

RESOLUTION NO. 5050

A RESOLUTION TO AUTHORIZE THE USE OF THE PUBLIC ALLEY AND PARKING AREA IN THE 200 BLOCK OF WEST SECOND STREET BY HYPE INC D/B/A CERNO'S BAR & GRILL FOR A BEER GARDEN ON SPECIFIC DATES IN CONJUNCTION WITH EVENTS KNOWN AS CONCERT IN THE ALLEY SUMMER SERIES, AND DECLARING THAT THIS RESOLUTION WILL BE IN FULL FORCE IMMEDIATELY.

- WHEREAS,** The proprietors of Cerno's Bar & Grill have contracted with several bands for their Summer Concert in the Alley Series; and,
- WHEREAS,** the Summer Concert Series Concerts in the alley are scheduled to place once each month over the summer, beginning May 20, which will be held inside; and
- WHEREAS,** Cerno's Bar & Grill has requested the use of the public alley immediately behind their place of business to allow for a large gathering of participants; and,
- WHEREAS,** In order to allow the event to be lawfully conducted on public property, an authorizing resolution adopted by the City Council is required.

**NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF KEWANEE, ILLINOIS, IN COUNCIL ASSEMBLED, AS FOLLOWS.**

**SECTION ONE:** Hype, Inc. d/b/a Cerno's Bar & Grill is authorized to use the public alley in the 200 block of West Second Street, from 5 pm to 1 am, for each of the events known as Concert in the Alley Summer Series to be held on:

**June 17, 2017**  
**July 14, 2017**

**SECTION TWO:** The authorization for use will be contingent upon compliance to the following provisions:

- (1)** Hype Inc d/b/a Cerno's Bar & Grill must submit proof satisfactory to the City of Kewanee of dram shop liability insurance to the maximum limits and general liability insurance covering the City of Kewanee as an additional insured.
- (2)** Alcohol consumed in designated area shall be either sold inside Cerno's Bar & Grill or inside the designated area.
- (3)** No private individuals shall bring their own alcohol to consume in said area.
- (4)** Cerno's Bar & Grill shall provide access control to the area with temporary fencing and have personnel at each point of entry to, or exit from the area. Said personnel shall ensure good order is maintained and no one under the age of 21 years is in the licensed area.
- (5)** Cerno's Bar & Grill shall check identification of all persons entering the area, barring entry to anyone less than 21 years of age.

- (6) Persons over 21 years of age will be provided with a wristband to be worn and displayed at all times the person is within the permitted area.
- (7) Trash receptacles shall be provided by Cerno's Bar & Grill.
- (8) Cerno's will empty the trash receptacles and cleanup the permitted area when the event concludes.
- (9) Only plastic containers for alcohol will be allowed in the permitted area.
- (10) The Chief of Police or his designee shall have the authority to immediately close the permitted area, clear the area of users and suspend the privileges granted by this resolution in the event of any disturbance, breach of the peace of other activities which threaten the safety of the users of the area or the public as a whole.
- (11) Any violations of the terms of this resolution, or any violations of the laws of the State or provisions of the City Code pertaining to the sale of alcoholic liquor during an event covered by this license shall attach to the primary liquor license of Hype Inc d/b/a Cerno's Bar & Grill for the purpose of possible violation, suspension or revocation hearings before the Liquor Commissioner.

**SECTION THREE:** This Resolution shall be in full force and effect immediately upon its passage and approval as provided by law.

Passed by the Council of the City of Kewanee, Illinois this 22<sup>nd</sup> day of May, 2017.

ATTEST:

  
Melinda Edwards, City Clerk

  
Steve Looney, Mayor

RECORD OF THE VOTE	Yes	No	Abstain	Absent
Mayor Steve Looney	X			
Council Member Andrew Koehler	X			
Council Member Deann Schweitzer	X			
Council Member Steve Faber	X			
Council Member Michael Yaklich	X			

