

Updated November 25, 2020

### **Local Liquor Control Commission Summary Authority**

The Illinois Liquor Control Act gives Local Liquor Control Commissioners (“LLCCs”) the authority to temporarily close a liquor license for a period of up to 7 days if the operation of the business "will immediately threaten the welfare of the community." 235 ILCS 5/7-5.

The Liquor Control Act states as follows:

**If the local liquor control 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 7 days, giving the licensee an 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.** 235 ILCS 5/7-5 (emphasis added).

Should a LLCC decide to act pursuant to the above referenced authority, the Illinois Liquor Control Commission recommends the following:

1. Consult the LLCC attorney;
2. Commence an investigation;
3. If necessary, notify the bar/restaurant in writing that LLCC could immediately close the license without a hearing if they violate restaurant/bar COVID mitigation requirements as their continued operations present a threat to the welfare of the community;
4. If issuing a closure order, issue a written order closing the liquor license for up to 7 days and include the following information:
  - a. Cite 235 ILCS 5/7-5 of the Illinois Liquor Control Act;
  - b. State date/s and time/s of when order is in effect;
  - c. State the basis for LLCC conclusions that continued operation of the bar/restaurant will immediately threaten the welfare of the community;
  - d. State that the licensee has the right to be heard during the license cessation period. For example, LLCC could allow the licensee to submit a plan to help ensure compliance with State bar/restaurant requirements;
  - e. Sign and date the order;
  - f. Require a law enforcement agency to personally serve the order on owners/officers;
  - g. Monitor and enforce order if necessary;
  - h. Forward a copy of the order to the ILCC.

Additionally, a LLCC may initiate separate local proceedings to revoke, suspend, or fine a license if the licensee's conduct is in violation of local ordinance, State law, or Federal law.

**The ILCC requests that a Local Liquor Commissioner issuing a closure order, revocation, suspension, or fine, for COVID related violations, forward copies of those orders to the ILCC. The orders can be e-mailed to the ILCC Legal Division at [ILCC.LEGAL@ILLINOIS.GOV](mailto:ILCC.LEGAL@ILLINOIS.GOV).**

For further guidance, please contact the ILCC Legal Division at [ILCC.LEGAL@ILLINOIS.GOV](mailto:ILCC.LEGAL@ILLINOIS.GOV).