

**BEFORE THE LIQUOR COMMISSION
FOR THE
CITY OF BLOOMINGTON**

In the Matter of

Violation Number: 2020-005

RALBEN, INC
d/b/a CADILLAC JACKS
1507 S. MAIN STREET
BLOOMINGTON, IL 61701

COMPLAINT AND CITATION

You are hereby summoned to appear before the Liquor Commissioner of the City of Bloomington on September 10, 2020, at 4:00 P.M. in the Bloomington City Hall Council Chambers, 109 E. Olive Street, Bloomington, Illinois, and show cause why your license should not be suspended or revoked, or why you should not be fined or reprimanded for the following violations of the Bloomington City Code:

1. The Licensee, Ralben, Inc., d/b/a Cadillac Jacks, located at 1507 S. Main St., holds a Class TAPS (Tavern) liquor license allowing the retail sale of all types of alcoholic liquor for consumption on the premises, as well as the sale of packaged liquor for consumption off the premises, seven days a week.
2. Chapter 6, Section 37(E)(3) provides the Liquor Commissioner may sanction Licensees for the permitting of any violation of state law or Bloomington City Code by any person upon the licensed premises.
3. Chapter 6, Section 37(E)(4) provides that the Liquor Commissioner may sanction Licensees for failure to use and maintain the premises in compliance with all codes and regulations pertaining to health and safety applicable within the City of Bloomington, including, without limitation, McLean County health ordinances, as well as all regulations and orders of the McLean County Health Department (“Health Department”).
4. On July 30 and on August 3, 2020, the Health Department received complaints regarding patrons in the beer garden of Cadillac Jacks not observing social distancing and also not wearing face coverings in accordance with regulations established for bars and restaurants to prevent further spread of the COVID-19 pandemic.
5. On August 7, 2020, Mr. Scott Cook, an inspector for the Health Department, spoke with Mr. William Bentley, the owner/operator of the establishment, regarding the complaints and adherence to the COVID-19 related guidelines.

6. On August 10, 2020, Inspector Cook visited the premises and spoke with both Mr. Bentley and the on-site manager, Ms. Dawn Fleming, regarding the current Phase 4 guidelines of the Restore Illinois plan, including the face mask and social distancing requirements.

7. On August 21, 2020, Mr. Thomas Anderson, Director of Environmental Health for the Health Department, wrote a letter to Mr. Bentley at the establishment requesting that the business follow the guidance of the Illinois Department of Commerce and Economic Opportunity (DCEO), Illinois Department of Public Health (IDPH), and the Restore Illinois plan in order to prevent further spreading of COVID-19. The letter further requested that the Licensee submit to the Health Department policies and procedures regarding compliance with the guidelines within five business days.

8. The request for submission of the Licensee's policies and procedures for compliance was reiterated in a conversation between Inspector Cook and Mr. Bentley that took place on August 28, 2020.

9. As of the date of the filing of this Complaint and Citation, the Licensee has not submitted the requested policies or procedures to the Health Department.

10. The Illinois Department of Public Health Emergency Rules, Title 77, Chapter 1, Part 690, Section 690.50(c)(2), provides that any business open to the public must require employees, customers and other individuals on the premises, with limited exceptions, to wear a face covering to cover their nose and mouth when on the premise and unable to maintain at least six-foot social distance (hereinafter "IDPH Emergency Rules"). Similar requirements exist in the Restaurant & Bar Establishment Safety Guidelines imposed by the State of Illinois ("Illinois Bar Safety Guidelines").

Count I

11. On or about Friday, September 4, 2020, at approximately 4:30 P.M., Bloomington police conducted a compliance check at the licensed premises and observed that the Licensee was not complying with either the mandated IDPH Emergency Rules or Illinois Bar Safety Guidelines, including specifically the wearing of face coverings. The Licensee was issued a Notice of Noncompliance, as provided by the IDPH Emergency Rules.

Count II

12. On or about Saturday, September 5, 2020, at approximately 9:40 P.M., Bloomington police conducted a compliance check at the premises and observed that the Licensee was not complying with either the mandated IDPH Emergency Rules or Illinois Bar Safety Guidelines, including specifically the wearing of face coverings. The Licensee was issued a Notice of Noncompliance, as provided by the IDPH Emergency Rules.

Count III

13. On or about Sunday, September 6, 2020, at approximately 1:20 A.M., Bloomington police conducted a compliance check at the premises and observed that the Licensee was not complying with either the mandated IDPH Emergency Rules or Illinois Bar Safety Guidelines, including specifically the wearing of face coverings. The Licensee was issued a Dispersal Order, as provided by the IDPH Emergency Rules.

Dated this 6th day of September, 2020.



Tari Renner, Liquor Commissioner



PROOF OF SERVICE

I, the undersigned, being a duly authorized officer of the Bloomington Police Department, hereby certify that I served a copy of the attached Complaint and Citation dated September 6, 2020 upon the Licensee, Ralben, Inc., d/b/a Cadillac Jacks, located at 1507 S. Main St., by personal delivery to the below listed agent or employee of the Licensee,

Name: _____

Position: _____

Description of person served: Sex: _____, Race: _____, Approx. age: _____

Place of service: _____

This _____ day of September, 2020 at _____ (time).

Signature of Officer