

CITY OF BLOOMINGTON
LOCAL LIQUOR CONTROL COMMISSIONER
COVID-19 RELATED EMERGENCY ORDER 20-002
LIQUOR COMMISSIONER AUTHORIZATION OF EXPANSION OF DELIVERY,
CARRY OUT AND CURBSIDE PICK-UP OF ALCOHOLIC LIQUOR

EFFECTIVE DATE: 3/23/20 EFFECTIVE TIME: 7:15 p.m.

WHEREAS, the Governor of Illinois has issued Executive Order 2020-10 ordering citizens to shelter in place because of a public health emergency due to the spread of the COVID-19 virus; and

WHEREAS, the Executive Order encourages home delivery of food and beverages in order to assist citizens to remain in their homes and businesses adversely effected by emergency measures taken related to the current health emergency; and

WHEREAS, the City Council had on its agenda for its March 23, 2020 regular meeting an emergency order that would have, inter alia, allowed the Council to consider for adoption an order authorizing the Mayor, as Liquor Commissioner, to issue a similar order providing for delivery, carry out, and curbside pickup service of greater duration; and

WHEREAS, due to technical difficulties related to remote participation necessitated by the public health emergency caused by the spread of the COVID-19 virus the regular meeting of City Council had to be cancelled.

NOW, THEREFORE, pursuant to the Emergency Powers vested in the Liquor Commissioner in Ordinance No. 2011-16, adopted March 28, 2011, it is hereby ordered by the Liquor Commissioner of the City of Bloomington as follows:


1. The Liquor Commissioner hereby authorizes all restaurant liquor license holders (Class RA and RB), as well as all tavern liquor license holders (Class TA and TB) to provide the delivery, carryout and curbside pickup of alcoholic liquor, so long as the license holder complies with the requirements of Chapter 6, Section 32(C) (for curbside pickup), Chapter 6, 32(D) (for deliveries) and the requirements of this Order. This Order will be effective for 48 hours after its issuance. If the City Council extends the Mayor's discretionary authority then this Order will remain in effect so long as the Governor's Disaster Proclamation remains in effect, including any renewal thereof, or until this authority is repealed by the Liquor Commissioner or the City Council, as applicable. Licensees in the aforesaid classifications not currently having licenses allowing package sale of alcoholic liquor for consumption off premises, shall register with the Clerk's office for an emergency package rider, using the form provided by the City Clerk. The required registration forms for curbside pickup and delivery and emergency package rider are available on the City Clerk's web page at www.cityblm.org. The required forms must be submitted within 12 hours after the licensee begins sales or deliveries pursuant to this Order. See attached forms.

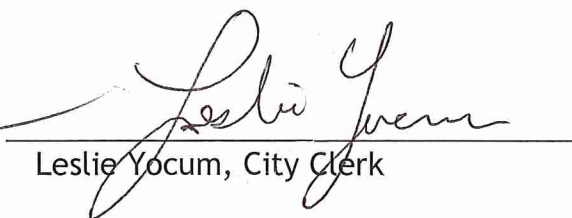
2. **Crowlers and Growlers.** All licensees registering pursuant to sub-section (1), and all licensees registered to have curbside pick-up, deliveries and off-premises sales, may fill crowler and growler containers with beer, pursuant to and as long as the licensee complies with applicable State law (235 ILCS 5/6-6.5, et seq.).

3. **State Law Requirements.** Liquor licensees are advised that additional steps may be required pursuant to State law to undertake the actions described in this Order, including, but not limited to, receiving a State license authorizing sale for off-premises consumption.

4. **Insurance Requirements.** Licensees are advised that dramshop/liquor liability insurance policies may need to be updated and/or revised to cover the actions described in this Order. By registering with the City for delivery, carry out or curbside pick-up pursuant to the provisions of this Order, the Licensee certifies the sufficiency of their dramshop/liquor liability insurance policy and indemnifies the City of Bloomington and its employees and agents from any and all liability related to any and all claims that arise directly or indirectly from this Order and any activities undertaken by the Licensee pursuant thereto.

5. **Continuing Obligations.** Licensees remain responsible for complying with all other provisions of the Bloomington City Code and State law, as well as the requirements of this Order. Any person, entity or licensee violating the provisions of City Code, State law, or this Order shall be subject to penalties as provided in Chapter 6, Section 37 of the City Code allowing for fines of up to \$3,500 for each violation and possible actions to suspend or revoke any liquor license, as well as to other sanctions and remedies provided by law.


Tari Renner, Mayor/Liquor Commissioner


Leslie Yocum, City Clerk

Curbside Pickup and Off-Premises Delivery Registration

Registration of Interest	
Registering For:	<input type="checkbox"/> Curbside Pickup of Alcohol
	<input type="checkbox"/> Off-Premises Delivery of Alcohol

Liquor License Holder Information	
Business Name:	_____
DBA:	_____
Phone Number:	_____ Email: _____
Licensed Address:	_____

Requirements of Liquor License Holder (City of Bloomington Ch. 6 Sec. 32):

The holder of a Class PA or PB license that has a licensed premise of at least 10,000 square feet may accept online and/or telephone purchases of alcoholic liquor and allow curbside pickup or off-premises delivery of those purchases if all of the following requirements are met:

- The licensee has registered its curbside pickup or delivery service with the City in the form and manner required by the City Clerk.
- The licensee's employee or agent making the delivery has completed all BASSET training required under the Liquor Control Act of 1934.
- The licensee's employee or agent making the delivery must be at least 21 years of age.
- All persons placing online or telephone orders for alcohol must be at least 21 years of old. The licensee must implement reasonable processes to ensure that persons under the age of 21 are prohibited from placing online and/or telephone orders for alcohol.
- The licensee's employee or agent making the delivery must verify that the person to whom the delivery is made is 21 years or older.
- For off-premises delivery the employee or agent making the delivery must require identification verifying proof of age and the signature of the individual to whom delivery is made. The licensee must maintain a record of all deliveries, which must include: (1) the name of the delivery driver, (2) name of the purchaser, (3) the address where the delivery was made, (4) the name, date of birth, and signature of the person to whom delivery was made, and (5) a list of all the alcohol delivered. All delivery records must be kept by the licensee for at least six months and the records must be immediately made available for examination and copying to the Bloomington Police Department or the Local Liquor Commissioner upon request.
- Curbside or off-premises delivery may not be made to any person who is intoxicated.
- Curbside delivery may not be made to a vehicle if any occupant of that vehicle is intoxicated.
- Curbside delivery must occur on the licensed premises and may not occur on any public right-of-way.
- Off-premises delivery may only occur during the regular permitted operating hours of the licensed Class PA or PB business.

PLEASE NOTE: Violations of the above provisions of the Bloomington City Code pertaining to Curbside Pickup and/or Off-Premises Delivery of alcohol will be considered violations of the liquor license and may result in revocation or suspension of the authority to provide curbside pickup or off-premises

delivery. Violations may also result in the imposition of fines and/or in suspension or revocation of the establishment's liquor license.

I, the undersigned, swear or affirm that:

1. I am authorized to sign as an owner or authorized agent of the above listed licensee;
2. the information included in this registration is true and correct to the best of my information, knowledge, and belief;
3. I have read and understand the requirements of the City of Bloomington Code pertaining to Curbside Pickup and Off-Premises Delivery stated above; and
4. The licensee shall act in compliance with said terms.

_____	_____
Name (Please Print)	Title
_____	_____
Signature	Date

Office Use Only		
Date Received: _____	Staff Initials: _____	Licensee has Package: _____

If Approved:	If Denied:
Date of Approval: _____	Date of Denial: _____
	Reason for Denial: _____

_____	_____
Signature of City Clerk	Signature of City Clerk

Emergency Package Registration

Registration of Interest

Registering For: Sale of Packaged Alcoholic Liquor for Consumption Off-Premises

Liquor License Holder Information

Licensee
Business Name: _____
DBA: _____
Phone Number: _____ Email: _____
Licensed Address: _____

Requirements of Liquor License Holder

I certify the dramshop/liquor liability insurance related to the licensee is sufficient to fully cover the activity described above. The licensee further indemnifies the City of Bloomington and its employees and agents from any and all liability to any and all claims that arise directly or indirectly from Emergency Order 20-001 and any activities undertaken by the Licensee pursuant to the Order.

I understand that I remain obligated to comply with all other requirements of the City of Bloomington Code and State law, including those related to verification of identity and sale of alcohol to persons age 21 and over. I further understand that additional steps may need to be taken in order to undertake any action under the Order, including but not limited to securing the appropriate category or designation of State liquor license.

Name (Please Print)	Title
Signature	Date

Office Use Only

Date Received: _____ Staff Initials: _____ Licensee has Package: _____

<p style="text-align: center;">If Approved:</p> <p>Date of Approval: _____</p> <p style="text-align: center;">_____ Signature of City Clerk</p>	<p style="text-align: center;">If Denied:</p> <p>Date of Denial: _____</p> <p>Reason for Denial: _____</p> <p>_____</p> <p>_____</p> <p style="text-align: center;">_____ Signature of City Clerk</p>
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