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City of St. Charles, Illinois

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Ordinance No. 2016-M-35

**Motion to approve an Ordinance Amending Title 5
 "Business Licenses and Regulation", Chapter 5.08
 "Alcoholic Beverages", Section 5.08.100 "License Fees;
 Late Night Permit Fees; Fees Established", and Section
 5.08.130 "License - Hours of Sale" of the St. Charles
 Municipal Code**

**Adopted by the
 City Council
 of the
 City of St. Charles
 August 15, 2016**

**Published in pamphlet form by
 authority of the City Council
 of the City of St. Charles,
 Kane and Du Page Counties,
 Illinois, August 20, 2016**

Nancy Garrison
 City Clerk

(SEAL)



City of St. Charles
Ordinance No. 2016-M- 35

**An Ordinance Amending Title 5 “Business License Regulations,”
 Chapter 5.08 “Alcoholic Beverages,” Section 5.08.100 “License Fees; Late
 Night Permit Fees; Fees Established”, and Section 5.08.130 “License – Hours
 of Sale” 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 License Regulations,” Chapter 5.08
 “Alcoholic Beverages,” Section 5.08.100 “License Fees; Late Night Permit Fees; Fees
 Established”, of the St. Charles Municipal Code, be amended as follows:

5.08.100 License Fees; Late Night Permit Fees; Fees Established

A. Fees Established. The fees for the various Classes of local liquor licenses authorized in
 this chapter shall be as follows:

Class License	Annual License Fee	Comments
A-1	\$1,600.00	Package Liquor Stores Only
A-2	1,600.00	Grocery Stores
A-2B	1,600.00	Wine/Beer Sales Only
A-4	1,600.00	Brewery Sales
A-5	1,800.00	Wine by Glass & Bottle Sales
B-1	1,200.00	Basic Restaurant Liquor License
B-2	1,800.00	Purchase Wine w/Takeout
B-3	1,800.00	Restaurant/Retail Wine Area
C-1 & C-2	1,200.00	Basic Tavern Liquor License or Beer/Wine Only
C-3	1,800.00	Sale of Bottled Wine
D-1	4,000.00	Pheasant Run
D-2	2,000.00	Hotels
D-3	2,000.00	Banquet Halls/Country Clubs
D-4	1,000.00	Moose/Clubs
D-5	2,000.00	Arcada
D-6	2,000.00	Q-Center
D-7	500.00	Steele Beam Theatre
D-8	\$1,200.00	Arts & Entertainment License
E-1	50.00 per day	Not for Profit
E-2	100.00 per day	Special Events B/C licensees
E-3	50.00 per day	Kane County Fair
E-4	100.00 per day	City Owned Premises
E-5	500.00 annual	Harley Davidson
E-6	100.00 per day	Special Late Night Permit Event (up to 4 events per year)
E-7	100.00 per day	Special Events A-2/A-2B licensees

F-1	100.00	BYOB Beer and Wine Only
F-2	250.00	BYOB Beer, Wine, and Spirits

SECTION TWO: That Title 5 “Business License Regulations,” Chapter 5.08 “Alcoholic Beverages,” Section 5.08.130 “License – Hours of Sale”, of the St. Charles Municipal Code; paragraphs A, B, C, D, E, F, and G are deleted in its entirety and replaced as follows:

5.08.130 – License - Hours of Sale

A. It shall be unlawful for any person holding a Class A-1, A-2, A-2B, A-4, A-5, F-1, F-2 license issued pursuant to this chapter to sell, offer for sale or to give away, in or upon any licensed premises any alcoholic liquor prior to the hour of 7:00 a.m. and after the hour of 10:00 p.m. on Monday, Tuesday, Wednesday, Thursday, Friday and Saturday; and prior to the hour of 10:00 a.m. and after the hour of 10:00 p.m. on Sunday except where New Year’s Day, Easter, Mother’s Day, Father’s Day, Christmas Eve, Christmas Day, and New Year’s Eve occurs on a Sunday, then alcoholic liquor sales shall be unlawful prior to the hour of 7:00 a.m. and after the hour of 10:00 p.m.

(Ord. 2015-M-14 § 1; Ord. 2012-M-30 § 8.)

B. It shall be unlawful for any person holding a Class B-1 or B-2 license issued pursuant to this chapter to sell, offer for sale or to give away, in or upon any licensed premises, any alcoholic liquor between the hours of 12:00 midnight and 7:00 a.m. on Monday, Tuesday, Wednesday, Thursday, Friday, and Saturday; and between the hours of 12:00 midnight and 10:00 a.m. on Sunday except where New Year’s Day, Easter, Mother’s Day, Father’s Day, Christmas Eve, Christmas, and New Year’s Eve occurs on a Sunday, then alcoholic liquor sales shall be unlawful prior to the hour of 7:00 a.m. and after the hour of 12:00 midnight.

Ord. 2015-M-14 § 1; Ord. 2013-M-55 § 1; Ord. 2012-M-30 § 8.)

C. It shall be unlawful for any person holding a Class B-1, B-2, B-3, C-1, C-2, C-3, or D8 license issued pursuant to this chapter to sell, offer for sale or to give away, in or upon any licensed premises, any alcoholic liquor between the hours of 12:00 midnight and 7:00 a.m. on Monday, Tuesday, Wednesday, Thursday, Friday and Saturday; and between the hours of 12:00 midnight and 10:00 a.m. on Sunday except where New Year’s Day, Easter, Mother’s Day, Father’s Day, Christmas Eve, Christmas and New Year’s Eve occurs on a Sunday, then alcoholic liquor sales shall be unlawful prior to the hour of 7:00 a.m. and after the hour of 12:00 midnight..

(Ord. 2015-M-14 § 1; Ord. 2014-M-4 §4; Ord. 2013-M-55 § 2; Ord. 2012-M-30 § 8.)

D. It shall be **lawful** for any person holding a B-1, B-2, B-3, C-1, C-2 or C-3 license issued pursuant to this chapter to sell, offer for sale, in or upon any licensed premises, any alcoholic liquor until 2:00 a.m. on January 1 without being issued a Late Night Permit.

(Ord. 2015-M-14 § 1; Ord. 2014-M-5 § 3; Ord. 2014-M-4 § 4.)

E. It shall be unlawful for any person holding a Class D-1 license issued pursuant to this chapter to sell, offer for sale or to give away, in or upon any licensed premises, any alcoholic liquor between the hours of 2:00 a.m. and 7:00 a.m. on Monday, Tuesday, Wednesday, Thursday and Friday; between the hours of 3:00 a.m. and 7:00 a.m. on Saturday; and between the hours of 3:00 a.m. and 10:00 a.m. on Sunday except where New Year's Day, Easter, Mother's Day, Father's Day, Christmas Eve, Christmas, and New Year's Eve occurs on a Sunday, then alcoholic liquor sales shall be unlawful prior to the hour of 7:00 a.m. and after the hour of 3:00 a.m..

(Ord. 2015-M-14 § 1; Ord. 2012-M-30 § 8.)

F. It shall be unlawful for any person holding a Class D-2, D-4, D-5, D-6, or D-7 license issued pursuant to this liquor chapter to sell, offer for sale or to give away, in or upon any licensed premises, any alcoholic liquor between the hours of 2:00 a.m. and 7:00 a.m. on Monday, Tuesday, Wednesday, Thursday, Friday, Saturday; and between the hours of 2:00 a.m. and 10:00 a.m. on Sunday except where New Year's Day, Easter, Mother's Day, Father's Day, Christmas Eve, Christmas, and New Year's Eve occurs on a Sunday, then alcoholic liquor sales shall be unlawful prior to the hour of 7:00 a.m. and after the hour of 2:00 a.m.

(Ord. 2015-M-14 § 1; Ord. 2012-M-30 § 8.)

G. It shall be unlawful for any person holding a Class D-3 license issued pursuant to this chapter to sell, offer for sale or to give away, in or upon any licensed premises, any alcoholic liquor between the hours of 2:00 a.m. and 7:00 a.m. on Monday, Tuesday, Wednesday, Thursday, Friday and Saturday; and between the hours of 2:00 a.m. and 10:00 a.m. on Sunday except where New Year's Day, Easter, Mother's Day, Father's Day, Christmas Eve, Christmas, and New Year's Eve occurs on a Sunday, then alcoholic liquor sales shall be unlawful prior to the hour of 7:00 a.m. and after the hour of 2:00 a.m..

(Ord. 2015-M-14 § 1; Ord. 2012-M-30 § 8.)

SECTION THREE: That after the adoption and approval hereof, this Ordinance shall (i) be printed or published in book or pamphlet form pursuant to the authority of the City 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.

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 15th day of August, 2016.

PASSED by the City Council of the City of St. Charles, Illinois this 15th day of August, 2016.

APPROVED by the Mayor of the City of St. Charles, Illinois, this 15th day of

August, 2016.

Raymond P. Rogina Mayor Pro Tem
Raymond P. Rogina, Mayor

ATTEST:

Nancy Gannon
City Clerk

COUNCIL VOTE:

Ayes : 9

Nays : 0

Absent : 0

APPROVED AS TO FORM:

City Attorney

DATE: _____





ST. CHARLES
SINCE 1834

AGENDA ITEM EXECUTIVE SUMMARY

Title:	Recommendation to Approve an Ordinance an Amending Title 5 "Business License Regulations," Chapter 5.08 "Alcoholic Beverages," Section 5.08.100 "License Fees; Late Night Permit Fees; Fees Established", and Section 5.08.130 "License – Hours of Sale" of the St. Charles Municipal Code
Presenter:	Chief Keegan

Please check appropriate box:

X	Government Operations (8/1/16)		Government Services
	Planning & Development		City Council
	Public Hearing		Liquor Control Commission

Estimated Cost:		Budgeted:	YES		NO	
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If NO, please explain how item will be funded:

Executive Summary:

The attached ordinance revisions represent our efforts to work with area businesses and be responsive to their needs and business plans. Both of these modification proposals are in response to requests we received from local businesses to offer alcohol sales at holiday brunches, meal offerings and over-the-counter sales before 10:00 am on the dates indicated below. Outside of several "housekeeping" measures that clean up outdated ordinance language, the hours of operations modifications include the following:

- Packaged liquor stores already receive some dispensation from 10:00 am to 8:00 am on Christmas Eve and New Year's Eve days in regards to sales that fall on Sundays. This was enlarged to also include New Year's Eve Day, New Year's Day, Easter, Mother's Day, Father's Day, Christmas Eve Day, and Christmas.
- All restaurants, banquet facilities and hotels have also been scaled back on holidays as outlined above that fall on Sundays from 10:00 am to 7:00 am. This mirrors their Monday-Saturday regulations.

Also the License Fees table for liquor licenses was revised with some housekeeping updates.

This item went before the July 18, 2016 Liquor Control Commission and was recommended to go before this Government Operations Committee. Vote: Ayes:3; Nays: 0; Absent: 1

Attachments: *(please list)*

Ordinance

Recommendation / Suggested Action *(briefly explain):*

Recommendation to Approve an Ordinance an Amending Title 5 "Business License Regulations," Chapter 5.08 "Alcoholic Beverages," Section 5.08.100 "License Fees; Late Night Permit Fees; Fees Established", and Section 5.08.130 "License – Hours of Sale" of the St. Charles Municipal Code.

<i>For office use only:</i>	<i>Agenda Item Number: 4a</i>
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