

City of St. Charles, Illinois

Ordinance No. 2006-M-28

An Ordinance Amending Title 5 “Business Licenses and Regulations,” Chapter 5.08 “Alcoholic Beverages,” Section 5.08.080(E) “License-Classes and Fees’ Class E – Temporary Licenses” of the St. Charles Municipal Code

**Adopted by the
City Council
of the
City of St. Charles**

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



Deputy City Clerk



DATE OF PUBLICATION 4/3/06
REPRODUCED Pamphlet

RE-LR TO
MINUTES 4/3/06
PAGE

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AN ORDINANCE AMENDING TITLE 5 "BUSINESS LICENSES AND REGULATIONS," CHAPTER 5.08 "ALCOHOLIC BEVERAGES," SECTION 5.08.080 (E), "LICENSE-CLASSES AND FEES; CLASS E - TEMPORARY LICENSES" OF THE ST. CHARLES MUNICIPAL CODE

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

1. That Title 5, "Business Licenses and Regulations", Chapter 5.08, "Alcoholic Beverages", Section 5.08.080 (E), "License-Classes and Fees; Class E - Temporary Licenses" of the St. Charles Municipal Code, be and is hereby deleted in its entirety and in lieu thereof the following new Section 5.08.080 (E) shall be substituted as follows:

"Class E – Temporary Licenses

E. Class E licenses shall authorize the retail sale of beer and wine for consumption on the premises only and only for special events or catered functions where the dispensing of food predominates. In his discretion, the Local Liquor Control Commissioner may issue two or more Class E licenses so as to authorize and delineate two or more licensed premises to operate in conjunction with any such special event or catered function.

In the event any such license is for an out of doors special event or catered function, the following shall apply in addition to all other requirements:

1. The licensee shall rope off or fence the licensed premises.
2. A sign limiting beer and wine consumption to the roped off or fenced area shall be prominently displayed by licensee at all times.
3. The licensee shall not serve more than two drinks of beer or wine per person per order. Notwithstanding the foregoing the licensee shall not serve two or more drinks of beer or wine at one time to one person for consumption by that one person.
4. The licensee shall provide for the pickup of all litter and trash.
5. The Local Liquor Control Commissioner, in consultation with the Chief of Police, shall designate on each license issued the number of St. Charles police personnel and/or adult members of the licensee required to be present on the licensed premises at all times beer and wine is being served, to supervise liquor sales and check identification of persons. The licensee shall be responsible for any and all compensation of police personnel at the then current overtime rate.

6. A tamper proof wrist band, of a design and in a color (a separate color must be used for each day) approved by the Chief of Police, or his designee, shall be placed on the wrist of each person eligible to purchase beer or wine prior to that person being given access to the licensed premises. Minors shall not be permitted in any licensed premises. Notwithstanding the foregoing, the Local Liquor Control Commissioner may, in his sole discretion and as designated in any license, permit minors to be present in a licensed premises where food is also served.
7. The Local Liquor Control Commissioner may, in his sole discretion and as designated in any license impose such other and further conditions as the Local Liquor Control Commissioner deems necessary.

Class E licensees shall obtain a separate permit or license from the Illinois Liquor Control Commission for each special event or catered function. Evidence of adequate dram shop insurance and liability insurance issued by an insurance carrier approved by the Local Liquor Control Commissioner shall accompany any application for a license. Class E licenses shall be additionally divided into the following sub-classes:

E-1. Class E-1 licenses shall authorize the retail sale of beer and wine for consumption on the premises only and for a period of twenty-four hours or less. Class E-1 licenses shall be issued to not for profit applicants only, for special events or catered functions, where the dispensing of food predominates. Applications for Class E-1 licenses shall be limited to St. Charles organizations or groups, unless prior City Council approval and the consent of the Local Liquor Control Commissioner are submitted with the application for Class E-1 licenses, and shall not be issued for more than three times within any three hundred sixty five-day period. Closing hours for Class E-1 licenses shall be between the hours of midnight and 7:00 a.m. and between the hours of 11:00 p.m. and midnight or as otherwise authorized by the City Council. No more than two Class E-1 licenses will be issued for any twenty-four hour period for separate events or functions. There shall be no Class E-1 licenses issued during the second full week of October, beginning 12:00 a.m. Friday and ending 12:00 a.m. Monday. The fee for a Class E-1 license shall be fifty (\$50) dollars per day. The initial license fee of double the fee shall not be applicable. The City Council may in its discretion, waive any Class E-1 license fees for events or functions where the City is the sponsor or cosponsor.

E-2. Class E-2 licenses shall authorize the retail sale of beer and wine for consumption on the premises only and for a period of twenty-four hours or less. Class E-2 licenses shall be issued to only Class B and Class C licensees for special events or catered functions where the dispensing of food predominates. Applications for Class E-2 licenses shall be limited to St. Charles licensees and shall not be issued for more than three times within any three hundred sixty five-day period. Closing hours for Class E-2 licenses shall be midnight to noon. No more than two Class E-2 licenses will be issued for any twenty-four hour period for separate events or functions. There shall be no Class E-2 licenses issued

during the second full week of October, beginning at 12:00 a.m. Friday and ending 12:00 a.m. Monday. The fee for a Class E-2 license shall be One Hundred (\$100) dollars per day. The initial license fee of double the fee shall not be applicable."

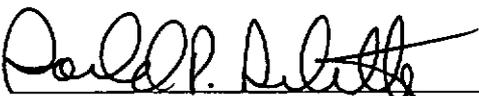
2. That after the adoption and approval hereof this Ordinance shall (i) be printed or published in book or pamphlet form, published by the authority of the Council, or (ii) within thirty (30) days after the adoption and approval hereof, be published in a newspaper published in and with a general circulation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

3. 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 3 day of April, 2006.

PASSED by the City Council of the City of St. Charles, Illinois this 3 day of April, 2006.

APPROVED by the Mayor of the City of St. Charles, Illinois, this 3 day of April, 2006.


Donald P. DeWitte, Mayor



Nancy Garrison
Deputy City Clerk

COUNCIL VOTE:

Ayes : 8
Nays :
Absent : 2

APPROVED AS TO FORM:

City Attorney

DATE: _____

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

Certificate

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

I further certify that on , the Corporate Authorities of such municipality passed and approved Ordinance No. 2006-M-28, entitled

"An Ordinance Amending Title 5 "Business Licenses and Regulations," Chapter 5.08 "Alcoholic Beverages," Section 5.08.080(E) "License-Classes and Fees' Class E - Temporary Licenses" 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. 2006-M-28, including the Ordinance and a cover sheet thereof was prepared, and a copy of such Ordinance was posted in the municipal building, commencing on , 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 3 day of April, 2006.



Deputy Municipal Clerk

