

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 112 OF THE CODE OF ORDINANCES OF THE CITY OF WASHINGTON, TAZEWELL COUNTY, ILLINOIS, ENTITLED "ALCOHOLIC BEVERAGES," BY EXPANDING ELIGIBILITY FOR A CLASS M (CATERERS) LIQUOR LICENSE, ALLOWING CERTAIN OUTDOOR EVENTS, AND WAIVING THE FEE FOR AN EXISTING LICENSE HOLDER FOR SALES FOR ON-PREMISE CONSUMPTION

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 adjust its Class M (Caterer) liquor license regulations.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WASHINGTON, TAZEWELL COUNTY, ILLINOIS, an Illinois home rule municipality, that Chapter 112.20 and 112.29 of the Municipal Code are hereby amended as follows, with additions shown in underlined font and deletions shown in strikethrough font:

Section 1. Amendments:

RETAIL LICENSES

§ 112.20 CLASSIFICATION OF LIQUOR LICENSES; NUMBER OF LICENSES PERMITTED

Class M. A Class M liquor license shall be ~~an~~ supplementary annual or per event license permitting the sale of alcoholic liquor in connection with the operation of ~~an off-site~~ catering business that serves alcoholic liquor in connection with the catering of foods and for consumption only on the ~~premises~~ property where the food is catered. Class M licenses, when catering within the City, shall be subject to the following:

- (1) Only those licensees holding a caterer retailer license pursuant to Section 5/1-3.34 of the Illinois Liquor Control Act (235 ILCS 5/1-3.34) ~~and also holding a Class A,~~

~~Class B, Class D, Class G, or Class J liquor license~~ shall be eligible to apply for, receive and hold a Class M license.

- (2) A Class M license shall only be issued to persons who can demonstrate that they are operating a bona fide catering business.
- (3) The sale of alcoholic liquor shall be incidental to the food service. The revenue which the licensee derives for the sale of food must comprise at least fifty-one (51%) of the gross revenue earned from the sale of food and alcoholic liquor at each and every event or function.
- (4) No alcoholic liquor shall be sold or served at a single location for more than eight (8) consecutive hours. Furthermore, the sale of alcoholic liquor shall only be allowed on Monday through Saturday from 6:00 a.m. until 1:00 a.m. the following morning and on Sunday from 10:00 a.m. until 1:00 a.m. the following morning.
- (5) The event or function shall not be open to the general public but only to invited guests. The sale of alcoholic liquor may be made in bulk to the person or organization conducting the function or be made to invited guests by the drink.
- (6) One or more employees of the license holder shall at all times be present throughout the event or function and be capable of observing any and all part(s) of the premises where alcoholic liquor is being sold or consumed.
- (7) The licensee must implement measures to ~~insure~~ensure that minors are not served alcoholic liquors and do not consume alcoholic liquor on the premises ~~of the rental hall or any place~~ alcoholic liquor is being served or consumed.
- (8) Class M license holders shall be exempt from Sections 112.05 and 112.05A ((distance from churches, schools, hospitals and residential areas) and 112.06 (visibility).
- ~~(9) —~~ The annual fee for the Class M license shall be \$350.00 which shall be ~~in addition to any other fees required by~~ waived for licensees holding another annual City license authorizing the sale of alcoholic liquor for consumption on the licensed premises—license holders pursuant to this Chapter. The per-event license applies to a single event at a single location within the City. The fee for a per-event license shall be \$100.00.

§ 112.29 CHANGE OF LOCATION

A retail dealer's license shall permit the sale of alcoholic liquor only in the premises or area described in the application and license. Such location may be changed only upon the written permit to make such changes issued by the Mayor. No change of location shall be permitted unless the proposed new location is a proper one for the retail sale of alcoholic liquor under the law of this state and the regulations of this city.

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