



**CITY OF CHAMPAIGN, ILLINOIS
LIQUOR CONTROL COMMISSION
(217) 403-8720**

TO: Potential Liquor License Applicants

RE: Procedure for Processing Liquor License Applications

I. An applicant for a liquor license must be a resident of the City of Champaign, a corporation incorporated in the State of Illinois, or a foreign corporation that is qualified under the Illinois Business Corporation Act to transact business in Illinois.

II. Application for a Liquor License must be made in all of the following instances by completing and returning the provided application forms to the Office of the Liquor Commissioner, together with the **non-refundable processing fee** indicated for each:

1.	Original application/new business	\$500.00
2.	Change of ownership of premise	500.00
3.	Expansion of premise	500.00
4.	Transfer of location	500.00
5.	Change of category of license	500.00
6.	Temporary (Class T) license	30.00
7.	Change of form of ownership	30.00
8.	Annual renewal	30.00

In addition to the application and processing fee, additional documents as indicated on the attached Checklist must be **submitted with the application**. If any required information is omitted at the time of submission, the application will be returned without consideration.

III. A copy of the Liquor Ordinance (Chapter 5 of The Municipal Code, "Alcoholic Beverages") and a copy of The Rules of the Liquor Control Commissioner are attached for your review and retention. If you have any questions regarding the Ordinance or Rules, these should be addressed before submitting your application.

It is the responsibility of a liquor licensee to be familiar with all local and State requirements. Further, Rule 16 of The Rules of the Liquor Control Commissioner requires that all licensees shall keep a copy of the current

Liquor Ordinance and Rules and any amendments thereto in a place where they are readily available to all employees; said place being near or close to where the liquor license is posted. All licensees shall instruct each employee in the provisions of the Ordinance and Rules.

- IV. Applications received in this office are routed as follows:
1. Planning Department ([217] 403-8800) – The Zoning Administrator reviews the zoning of the property, related signs, parking, distance from a church, school, hospital, and so forth.
 2. Police Department ([217] 351-4545) – Review of criminal history, driver's license record, and credit history.
 3. Legal Department ([217] 403-8765) – Assistant City Attorney reviews application, documents showing proof of possession, dramshop insurance, and other legal requirements.
 4. Building Safety Division ([217] 403-6100) – Inspectors complete inspection of premises. Plans Reviewer reviews floor and site plans, sets occupancy limits. Building Safety Supervisor checks for compliance with City's Building, Mechanical, Electrical, Plumbing, and Property Maintenance codes in those instances where it is a new building, where there is substantial remodeling or change of use type, and/or where Supervisor feels inspectors should inspect the building.
- V. **The Building Safety Division will not approve the application until the final inspection shows compliance with all applicable codes. It is the responsibility of the applicant to communicate with contractors to contact the appropriate department when the building is complete in order to request an inspection. If violations are found, the applicant must have the necessary work performed and again contact the Building Safety Division for inspection.**
- VI. After all departments have completed their review and/or inspection and have signed the routing sheet, the application is sent to the Liquor Commissioner's Office for final review, determination of whether the license shall be issued, and preparation of license.
- VII. No license shall be issued until all applicable licenses fees as set out in Sec. 5-32 of the Liquor Ordinance are paid. The fee shall be reduced in proportion to the full calendar months that have expired.
- VIII. Before a licensee may purchase liquor from a wholesaler or begin operation, they must obtain a State Liquor License by applying in person to the Illinois State Liquor Control Commission, 101 West Jefferson, Ste. 3-525, Springfield, Illinois ([217] 782-2136). A licensee must present to them at least the following: the local liquor license issued by the City of Champaign, a Certificate of Registration giving Sales Tax Number (issued by the Illinois Department of Revenue, 1901 South 11th, Springfield, Illinois {[217] 785-3707}). You will also be required to have a Special Tax Stamp that can be applied for by filling out IRS Form 11.

**CHECKLIST FOR A CITY OF CHAMPAIGN LIQUOR LICENSE:
CHANGE OF OWNERSHIP**

The following eight (8) items **must be submitted** before the processing of any Liquor License application will begin:

1. **Completed application** for liquor license, signed by all persons required to sign name, with signatures verified by a Notary Public (incomplete applications will be returned to the applicant for completion before processing begins) _____
2. **Application processing fee** _____
3. **Proof of ownership** or possession of the premise (deed, contract for sale, current lease, sublease, or assignment of lease) _____
4. **Certificate of Insurance** showing dramshop liability insurance coverage in the required amount (must include corporation name and d/b/a name exactly as shown on application) _____
5. A written statement that the physical premise has not been modified or altered since the prior submission of an application. If changes have been made to the premise, new site plans prepared under the seal of an architect are required _____
6. Copy of **Public Health Permit** (obtained from C-U Public Health District, 201 West Kenyon Road, Champaign, (217) 352-7961) _____
7. **Use of Force Policy** (see attached model) _____
8. A written statement setting out the details of a transfer of stock or ownership of a business in connection with the sale of a business. See Rules of the Local Liquor Commissioner, Rule 6, for specifics _____

Extra requirements as applicable:

1. For corporate applications – a copy of the **Secretary of State’s Certificate** and **Articles of Incorporation** _____
2. For applications for a Class A liquor license which claim an exemption to allow those under 19 years of age on the premise for food service - an **Application for the Presence of Minors Exemption** _____

Rule 21 Exhibit 2

USE OF FORCE MODEL FOR CHAMPAIGN LIQUOR ESTABLISHMENTS

A. PURPOSE:

The purpose of this document is to give directions, guidelines, and recommendations to the Use of Force within the liquor establishments in Champaign. This document in no way endorses the Use of Force by any employees of liquor establishments located within the City of Champaign. This document does however give specific directions as to specific conditions that must be met prior to, during, and after an incident involving a liquor establishment patron. Additionally, this document does give an outline of the most widely accepted levels of force used, if the need to use force is unavoidable.

B. GENERAL PRINCIPALS:

1. Liquor establishment employees must realize and understand that they possess **No Police Powers** (i.e. They have no more and no less power than any other citizen and they must take that into consideration prior to using force upon any individual.)
2. On-duty liquor establishment employees **must** wear a STAFF Shirt and ID tag or number.
3. Off-duty liquor establishment employees **will not** wear any sort of clothing that designates them as an employee.
4. Off-duty liquor establishment employees **will not** make contact with an unruly liquor establishment patron; nor will the off-duty employee assist any on-duty employees with an unruly patron.
5. On-duty employees (including managers) **will not** consume any amount, however slight, of any type of an alcoholic beverage.
6. Liquor establishment employees **will** notify Police at the first sign of trouble.
7. Liquor establishment employees **will** speak to liquor establishment patrons in a respectful and professional manner; so as not to further escalate the situation.
8. Liquor establishment employees **may** use force options included in the force level from the model as appropriate to the liquor establishment patron's behavior, or any force option from a lower level, at the liquor establishment employee's discretion.
9. Liquor establishment employees **may** escalate and **must** de-escalate their level of force as needed to match the patron's behavior level as the incident progresses.
10. Liquor establishment employees **will not** interfere with Police operations.
11. If a Police Officer decides to handcuff a liquor establishment employee for any reason the officer deems necessary, the liquor establishment employee(s) will comply. Additionally, **no** employee, manager, or liquor establishment owner will prohibit or interfere with such actions.

C. RECOMMENDATIONS:

1. It is recommended that all liquor establishments have headset communications so that management and employees can keep in constant communication.
2. It is recommended that there be a 3:1 ratio (i.e. three employees to every one unruly liquor establishment patron) for every problem that surfaces; but at **no time** should there be less than a 2 to 1 ratio.
3. It is recommended that, whenever possible, the manager be present and make the initial contact with the unruly patron; and first **ask** the patron to leave before allowing employees to put hands on the patron.
4. It is recommended that, whenever possible, the manager not get involved in the actual physical aspect of the escort. Instead, the manager should be the calming force in the situation, thus ensuring against employees using excessive force.
5. It is recommended that liquor establishment owners require each employee that uses any sort of force to write an in-house report and, if necessary, make the appropriate statements to Police, if Police are called to the establishment.

D. USE OF FORCE MODEL:

The following Use of Force Model is based upon the Use of Force Model developed by Dr. Franklin Graves, Federal Law Enforcement Training Center, and Professor Gregory J. Connor, University of Illinois Police Training Institute. The only modification to this model is that it has had the force options for police-only deleted.

The following specific force options are prepared for the appropriate reasonable liquor establishment employee's response to the liquor establishment patron's behaviors.

LEVEL 1: COOPERATIVE CONTROLS FOR COMPLIANT PATRONS

Compliant patrons are those individuals who offer no verbal or physical resistance to liquor establishment employees' commands/requests and demonstrate such by immediately responding to said directions.

Cooperative Controls include:

- Verbal Control
- Physical contact **only** to guide/direct

LEVEL 2: CONTACT CONTROLS FOR PASSIVE-RESISTANT PATRONS

Passive resistant patrons are those individuals that refuse to comply with liquor establishment employees' commands but are not attempting to physically prevent or defeat the employees' commands or contact controls.

Contact Controls include:

- Requesting Police presence
- Soft empty-handed controls such as wristlocks, arm-bars and other such soft empty hand controls (used only by trained employees)

LEVEL 3: COMPLIANCE TECHNIQUES FOR ACTIVE-RESISTANT PATRONS

Active-resistant patrons are those individuals who refuse to comply with liquor establishment employees' commands and are physically resisting an employee's control techniques, or an individual whose combination of words and actions may present a physical threat to others.

Compliance Techniques include the use of:

- Requesting immediate Police presence
- Retreat/Reposition/Regroup
- Take-down Techniques
- Pressure Point Controls
- Pain Compliance added to Come-along Techniques

LEVEL 4: DEFENSIVE TACTICS AGAINST ASSAULTIVE PATRONS

Assaultive patrons are those individuals who attempt to defeat an employee's compliance techniques, in that they are resistant, combative and are overtly attempting to overpower the employee or employees.

Compliance Techniques include the use of:

- If possible requesting expedited Police response
- If possible Retreat/Reposition/Regroup
- Escaping Techniques
- Blocking Techniques
- Punching Techniques
- Kicking Techniques

LEVEL 5: DEADLY FORCE AGAINST ASSAULTIVE PATRON WHO IS USING DEADLY FORCE (Self-defense)

Deadly Force assaults are any assaults where the employee has reason to believe the patron's actions are likely to cause death or great bodily harm to himself/herself or to another. These cases are extremely rare and actions of the employee would be reviewed by a court of law. Examples are: a patron with a gun, knife, bat, tire iron, etc., who has either used it or a reasonable person would believe that he/she is about to use the weapon to cause death or great bodily harm.

Deadly Force Techniques include:

- If possible requesting Emergency Police response
- If possible run away
- Any force necessary to neutralize the attack

RULE 21. INCIDENT REPORTING AND USE OF FORCE POLICIES

(a) Incident reporting

- (1) Each licensee shall maintain a system for recording unusual incidents. Incidents that must be recorded include:
 - (a) Escorted removal of a patron with physical contact by the licensee's employees;
 - (b) Injury of a patron;
 - (c) Over-intoxication of a patron that has resulted in employee assistance or medical or police intervention;
 - (d) Physical altercations involving punching or striking;
 - (e) Employee use of force (physical contact with a patron that exceeds the contact necessary to simply guide or direct the patron);
 - (f) Call for police or fire assistance;
 - (g) Display or use of a weapon;
 - (h) Criminal damage to property or theft;
 - (i) Patron complaint of employee conduct.
- (2) Each incident shall be recorded on the same business day on which it occurred, and shall include the names and addresses of the patron(s) involved, if known, the employees involved, the manager on duty and a brief description of the incident.
- (3) The incident reports shall be maintained for at least two (2) years. The incident records must be produced upon request of the City.

(b) Use of Force

THE CHAMPAIGN POLICE DEPARTMENT AND CITY OF CHAMPAIGN **DO NOT** RECOMMEND THE USE OF FORCE BY LICENSEES AT ANY TIME. ANY USE OF FORCE BY A LICENSEE MAY SUBJECT THE EMPLOYEE AND LICENSEE TO CIVIL AND CRIMINAL PENALTIES. HOWEVER, IN THE EVENT THAT FORCE IS DEEMED NECESSARY BY THE LICENSEE OR ITS EMPLOYEES, A POLICY AND TRAINING ARE ESSENTIAL.

AFFIDAVIT OF SELLER

Liquor License Number _____

I, _____, being duly sworn on oath, depose and state as follows:

1. That as of _____ (date) I have sold and transferred my ownership interest in the licensed liquor establishment located at _____, Champaign, Illinois and commonly known as _____ (name of establishment)

2. The buyer of the licensed liquor establishment is _____

3. I have relinquished my interest in this licensed establishment.

Affiant says nothing further.

Subscribed and Sworn before me

This _____ day of _____, 200__.

Notary Public