

ORDINANCE NO. 1979-M-54

AN ORDINANCE AMENDING CHAPTER 24, ENTITLED
"DEALERS IN INTOXICATING LIQUORS" OF THE
MUNICIPAL CODE OF ST. CHARLES

REFER TO:	
MINUTES	12-17-79
PAGE	1895

DATE OF PUBLICATION 12/18/79
NEWSPAPER Chronicle

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF
ST. CHARLES, KANE AND DU PAGE COUNTIES, ILLINOIS, as follows:

1. That Chapter 24, entitled "Dealers in Intoxicating
Liquors," of the Municipal Code of St. Charles be and is
hereby amended as follows:

(a) Section 24.008 be and is hereby deleted
and the following substituted therefor:

"24.008 Insurance.

Dram Shop Insurance. No license shall be granted to an applicant until such applicant shall furnish evidence satisfactory to the Liquor Control Commissioner that such applicant is covered by a policy of dram shop insurance issued by a responsible insurance company authorized and licensed to do business in the State of Illinois insuring such applicant against liability which such applicant may incur under the provisions of Section 135 of Chapter 43 of the Illinois Revised Statutes (1977 ed.). The insurance policy shall have a May 1 renewal date. The City of St. Charles shall be given at least ten (10) days written notice from such insurance carrier prior to cancellation, termination or amendment of any such dram shop insurance policy. "

(b) That Section 24.029 entitled "License Classes and Fees" be and is hereby deleted and the following substituted therefor:

"24.029 License Classes and Fees

An initial license fee of double the fee charged in the class applied for shall be paid by any new applicant for a liquor license. Licenses to sell alcoholic liquor retail are hereby divided in the following classes:

- (1) Class "A" licenses shall authorize the retail sale of alcoholic liquors in packages and not for consumption on the premises. Curb service or sale is prohibited. The annual license fee for such license shall be \$1,200.
- (2) Class "B" licenses shall authorize the retail sale of alcoholic liquors on the premises of any tavern (1) for consumption on the premises, provided that if located in a hotel or motel there shall be no retail package sales nor any room service. The annual license fee for such licenses shall be \$1,000.
- (3) Class "C" licenses shall authorize the retail sale of alcoholic liquors on the premises of any tavern (2) for consumption on the premises. The annual license fee for such license shall be \$1,000.
- (4) Class "D" licenses shall authorize the retail sale of alcoholic liquors on the premises of any resort hotel or motel for consumption on the premises when such retail sale is made by the person who operates the resort hotel or motel. The annual license fee shall be \$1,500. A supplemental late hour license fee of \$500 shall be paid before any resort hotel or motel shall exercise the privilege contained in Section 24.033, sub-paragraph B, entitled "Special Hours for Resort Hotels or Motels."
- (5) Class "E" licenses shall authorize the retail sale of alcoholic liquors on the premises of any hotel or motel for

consumption on the premises when such retail sale is made by the person who operates the hotel or motel. The annual license fee for such licenses shall be \$1,500.

- (6) Class "F" licenses shall authorize the retail sale of alcoholic liquors on the premises of any club for consumption on the premises, provided that such club shall have been in existence for at least six (6) months prior to the filing of an application for a license hereunder and shall have maintained clubrooms for such period of time immediately preceding the filing of its application. The annual license fee for such licenses shall be \$1,000.
- (7) Class "G", Special Restricted License, which shall authorize the retail sale of alcoholic liquor for consumption solely on the premises in conjunction with the operation of Arthur Andersen and Co. In addition to the regular restrictions and penalties, this license is further subject to the following restrictions:
 - A. Restricted hours: Liquor may be sold only between the hours of 11:00 A.M. and 1:00 A.M. and further limited to sales to individuals who are participating in the executive training center for business and professional personnel and their invited guests.
 - B. Restricted Term and Renewal: This license and classification will expire and terminate on the cessation of operation by Arthur Andersen and Co. of an executive training center for business and professional personnel at the location authorized by the local liquor control commissioner.
 - C. Fee \$1,200 shall be the annual license fee.

- D. Number of Licenses: There shall be issued only one (1) Class "G" license in any license year.
 - E. Change of Location: License is not to be removed from the location of 1405 North Fifth Avenue, St. Charles, Illinois, without the approval of the City Council and the consent of the local liquor control commissioner.
- (8) Class "H", Special Restricted License, shall authorize the retail sale of alcoholic liquor for consumption solely on the premises in conjunction with food service and the catering of private parties. In addition to the regular restrictions and penalties, this license is further subject to the following restrictions:
- A. Restricted Term and Renewal: This license and classification will automatically expire on the cessation of the Hotel Baker Corporation, a wholly owned subsidiary of the Lutheran Welfare Services, Inc., and its operations at the Hotel Baker located at 100 West Main Street, St. Charles, Illinois.
 - B. Fee: \$1,200 annual license fee.
 - C. Number of Licenses: There will be only one (1) Class "H" (1) license in any license year.
 - D. Change of Location: License is not to be removed from the location at 100 West Main Street, St. Charles, Illinois, without the approval of the City Council and the consent of the local liquor control commissioner.
 - E. Restricted Services: This classification does not permit a general service bar where patrons may stand or sit in order to purchase, accept, drink or receive alcoholic liquor. Only a restricted service bar or bars

will be permitted. A restricted service bar is a permanent or portable bar which contains alcoholic liquor, mixes and related paraphernalia which are used in the preparation of alcoholic drinks. A restricted service bar, further, does not and shall not have seats or stools or other places for persons to sit or stand while drinking an alcoholic beverage. A restricted service bar is solely to be used for the preparation and disbursement of drinks at the food service tables or other locations away from the bar.

- (9) Class "I", Special Restricted Licenses shall authorize the retail sale of beer and wine for consumption sold on the premises in conjunction with food service. In addition to the regular restrictions and penalties, these licenses are further subject to the following restrictions:

- A. Restricted Term and Renewal:
License Number One will automatically expire on the cessation of the Aurora Pizza Hut, Inc., an Illinois corporation, a subsidiary of Pizza Hut, Inc., a Kansas corporation, or its operations at 2125 West Main Street, in the City of St. Charles, Kane County, Illinois. License Number Two will automatically expire on the cessation of business of Ronald McDuffee, d/b/a Greek Towne, or his operation at 1500 East Main Street, St. Charles, Kane County, Illinois.

This classification will automatically expire on the cessation of License Number one and License Number Two.

- B. Fee: \$1,200 annual license fee.
- C. Number of Licenses: There will be only two Class "I" licenses in any one (1) year (License Number One and License Number Two.)
- D. Change of Locations: License Number One is not to be removed from the location of 2125 West Main Street in the City of St. Charles, Kane County, Illinois, without the approval of the City Council and consent of the local liquor control commissioner. License Number Two is not to be removed from the location of 1550 East Main Street, in the City of St. Charles, Kane County, Illinois, without the approval of the City Council and the consent of the local liquor control commissioner.
- E. Restricted Service: This classification does not permit a general service bar where patrons may stand or sit in order to accept, purchase, drink or receive beer and/or wine. Only a restricted service bar will be permitted. A restricted service bar is a permanent or portable bar which contains beer and/or wine. A restricted service bar further does not and shall not have seats, stools or other places for persons to sit or stand while drinking beer and/or wine. A restricted service bar is solely to be used for the preparation and disbursement of beer and/or wine at the food service tables.

- (10) Class "J" licenses shall authorize the holders of Class "C" licenses to receive a Class "J" license for the fee of \$500.00 which will permit them to have the privileges granted to Class "A" license holders.
- (11) Class "K" licenses shall authorize all Class B, C, E, and F license holders who desire to provide live entertainment on any Saturday night until 2:00 A.M. Sunday to hold a Supplemental Entertainment License. Live entertainment shall mean an instrumental group of three or more persons. The yearly fee for said Supplemental License shall be \$300.
- (12) That for Classes B, C, D and E there shall be an additional license fee of \$500 for each permanent bar and \$500 for the privilege of having any number of additional service bars.
- (13) There shall be a late payment fee of \$50 for each renewal license fee which is not paid on or before May 1 for the liquor license year and for which the completed application and the insurance requirements of Section 24.008 have not been satisfied.

(c) That Section 24.030 entitled "Number of Licenses" be and is hereby deleted and the following substituted therefor:

24.030 Number of Licenses.

There shall be issued not more than a maximum of five Class "A", eight Class "B", eleven Class "C", one Class "D", one Class "E", three Class "F" and permitted as set forth herein.

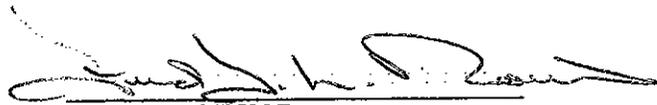
2. Penalty. Any person, firm or corporation violating any provisions of this Chapter shall be fined not less than \$25 nor more than \$500 for each offense and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

3. That this Ordinance shall be in full force and effect from and after its passage, approval and publication in accordance with law, but no sooner than April 30, 1980.

PRESENTED to the City Council of the City of St. Charles, Illinois, this 17th day of December, 1979.

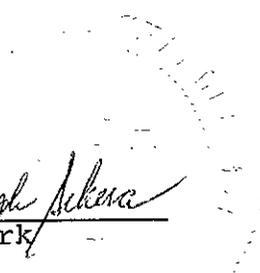
PASSED by the City Council of the City of St. Charles, Illinois, this 17th day of December, 1979.

APPROVED by the Mayor of the City of St. Charles, Illinois, this 17th day of December, 1979.



MAYOR

ATTEST:



M. Joseph Pickens
City Clerk

Council Vote: Unanimous
Ayes: 10
Nays: 0

STATE OF ILLINOIS)
)
COUNTIES OF KANE AND DUPAGE) SS. -----
)
CITY OF ST. CHARLES)

This is to certify that the foregoing is a true and correct
copy of Ordinance No. 1979-M-54 entitled AN ORDINANCE AMENDING
CHAPTER 24, ENTITLED "DEALERS IN INTOXICATING LIQUORS" OF THE
MUNICIPAL CODE OF ST. CHARLES

passed by the City Council of the City of St. Charles on the 17th
day of December, 19 79 A.D., as morefully appears from
the records and files of said City in my custody.

Given under my hand and the official seal of said City of
St. Charles, this 19th day of December, 19 79 A.D.

M. Joseph Sekera
M. Joseph Sekera, City Clerk