

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 W LIQUOR LICENSE TO REGULATE WINERIES, DISTILLERS, AND BREW PUBS

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 and regulate alcoholic liquor manufacturers and associated retail sales of alcoholic liquor,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WASHINGTON, TAZEWELL COUNTY, ILLINOIS, an Illinois home rule municipality, that Chapter 112 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, with additions shown in underlined red font and deletions shown in strikethrough font:

- (K) **Class K.** ~~Notwithstanding any other provision of this code, it~~ shall be unlawful for any retail liquor licensee to serve or allow to be consumed alcoholic liquor at an outdoor eating, drinking and seating area without first obtaining a license as provided herein. Class K liquor licenses shall be a supplementary license permitting the sale of alcoholic liquors in an outdoor eating, drinking or seating area (i.e. beer garden, open air cafe, patio, etc.) located adjacent to and operated by and in conjunction with an otherwise licensed premise subject to the following:
- (1) Only those licensees holding a Class A, Class D ~~or~~ Class J, or Class W liquor license shall be eligible to apply for, receive and hold a Class K license, which allows for the sale and consumption of alcoholic liquor off-premises. Only those alcoholic liquors lawfully licensed to be sold and consumed in the adjacent licensed premises may be sold and/or consumed in the outdoor eating, drinking or seating area. All other provisions of the Washington Municipal Code pertaining to the respective Class A, Class D, ~~or~~ Class J, or Class W liquor license shall apply to the Class K licensed area unless otherwise provided herein.

(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, N, and W liquor licenses, issued by the City of Washington, may apply for a Temporary Event license under the provisions of this Paragraph (L).

(O) A Class W licensee who holds a State of Illinois wine-maker's premises license and who produces wine using grapes or other fruit grown on the licensee's property may also sell and serve alcoholic liquor for consumption in a designated outdoor area of its owned or leased property when such outdoor area is described in its license application and approved by the Liquor Commissioner. Each and every owner, operator and/or manager licensed to sell alcoholic liquors in an outdoor area shall provide regular, diligent and effective management and employee oversight and control of such outdoor eating, drinking or seating area to assure compliance with the provisions of this Chapter and the Code of Ordinances of the City of Washington, Illinois.

The license fee for such license shall be \$1,150.00 per year.

(~~Θ~~P) Number of licenses.

(10) There shall be no more than one (1) Class W license for the sale of alcoholic liquor at retail in the City in force at any one time.

Section 2. That § 112.03 HOURS OF SALE, be amended as follows, with additions shown in underlined red font and deletions shown in strikethrough font:

§ 112.03 HOURS OF SALE

(A) It shall be unlawful for Class A and E license holders to sell or offer for sale at retail any alcoholic liquor in the city, between the hours of 1:00 a.m. and 8:00 a.m. on Monday through Saturday, and from 1:00 a.m. to 10:00 a.m. on Sunday, except that holders of Class A-2 licenses may remain open and sell or offer for sale alcoholic beverages until 2:00 a.m. on Friday, Saturday, and Sunday mornings of each week and Thanksgiving Day morning. Unless specified otherwise in this Chapter 112, for all other licenses, it shall be unlawful to sell or offer for sale at retail any alcoholic liquor in the city, between the hours of 1:00 a.m. and 6:00 a.m. on Monday through Saturday, and from 1:00 a.m. to 10:00 a.m. on Sunday. Notwithstanding the above, on New Year's Day of each year all Class A license holders may remain open and sell or offer for sale alcoholic beverages until 4:00 a.m., although

no new patrons may be admitted to the establishment after 2:00 a.m., and all Class W license holders may remain open and sell or offer for sale alcoholic beverages until 2:00 a.m.

Section 3. That all ordinances or parts thereof in conflict herewith be, and the same hereby are, expressly repealed.

Section 4. 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