

APPLICATION FOR RETAIL LIQUOR DEALER'S LICENSE (By Corporation)

Date of Application: _____ Class of License Requested: _____

Pursuant to the provisions of Ordinance No. 97-11 of the Village of Winnebago, as amended, regulating the sale of alcoholic liquor in the Village of Winnebago, the undersigned hereby applies for a Retail Liquor Dealer's License from the Village of Winnebago, Winnebago County, Illinois:

General Information

1. Applicant's full name: _____

Address _____

Mailing Address (if different than above)

Telephone:

2. Date of Incorporation:

Object for which corporation was organized:

Management Information

3. Names of officers, directors, and majority stockholders of the Corporation:

(Please refer to individual officer, director and majority stockholder statements attached to this application.)

4. Provide the name, age, address, and telephone number of the persons who will manage the business of the applicant in the Village:

Name	Address	Birth Date	Telephone No.
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_____/_____/____ (____)-____-____
(Please Print Clearly)

Real Estate/Property Information

5. State the current zoning of the premises: _____

A floor plan, diagram, or drawing illustrating the Premises in which alcoholic liquor is to be sold is attached to this application.

The address at which Applicant warehouses liquor, if any: _____

6. Provide the location or description of the premises or place of business which is to be operated under such license: _____

Are the premises owned by the applicant? Yes No

If leased: A. Provide names and addresses of landlord/owner(s) (including beneficial owners of trust if premises are held in a land trust):

B. A copy of the Lease accompanies the application.

Business, License & Registration Information

7. Has the Applicant ever made a similar application for another similar license on premises other than as described in this application? Yes No If so, what was the disposition of such other application?

Has any previous license by any state or subdivision thereof, or by the federal government, been issued? Yes No If so, state where and when, and the reasons for any revocation thereof, if applicable.

8. If applicable, provide the assumed name of business and date of filing assumed name with County Clerk: _____

9. Provide the number, date of issuance, and date of expiration of the Applicant's current liquor license: _____

10. State the Applicant's retailer's occupation tax registration number: _____

Is Applicant delinquent in the payment of the Retailer's Occupation tax? Yes No

If delinquent, state the reasons therefore: _____

Is Applicant delinquent under the cash beer law? Yes No If delinquent, state the reasons therefore: _____

Is Applicant delinquent under the thirty (30) day credit law? Yes No If delinquent, state the reasons therefore: _____

Is Applicant in violation of Chapter 235, Section 5/6-6 (formerly Ch. 43, paragraph 123) of the Liquor Control Act? Yes No If delinquent, state the reasons therefore: _____

11. Does the undersigned have a current federal wagering and gaming device stamp?

Yes No If yes, explain reasons therefore: _____

Statements of Applicant

12. Applicant states that it has not received or borrowed money or anything else of value, and that it will not receive or borrow money or anything else of value other than merchandising credit in the ordinary course of business of a period not to exceed ninety (90) days directly or indirectly from any liquor manufacturer, importing distributor, or distributor representative of any such liquor manufacturer, importing distributor, or distributor, nor be a party in any way, directly or indirectly, to any violation by a manufacturer, distributor, or importing distributor of Illinois Compiled Statutes Chapter 235, Section 5/6-6 (formerly Ch. 43, paragraph 123).
13. All current manager and other employees, as well as any and all other parties required to be disclosed in this application meet, and all future managers and other employees hired shall meet, any and all State, Federal, or other legal requirements for employment as a manager or employee, as the case may be, on the premises.
14. The undersigned has never been convicted of a felony of a Class A Misdemeanor and is not disqualified to receive a license by reason of any matter or thing contained in the laws of the State of Illinois or the ordinances of the Village of Winnebago.
15. The undersigned has not in the past and will not in the future violate any of the laws of the State of Illinois or of the United States, or any ordinance of the Village of Winnebago controlling the retail sale of alcoholic liquor in the conduct of the undersigned's business.
16. The undersigned, as well as all individuals required to be identified in the application, has/has not sold, delivered, or given away alcoholic liquor in violation of any state law or Village of Winnebago ordinance to a person under the minimum age required to purchase or possess liquor.

Attachments:

17. Attached to or accompanying this application are the following items:

- Statements of the individuals identified herein required pursuant to subsections 12, 14, 18, 19, 21 of Article IV, Section 3 (C) of the Village of Winnebago Liquor Ordinance.
- A floor plan, diagram, or drawing illustrating the Premises in which alcoholic liquor is to be sold.
- A copy of the Lease (if applicable)
- A copy of the Applicant's Training Manual (Note: Bassett Training certificate does not constitute a training manual)
- A non-refundable filing fee of \$5,000.00
- Bond or Certificate of Insurance (showing policy limits, and naming the Village of Winnebago as an additional insured)
- A copy of the Owner's Policy of Title Insurance (for the owner of the premises)

Print Name of Corporation

By: _____

Signature of Authorized Person signing
Application

Print Name & Title of application signer

Attest:

Corporation Secretary

(Print name Of Authorized Person signing application)
being duly sworn on oath deposes and states that he/she caused to be prepared and executed the foregoing application and necessary attachments; that he/she is duly authorized by applicant to execute said application on its behalf; he/she has examined this application, is acquainted with the contents thereof, and has knowledge of the fact and statements set forth therein; and the application is true, correct, and complete.

Signature of Authorized Person signing application

SUBSCRIBED and SWORN to before me this
_____ day _____ of _____ 20____

Notary Public

STATEMENT OF PRINCIPAL

Pursuant to Subsection 12, 14, 18, 19 and 21 of Article IV, Section 3 (C) of the Village of Winnebago Liquor Ordinance, the undersigned hereby states as follows:

Name: _____ Date of Birth: ____/____/____
(Please Print)

Residential Address: _____

County: _____ Telephone: (_____) _____ - _____

Position with Applicant: (Check all that apply)

Officer (name position): _____

Director: _____

Stockholder: _____ (includes any person who holds at least 5% of the capital stock of the applicant or any persons receiving a direct or indirect benefit from the profits of the sale of alcoholic liquor in the Village of Winnebago)

Affirmation Statement/Questions Answered to the Following:

- I. The undersigned has never been convicted of a felony or a Class A misdemeanor and is not disqualified to receive a license by reason of any matter or thing contained in the laws of the State of Illinois or the ordinance of the Village of Winnebago.
2. The undersigned has not in the past and will not in the future violate any of the laws of the State of Illinois or of the United States, or any ordinance of the Village of Winnebago controlling the retail sale of alcoholic liquor in the conduct of the undersigned's business.
3. Does the undersigned have a current federal wagering and gaming device stamp?
Yes No If yes, explain reason(s) therefore. _____
4. Is the undersigned currently a public official? Yes No If yes, please describe official position. _____
5. The undersigned has not sold, delivered, or given away alcoholic liquor in violation of any state law or Village of Winnebago ordinance to a person under the minimum age required to purchase of possess liquor.

The statement accompanies the application filed _____ by
(Name of Person Filing)
with the Village of Winnebago, Illinois, for a retail liquor dealer's license for the premises located
_____ at in the Village of Winnebago in Winnebago, County, Illinois.

Signature

NOTE: THE BELOW STATUTORY SECTION REPRINT IS BEING PROVIDED FOR INFORMATIONAL PURPOSES ONLY AND IS NOT TO BE RETURNED WITH THE LIQUOR LICENSE APPLICATION.

(235 ILCS 5/6-6) (from Ch. 43, par. 123)

Sec. 6-6. Except as otherwise provided in this Act no manufacturer or distributor or importing distributor shall, directly or indirectly, sell, supply, furnish, give or pay for, or loan or lease, any furnishing, fixture or equipment on the premises of a place of business of another licensee authorized under this Act to sell alcoholic liquor at retail, either for consumption on or off the premises, nor shall he or she, directly or indirectly, pay for any such license, or advance, furnish, lend or give money for payment of such license, or purchase or become the owner of any note, mortgage, or other evidence of indebtedness of such licensee or any form of security therefor, nor shall such manufacturer, or distributor, or importing distributor, directly or indirectly, be interested in the ownership, conduct or operation of the business of any licensee authorized to sell alcoholic liquor at retail, nor shall any manufacturer, or distributor, or importing distributor be interested directly or indirectly or as owner or part owner of said premises or as lessee or lessor thereof, in any premises upon which alcoholic liquor is sold at retail.

No manufacturer or distributor or importing distributor shall, directly or indirectly or through a subsidiary or affiliate, or by any officer, director or firm of such manufacturer, distributor or importing distributor, furnish, give, lend or rent, install, repair or maintain, to or for any retail licensee in this State, any signs or inside advertising materials except as provided in this Section and Section 6-5. With respect to retail licensees, other than any government owned or operated auditorium, exhibition hall, recreation facility or other similar facility holding a retailer's license as described in Section 6-5, a manufacturer, distributor, or importing distributor may furnish, give, lend or rent and erect, install, repair and maintain to or for any retail licensee, for use at any one time in or about or in connection with a retail establishment on which the products of the manufacturer, distributor or importing distributor are sold, the following signs and inside advertising materials as authorized in subparts (i), (iii), and (iv):

(i) Permanent outside signs shall cost not more than \$3,000 per manufacturer, exclusive of erection, installation, repair and maintenance costs, and permit fees and shall bear only the manufacturer's name, brand name, trade name, slogans, markings, trademark, or other symbols commonly associated with and generally used in identifying the product including, but not limited to, "cold beer", "on tap", "carry out", and "packaged liquor".

(ii) Temporary outside signs shall include, but not be limited to, banners, flags, pennants, streamers, and other items of a temporary and non-permanent nature, and shall cost not more than \$1,000 per manufacturer. Each temporary outside sign must include the manufacturer's name, brand name, trade name, slogans, markings, trademark, or other symbol commonly associated with and generally used in identifying the product. Temporary outside signs may also include, for example, the product, price, packaging, date or dates of a promotion and an announcement of a retail licensee's specific sponsored event, if the temporary outside sign is intended to promote a product and provided that the announcement of the retail licensee's event and the product promotion are held simultaneously. However, temporary outside signs may not include names, slogans, markings, or logos that relate to the retailer. Nothing in this subpart (ii) shall prohibit a distributor or importing distributor from bearing the cost of creating or printing a temporary outside sign for the retail licensee's specific sponsored event or from bearing the cost of creating or printing a temporary sign for a retail licensee containing, for example, community goodwill expressions, regional sporting event announcements, or seasonal messages, provided that the primary purpose of the temporary outside sign is to highlight, promote, or advertise the product. In addition, temporary outside signs provided by the manufacturer to the distributor or importing distributor may also include, for example, subject to the limitations of this Section, preprinted community goodwill expressions, sporting event announcements, seasonal messages, and manufacturer

promotional announcements. However, a distributor or importing distributor shall not bear the cost of such manufacturer preprinted signs.

(i i i) permanent inside signs, whether visible from the outside or the inside of the premises, include, but are not limited to: alcohol lists and menus that may include names, slogans, markings, or logos that relate to the retailer; neons; illuminated signs; clocks; table lamps; mirrors; tap handles; decalcomanias; window painting; and window trim. All neons, illuminated signs, clocks, table lamps, mirrors, and tap handles are the property of the manufacturer and shall be returned to the manufacturer or its agent upon request. All permanent inside signs in place and in use at any one time shall cost in the aggregate not more than \$6, 000 per manufacturer. A permanent inside sign must include the manufacturer' s name, brand name, trade name, slogans, markings, trademark, or other symbol commonly associated with and generally used in identifying the product. However, permanent inside signs may not include names, slogans, markings, or logos that relate to the retailer. For the purpose of this subpart (iii) , all permanent inside signs may be displayed in an adjacent courtyard or patio commonly referred to as a "beer garden" that is a part of the retailer' g licensed premises .

(iv) Temporary inside signs shall include, but are not limited to, lighted chalk boards, acrylic table tent beverage or hors d' oeuvre list holders, banners, flags, pennants, streamers, and inside advertising materials such as posters, placards, bowling sheets, table tents, inserts for acrylic table tent beverage or hors d' oeuvre list holders, sports schedules, or similar printed or illustrated materials and product displays, such as display racks, bins, barrels, or similar items, the primary function of which is to temporarily hold and display alcoholic beverages; however, such items, for example, as coasters, trays, napkins, glassware and cups shall not be deemed to be inside signs or advertising materials and may only be sold to retailers at fair market value, which shall be no less than the cost of the item to the manufacturer, distributor, or importing distributor. All temporary inside signs and inside advertising materials in place and in use at any one time shall cost in the aggregate not more than \$1, 000 per manufacturer. Nothing in this subpart (iv) prohibits a distributor or importing distributor from paying the cost of printing or creating any temporary inside banner or inserts for acrylic table tent beverage or hors d' oeuvre list holders for a retail licensee, provided that the primary purpose for the banner or insert is to highlight, promote, or advertise the product. For the purpose of this subpart (iv) , all temporary inside signs and inside advertising materials may be displayed in an adjacent courtyard or patio commonly referred to as a "beer garden" that is a part of the retailer' s licensed premises.

The restrictions contained in this Section 6-6 do not apply to signs, or promotional or advertising materials furnished by manufacturers, distributors or importing distributors to a government owned or operated facility holding a retailer's license as described in Section 6-5 .

No distributor or importing distributor shall directly or indirectly or through a subsidiary or affiliate, or by any officer, director or firm of such manufacturer, distributor or importing distributor, furnish, give, lend or rent, install, repair or maintain, to or for any retail licensee in this State, any signs or inside advertising materials described in subparts (i) ,

(ii) , (iii) , or (iv) of this Section except as the agent for or on behalf of a manufacturer, provided that the total cost of any signs and inside advertising materials including but not limited to labor, erection, installation and permit fees shall be paid by the manufacturer whose product or products said signs and inside advertising materials advertise and except as follows:

A distributor or importing distributor may purchase from or enter into a written agreement with a manufacturer or a manufacturer's designated supplier and such manufacturer or the manufacturer's designated supplier may sell or enter into an agreement to sell to a distributor or importing distributor permitted signs and advertising materials described in subparts (ii) , (iii) or (iv) of this Section for the purpose of furnishing, giving, lending , renting, installing, repairing, or maintaining such signs or advertising materials to or for any retail licensee in this State. Any purchase by a distributor or importing distributor from a manufacturer or a manufacturer ' s designated

supplier shall be voluntary, and the manufacturer may not require the distributor or the importing distributor to purchase signs or advertising materials from the manufacturer or the manufacturer's designated supplier.

A distributor or importing distributor shall be deemed the owner of such signs or advertising materials purchased from a manufacturer or a manufacturer's designated supplier.

The provisions of public Act 90-373 concerning signs or advertising materials delivered by a manufacturer to a distributor or importing distributor shall apply only to signs or advertising materials delivered on or after August 14, 1997.

A manufacturer, distributor, or importing distributor may furnish free social media advertising to a retail licensee if the social media advertisement does not contain the retail price of any alcoholic liquor and the social media advertisement complies with any applicable rules or regulations issued by the Alcohol and Tobacco Tax and Trade Bureau of the United States Department of the Treasury. A manufacturer, distributor, or importing distributor may list the names of one or more unaffiliated retailers in the advertisement of alcoholic liquor through social media. Nothing in this Section shall prohibit a retailer from communicating with a manufacturer, distributor, or importing distributor on social media or sharing media on the social media of a manufacturer, distributor, or importing distributor. A retailer may request free social media advertising from a manufacturer, distributor, or importing distributor. Nothing in this Section shall prohibit a manufacturer, distributor, or importing distributor from sharing, reposting, or otherwise forwarding a social media post by a retail licensee, so long as the sharing, reposting, or forwarding of the social media post does not contain the retail price of any alcoholic liquor. No manufacturer, distributor, or importing distributor shall pay or reimburse a retailer, directly or indirectly, for any social media advertising services, except as specifically permitted in this Act. NO retailer shall accept any payment or reimbursement, directly or indirectly, for any social media advertising services offered by a manufacturer, distributor, or importing distributor, except as specifically permitted in this Act. For the purposes of this Section, "social media" means a service, platform, or site where users communicate with one another and share media, such as pictures, videos, music, and blogs, with other users free of charge .

No person engaged in the business of manufacturing, importing or distributing alcoholic liquors shall, directly or indirectly, pay for, or advance, furnish, or lend money for the payment of any license for another. Any licensee who shall permit or assent, or be a party in any way to any violation or infringement of the provisions of this Section shall be deemed guilty of a violation of this Act, and any money loaned contrary to a provision of this Act shall not be recovered back, or any note, mortgage or other evidence of indebtedness, or security, or any lease or contract obtained or made contrary to this Act shall be unenforceable and void .

This Section shall not apply to airplane licensees exercising powers provided in paragraph (i) of Section 5-1 of this Act.

(Source: P.A. 99-448, eff. 8-24-15; 100-885, eff. 8-14-18.)