

COPY



**THE CITY OF BERWYN**  
THE CITY OF BERWYN, ILLINOIS

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**ORDINANCE** 26-10

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**AN ORDINANCE AMENDING PART EIGHT, TITLE TWO,  
CHAPTER 804, SECTION 804.21 OF THE CODIFIED  
ORDINANCES REGARDING LIQUOR LICENSE HEARINGS FOR  
THE CITY OF BERWYN, COUNTY OF COOK, STATE OF  
ILLINOIS.**

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**ROBERT J. LOVERO, Mayor  
LETICIA GARCIA, City Clerk**

**MICHAH CALDWELL  
JOSHUA BOWMAN  
RICHARD LEJA  
ROBERT W. FEJT  
ROBERT PABON  
THEODORE "TEDDY" POLASHEK  
SARA BARNETT BRUCKMANN  
JOSEPH CARMICHAEL**

**Alderspersons**

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Published in pamphlet form by authority of the Mayor and City Clerk of the City of  
Berwyn, Illinois on April 16, 2026.

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**AN ORDINANCE AMENDING PART EIGHT, TITLE TWO, CHAPTER 804, SECTION 804.21 OF THE CODIFIED ORDINANCES REGARDING LIQUOR LICENSE HEARINGS FOR THE CITY OF BERWYN, COUNTY OF COOK, STATE OF ILLINOIS.**

**WHEREAS**, the City of Berwyn (the "City"), Cook County, Illinois is a home rule municipal corporation in accordance with Article VII, Section 6(a) of the 1970 Constitution of the State of Illinois, and

**WHEREAS**, the City has the authority to adopt ordinances and promulgate rules and regulations that pertain to its government affairs, and to review, interpret, and amend its ordinances, rules, regulations in accordance with its home rule powers; and

**WHEREAS**, the Mayor and the City Council of the City of Berwyn (the "Corporate Authorities") are committed to ensuring the health, safety, and welfare of the residents of the City and to the efficient operation of government; and

**WHEREAS**, the Corporate Authorities recognize the need to update and clarify the City of Berwyn Municipal Code from time to time; and

**WHEREAS**, the Corporate Authorities have determined that it is in the best interests of the City and its residents to amend Part Eight, Title Two, Chapter 804, Section 804.21 of the Berwyn Municipal Code as set forth herein;

**NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF BERWYN, COOK COUNTY, ILLINOIS, AS FOLLOWS:**

**SECTION 1. INCORPORATION CLAUSE.**

The Corporate Authorities hereby find that all of the recitals hereinbefore stated as contained in the preambles to this Ordinance are in full, true and correct and do hereby, by reference, incorporate and make them part of this Ordinance as legislative findings.

**SECTION 2. PURPOSE.**

The purpose of this Ordinance is to amend Part Eight, Title Two, Chapter 804, Section 804.21 of the Berwyn Municipal Code of the Berwyn Municipal Code as set forth herein and authorize the Mayor or his designee to take all action necessary to carry out the intent of this Ordinance.

**SECTION 3. AMENDMENT TO CHAPTER 804, SECTION 804.21.**

Chapter 804, Section 804.21 of the City Code is hereby amended, notwithstanding any provision, ordinance or resolution of the City Ordinance section to the contrary, as follows:

**§ 804.21 LICENSE SUSPENSION AND REVOCATION; HEARINGS.**

(A) The Liquor Control Commissioner may suspend, for not more than 30 days, or revoke for cause any license issued under this chapter for a violation of any of the provisions of this chapter or any state law pertaining to the sale of alcoholic beverages. If, upon a determination in writing, under oath, that the continued operation of the licensed premises would constitute a clear and present danger to the health, safety or welfare of the residents of the city, the Commissioner may order the immediate closing of the licensed premises pending a hearing on the charges, which hearing shall be held not later than 72 hours after the issuance of the immediate closing order.

(B) The Commissioner shall conduct all revocation and/or suspension proceedings in compliance and accordance with the provisions of ~~Chapter 43 of the Illinois Revised Statutes, The Liquor Control Act of 1934 under 235 ILCS 5/~~ as amended, provided that the following requirements are met:

- (1) A public hearing must be held by the Commissioner or his or her duly authorized deputy;
- (2) The licensee must be given a three-day written notice to appear and defend at the hearing, which notice shall briefly state the matters and things charged to require the hearing;
- (3) ~~A copy of the notice issued to the licensee shall be posted on the City Hall bulletin board, and an announcement of the hearing shall be made at the next regularly scheduled Council meeting;~~ Upon service of the licensed business with the initial notice of hearing, the date provided in the notice will be placed on the city calendar on the city website;
- (4) The hearing shall be open to the public, and the evidence presented thereat shall be reduced to writing as an official record of the proceedings;
- (5) Within five days after the termination of the hearing, the Commissioner must state the reasons for his or her determination in a written order of discharge, revocation or suspension;
- (6) A copy of the written order must be served upon the licensee within the same five-day period. A copy of the written order shall also be sent to Council at its next meeting;
- (7) Within 20 days after receipt of the order, the licensee may appeal the order to the State Liquor Control Commission; and
- (8) After the Commission's action, the matter may be heard by the courts under the Administrative Review Act of the Illinois ~~Revised~~ Compiled Statutes.

**SECTION 4. HEADINGS.**

The headings of the articles, sections, paragraphs, and subparagraphs of this Ordinance are inserted solely for the convenience of reference and form no substantive part of this Ordinance, nor should they be used in any interpretation or construction of any substantive provision of this Ordinance.

**SECTION 5. SEVERABILITY.**

The provisions of this Ordinance are hereby declared to be severable and should any provision of this Ordinance be determined to be in conflict with any law, statute, or regulation by a court of competent jurisdiction, said provision shall be excluded and deemed inoperative, unenforceable, and as though not provided for herein and all other provisions shall remain unaffected, unimpaired, valid, and in full force and effect.

**SECTION 6. RATIFICATION.**

All prior actions of the City's officials, employees and agents with respect to the subject matter of this Ordinance are hereby expressly ratified

**SECTION 7. SUPERSEDER.**

All code provisions, ordinances, resolutions, rules and orders, or parts thereof, in conflict herewith are, to the extent of such conflict, hereby superseded.

**SECTION 8. PUBLICATION.**

A full, true, and complete copy of this Ordinance shall be published in pamphlet form or in a newspaper published and of general circulation within the City as provided by the Illinois Municipal Code, as amended.

**SECTION 9. EFFECTIVE DATE.**


This Ordinance shall be effective in full force ten (10) days after its passage, approval, and publication in accordance with applicable law.

**[INTENTIONALLY LEFT BLANK]**


**ADOPTED** by the City Council of the City of Berwyn, County of Cook, State of Illinois on this *14<sup>th</sup>* day of *April*, 2026, pursuant to a roll call vote as follows:

	YES	NO	ABSENT	PRESENT
Caldwell	✓			
Bowman		✓		
Leja	✓			
Fejt	✓			
Pabon	✓			
Polashek	✓			
Bruckmann	✓			
Carmichael	✓			
(Mayor Lovero)				
<b>TOTAL</b>	<i>7</i>	<i>1</i>		

APPROVED by the Mayor on this *14<sup>th</sup>* day of *April*, 2026.

  
 Robert J. Lovero  
 MAYOR

ATTEST:

  
 Leticia Garcia  
 CITY CLERK