

City of St. Charles, Illinois

Ordinance No. 2010-M-67

An Ordinance Amending Title 5 "Business Licenses and Regulations," Chapter 5.08 "Alcoholic Beverages," Section 5.08.300 "Sale, Delivery, Consumption and Possession of Alcoholic Liquor on Public Property" of the St. Charles Municipal Code (pertaining to provisions for sale of alcoholic beverages within the First Street TIF District)

**Adopted by the
City Council
of the
City of St. Charles
November 15, 2010**

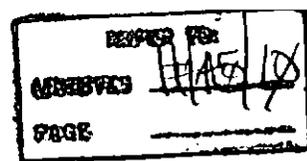
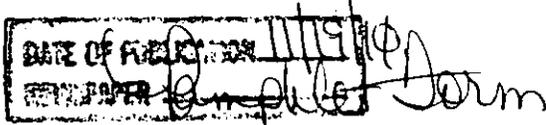
**Published in pamphlet form by
authority of the City Council
of the City of St. Charles,
Kane and Du Page Counties,
Illinois, November 19, 2010**

Nancy Garrison

City Clerk



(SEAL)



City of St. Charles, Illinois

Ordinance No. 2010-M- 67

An Ordinance Amending Title 5, "Business Licenses and Regulations", Chapter 5.08, "Alcoholic Beverages", Section 5.08.300, "Sale, Delivery, Consumption and Possession of Alcoholic Liquor on Public Property" 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:

SECTION ONE: That Title 5, "Business Licenses and Regulations", Chapter 5.08, "Alcoholic Beverages", Section 5.08.300, "Sale, Delivery, Consumption and Possession of Alcoholic Liquor on Public Property" of the St. Charles Municipal Code be and is hereby deleted in its entirety and in lieu thereof, the following language shall be substituted:

"5.08.300 Sale, Delivery, Consumption and Possession of Alcoholic Liquor on Public Property.

It is unlawful for any person to sell, deliver, consume or possess, except in original packages with seals unbroken, any alcoholic liquor upon any streets, sidewalk, alley or other public right-of-way and City property. However, upon approval of the City Council and the consent of the Local Liquor Control Commissioner, this section shall not apply to the premises of a Class E license issued pursuant to this chapter.

Notwithstanding the foregoing, alcoholic liquor may be sold, delivered, consumed and possessed on the public right-of-way adjacent to Class B licensed premises located within the First Street TIF District (described below), subject to: (a) approval of the City Council, (b) the premises obtaining a Sidewalk Café permit pursuant to Section 12.04.102 of this Code and (c) strict compliance with the site drawing (including conditions imposed by the Local Liquor Control Commissioner thereon) approved in conjunction with the issuance of the Class B license for said premises.

The First Street TIF District is described as follows: That part of the Northwest Quarter and the Southwest Quarter of Section 27, Township 40 North, Range 8, East of the Third Principal Meridian in the City of St. Charles, Kane County, Illinois described as follows: Beginning at the northeast corner of Block 44 in Original Town of St. Charles, said point also being the intersection of the south right-of-way line of Main Street (Illinois Route 64) and the westerly right-of-way line of 2nd Street (Illinois Route 31); thence easterly along said southerly right-of-way line to the west bank of the Fox River; thence southerly along said west bank to the southerly right-of-way line of Indiana Street; thence westerly along said southerly right-of-way line to the easterly right-of-way of 1st Street; thence southerly along the easterly right-of-way line of 1st Street to the northerly right-of-way line of Prairie Street; thence easterly along said northerly right-of-way line of Prairie Street to the northerly extension of the west line of Lot 5 in the Piano Factory of St. Charles Subdivision; thence southerly along the west line of said Lot 5 and the northerly extension thereof to the most southerly corner of said Lot 5; thence southwesterly along the extension of the southeasterly line of said Lot 5 to the westerly right-of-way line of 2nd Street (Illinois Route 31); thence northerly along said westerly right-of-way line of 2nd Street to the Point of Beginning.

Any person violating this section shall be fined seventy-five dollars (\$75.00) for the first

offense and two hundred dollars (\$200.00) for each subsequent offense.”

SECTION TWO: That after the adoption and approval hereof this Ordinance shall be printed or published in book or pamphlet form, published by the authority of the City Council.

SECTION THREE: 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 15th day of November, 2010.

Passed by the City Council of the City of St. Charles, Illinois this 15th day of November, 2010.

Approved by the Mayor of the City of St. Charles, Illinois this 15th day of November, 2010.



[Signature]
Mayor

Attest:

[Signature]
City Clerk

Council Vote:

Ayes: 7

Nays: 2

Abstain: _____

Absent: _____

Approved as to Form:

City Attorney

Date: _____

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 November 15, 2010, the Corporate Authorities of such municipality passed and approved Ordinance No. 2010-M-67, entitled

"An Ordinance Amending Title 5 "Business Licenses and Regulations," Chapter 5.08 "Alcoholic Beverages," Section 5.08.300 "Sale, Delivery, Consumption and Possession of Alcoholic Liquor on Public Property" of the St. Charles Municipal Code (pertaining to provisions for sale of alcoholic beverages within the First Street TIF District),"

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

The pamphlet form of Ordinance No. 2010-M-67, including the Ordinance and a cover sheet thereof was prepared, and a copy of such Ordinance was posted in the municipal building, commencing on November 19, 2010, 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 15th day of November 2010.



Nancy Garrison
Municipal Clerk