**Section 100.350 Procedures For Filing Appeals From an Order of the Local Liquor Control Commissioner**

Pursuant to Sections 3-12 and 3-13 of the Act [235 ILCS 5/3-12 and 3-13] and Section 10-25 of the Illinois Administrative Procedure Act [5 ILCS 100/10-25]:

a) In all cases where an appeal from an order or action of the local liquor control commissioner is filed with the Commission, the party filing the appeal shall furnish, along with the petition to appeal:

1) a copy of the citation and notice of hearing before the local liquor control commissioner, if any;

2) a copy of the decision or order of the local liquor control commissioner;

3) a copy of any local ordinances charged to be violated;

4) the current State Retail Liquor License number of the establishment involved;

5) a statement indicating whether or not the licensee has, within the last 12 month period, had a suspension or revocation placed upon the licensee, and if so, all the details relating to the suspension or revocation thereto.

b) In all cases where an appeal is to be heard upon the record, a certified official record of the proceedings taken and prepared by a certified court reporter, along with all exhibits, shall be filed by the local liquor control commissioner within 5 days after notice of the filing of the appeal, if the appellant licensee pays for the transcript and five additional copies. The failure to file the certified official record of the proceedings before the local liquor control commissioner, without sufficient written explanation, shall result in the appeal not being docketed for hearing, as originally scheduled, or as continued by the Commission.

c) The parties shall file eight copies of any documents filed in connection with the appeal. The failure to file eight copies of any document to be considered by the Commission shall result in the appeal not being docketed for hearing, as originally scheduled, or as continued by the Commission.

d) Upon notice to the local liquor control commissioner that an appeal has been accepted by the Commission, Section 100.230 of this Part shall become effective, when applicable.

e) All materials filed with the Commission shall be served upon the opposing party or parties in interest.

f) Proof of service upon the opposing party or parties in interest shall accompany all materials filed with the Commission and served upon the parties. All documents shall be served upon the Commission by:

1) Personal delivery;

2) United States mail, enclosed in an envelope, plainly addressed, with postage prepaid;

3) Via facsimile machine, provided original documents with appropriate copies are also served via subsection (f)(1) or (2).

g) All material filed with this Commission shall be filed at James R. Thompson Center, 100 West Randolph Street, Room 5-300, Chicago, Illinois 60601 or 101 W. Jefferson St., Springfield, Illinois 62702.

h) The inability of any party to comply with the foregoing requirements shall be detailed in written communication to the Commission.

(Source: Amended at 27 Ill. Reg. 17386, effective November 10, 2003)