________________