

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 112 OF THE CODE OF ORDINANCES OF THE CITY OF WASHINGTON, TAZEWELL COUNTY, ILLINOIS, ENTITLED "ALCOHOLIC BEVERAGES," BY ADDING A CLASS N LIQUOR LICENSE FOR THE WASHINGTON AREA COMMUNITY CENTER

WHEREAS, the City Code of Ordinances at Chapter 112 provides for regulation of alcoholic beverages and related licensing; and

WHEREAS, The City of Washington is a home rule government pursuant to the 1970 Illinois Constitution, Article VII, Section 6(a); and

WHEREAS, pursuant to its home rule power, the City of Washington may exercise any power and perform any function relating to its government and affairs including the power to regulate for the protection of public health, safety, morals, and welfare; and

WHEREAS, the City Council of the City of Washington hereby finds that it is in the best interest of the public health, safety, morals, and welfare to add a liquor license classification to accommodate the specific conditions and intended use of the Washington Area Community Center, also known as Five Points,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WASHINGTON, TAZEWELL COUNTY, ILLINOIS, an Illinois home rule municipality, that Chapter 112.50 of the Municipal Code is hereby amended as follows, with additions shown in underlined font and deletions shown in strikethrough font:

Section 1. That §112.20, CLASSIFICATION OF LIQUOR LICENSES; NUMBER OF LICENSES PERMITTED, be amended as follows:

§ 112.20 CLASSIFICATION OF LIQUOR LICENSES; NUMBER OF LICENSES PERMITTED

Licenses to sell liquor at retail are divided into ~~seven~~ classes, as follows:

(L) **Class L.** Class L liquor licenses shall permit the sale at retail of alcoholic liquor for consumption on the premises to be sold at a temporary event by a currently licensed retail seller of alcoholic liquor in the City of Washington, for a one (1) day period of time. Such sales shall be by responsible persons and shall be allowed for single day in a specific location as follows:

(1) Definitions.

- (a) "Premises" shall mean the building out of which the licensee primarily operates, and for which a current liquor license is in effect and has previously been issued.
- (b) "Special Area" shall mean the area within which the temporary event will take place, and for which the Temporary Event license is sought.

- (2) Only the holders of current Class A, D, E, G, J and ~~J-N~~ liquor licenses, issued by the City of Washington, may apply for a Temporary Event license under the provisions of this Paragraph (L).

(N) **Class N.** Class N licenses shall authorize the retail sale or service of alcoholic liquor on the premises and outdoor event area of the Washington Area Community Center, only for consumption on the said premises and outdoor event area. Class N licenses shall authorize the retail sale of alcoholic liquors only in connection with and as a part of a private party or a private meeting not generally open to the public or a live music, play, or other live, in-person performance art event for which the licensee sells tickets. This license shall be known as a Community Center license. Such licenses shall permit the sale of alcoholic liquor and beverages between the hours of 6:00 a.m. and 1:00 a.m. on Monday, Tuesday and Wednesday; from 6:00 a.m. to 2:00 a.m. on Thursday, Friday, and Saturday; and from 10:00 a.m. to 1:00 a.m. on Sunday. Notwithstanding the above, on New Year's Day of each year license holders may remain open and sell or offer for sale alcoholic beverages until 2:00 a.m. The license fee for such licenses shall be \$1,000.00 per year.

Requirements for the outdoor event area in a Class N license:

- (1) The outdoor event area must comply with the following: a) be immediately adjacent and contiguous to the Class N licensed premises, b) be no greater in area than the gross floor area of the licensed premises, c) be entirely and completely contained by fencing or other suitable material at least six feet in height, measured from the finished floor elevation of the outdoor event area, which effectively prevents the passing of alcohol to the outside; and defines the event area and sets that area apart from the surrounding property; and be reasonably viewable and accessible from the exterior.
- (2) At least one, fully operable, emergency only exit shall be provided from the outdoor event area directly to the outside where the only other means of egress is through the interior of the licensed premises. Said emergency only exit shall be in addition to the access provided directly from the licensed premises, may be used to provide a means of egress/ingress for persons whose physical limitations or handicaps preclude their entrance or exit from the interior of the licensed premises and may be used for the purpose of taking delivery of products, materials and supplies.
- (5) The total square footage of the outdoor event area shall be included in the total parking calculations and requirements for the site.
- (6) No amplified sound or music nor any live entertainment shall be permitted in the outdoor event area after 10:00 p.m. and shall at all times be subject to all noise limitations of the City.
- (7) Each and every owner, operator, manager and/or licensee shall provide regular, diligent and effective management and employee oversight and control of the premises and outdoor event area to assure compliance with the provisions of this Chapter and the Code of Ordinances of the City of Washington, Illinois.

(~~N~~M) Number of licenses.

- (1) There shall be no more than ten (10) Class A licenses for the sale of alcoholic liquor at retail in the City in force at any one time.
- (2) There shall be no more than three (3) Class B licenses for the sale of alcoholic liquor at retail in the City in force at any one time.
- (3) There shall be no more than one (1) Class C licenses for the sale of beer and wine at retail in the City in force at any one time.
- (4) There shall be no more than three (3) Class D licenses for the sale of beer, wine and liqueur at retail in the City in force at any one time.
- (5) There shall be no more than two (2) Class E licenses for the sale of alcoholic liquor at retail in the City in force at any one time.
- (6) There shall be no more than eight (8) Class F licenses for the sale of alcoholic liquor at retail in the City in force at any one time.
- (7) There shall be no more than two (2) Class G license for the sale of alcoholic liquor at retail in the City in force at any one time.
- (8) There shall be no more than one (1) Class J license for the sale of alcoholic liquor at retail in the City in force at any one time.
- (9) There shall be no more than one (1) Class N license for the sale of alcoholic liquor at retail in the City in force at any one time.

Section 2. That all ordinances or parts thereof in conflict herewith be, and the same hereby are, expressly repealed.

Section 3. That this ordinance shall be in full force and effect from and after its passage, approval, and publication as provided by law.

PASSED AND APPROVED this _____ day of _____, 2019.

AYES _____

NAYS _____

Mayor

ATTEST:

City Clerk