

City of St. Charles, Illinois

Ordinance No. 2013-M-40

An Ordinance Amending Title 5 “Business Licenses and Regulations,” Chapter 5.08.020 “Local Liquor Control Commissioner – Designated” and adding Section 5.08.035 “Local Liquor Control Commissioner – Powers and Duties” of the St. Charles Municipal Code

**Adopted by the
City Council
of the
City of St. Charles
July 1, 2013**

**Published in pamphlet form by
authority of the City Council
of the City of St. Charles,
Kane and Du Page Counties,
Illinois, July 5, 2013**


City Clerk



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BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ST. CHARLES, KANE AND DUPAGE COUNTIES, ILLINOIS, AS FOLLOWS:

SECTION ONE: That Title 5 "Business Licenses and Regulations," Chapter 5.08 "Alcoholic Beverages," Section 5.08.020 "Local Liquor Control Commissioner – Designated" of the St. Charles Municipal Code, be and is hereby amended as follows:

"5.08.020 Local Liquor Control Commissioner – Designated

- A. Local Liquor Control Commission - Purpose and Creation: A Local Liquor Control Commission is hereby created. The Commission shall be composed of five (5) members. The Local Liquor Commissioner shall be a member and shall be the Chairman of the Local Liquor Commission for purposes of presiding over its meetings. The other four (4) members of the Commission shall be appointed by the Local Liquor Commissioner. The creation of the Local Liquor Commission shall not be construed to grant any substantive authority to the Commission, which shall act as an advisory and hearing commission only.
- B. Local Liquor Control Commission - Membership and Term: Two (2) members of the Local Liquor Control Commission shall be members of the St. Charles City Council and two (2) members shall be residents of the City of St. Charles. Appointments shall be made to coincide with the term of the Mayor. Members shall hold office for their designated terms or until their successors have been appointed. No member of the Local Liquor Control Commission shall have any ownership interest in, or be employed by, any licensed establishment. No person shall be appointed to, or remain a member of the Local Liquor Control Commission if a spouse, parent, sibling, or child has, or acquires any ownership interest in, or is employed by, any licensed establishment."

SECTION TWO: That Title 5 "Business Licenses and Regulations", Chapter 5.08 "Alcoholic Beverages" of the St. Charles Municipal Code, be and is hereby amended by adding Section 5.08.035 "Local Liquor Control Commissioner – Powers and Duties" as follows:

"5.08.035 Local Liquor Control Commissioner – Powers and Duties

The Local Liquor Control Commission shall perform such functions and duties as directed or requested by the Local Liquor Commissioner in relation to the regulation of license activities including but not limited to the following:

- A. Upon the request of the Local Liquor Commissioner, the Local Liquor Control Commission shall review the applications and the investigations of applicants for liquor licenses, and submit its findings and recommendations to the Local Liquor Commissioner.
- B. Conduct disciplinary hearings and submit findings and recommendations to the Local Liquor Commissioner setting forth its conclusions with respect to the existence and nature of any violation of this Chapter and the appropriate disciplinary action to be taken, if any.
- C. Review and recommend changes in this Chapter to the Local Liquor Commissioner.
- D. Keep written records of its meeting and proceedings, which shall be open for public inspection in accordance with the Freedom of Information Act (5 ILCS 140/1 *et seq.*)
- E. Hold regular meetings at times and on days as designated by the Chairman of the Commission.”

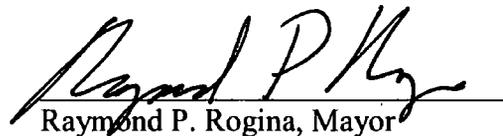
SECTION THREE: That, after the adoption and approval hereof, this Ordinance shall (i) be printed or published in book or pamphlet form, published by the authority of the City Council of the City of St. Charles, or (ii) within thirty (30) days after the adoption and approval hereof, be published in a newspaper published in and with a general circulation within the City of St. Charles.

SECTION FOUR: This Ordinance shall be in full force and effect ten (10) days from and after its passage by a vote of the majority of the corporate authorities now holding office, approval and publication in the manner provided by law.

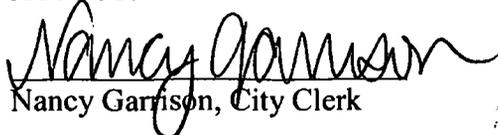
PRESENTED to the City Council of the City of St. Charles, Illinois, this 1st day of July, 2013.

PASSED by the City Council of the City of St. Charles, Illinois this 1st day of July, 2013.

APPROVED by the Mayor of the City of St. Charles, Illinois, this 1st day of July, 2013.


Raymond P. Rogina, Mayor

ATTEST:


Nancy Garrison, City Clerk



COUNCIL VOTE:

Ayes : 9

Nays : 0

Absent : 1

State of Illinois)
)
) ss.
Counties of Kane and DuPage)

Certificate

I, NANCY GARRISON, certify that I am the duly elected and acting Municipal City Clerk of the City of St. Charles, Kane and DuPage Counties, Illinois.

I further certify that on July 1, 2013, the Corporate Authorities of such municipality passed and approved Ordinance No. 2013-M-40, entitled

"An Ordinance Amending Title 5 "Business Licenses and Regulations," Chapter 5.08.020 "Local Liquor Control Commissioner – Designated" and adding Section 5.08.035 "Local Liquor Control Commissioner – Powers and Duties" of the St. Charles Municipal Code,"

which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 2013-M-40, including the Ordinance and a cover sheet thereof was prepared, and a copy of such Ordinance was posted in the municipal building, commencing on July 5, 2013, and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the municipal clerk.

DATED at St. Charles, Illinois, this 1st day of July 2013.



Nancy Garrison
Municipal Clerk