

ORDINANCE NO. F-0047

AN ORDINANCE AMENDING THE WHEATON LIQUOR CONTROL ORDINANCE
CHAPTER 6 - ALCOHOLIC BEVERAGES

WHEREAS, The City of Wheaton, Illinois ("City") is an Illinois home rule municipality pursuant to the provisions of Article VII, Section 6, of the Illinois Constitution, 1970, and as such the City may exercise any power or perform any functions pertaining to its government and affairs; and

WHEREAS, the City has determined it to be in the best interests of the City and its residents to consider certain amendments to the Liquor Control Ordinance; and

WHEREAS, the Liquor Control Commission considered these amendments at its regular meetings on June 12, 1996 and July 10, 1996, and the Liquor Control Commission has recommended approval of these amendments.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Wheaton, DuPage County, Illinois, pursuant to its home rule powers, as follows:

Section 1: Section 6-3 of the Wheaton Liquor Control Ordinance is hereby amended by adding the following definitions:

"*Beer* means a beverage obtained by the alcoholic fermentation of an infusion or concoction of barley, or other grain, malt, and hops in water, and includes among other things, beer, ale, stout, lager beer, porter, and the like.

Convenience store means any establishment in which the primary business includes, but is not limited to, the sale of food, beverages, household products, cosmetic items, reading materials, and other goods for the convenience of the public.

Shopping center means a group of retail businesses, with or without office or service uses, in one or more buildings that have a common architectural theme and common parking facilities.

Specialty foods means products including imported and gourmet cheeses, meats, baked goods, condiments, seasonings, and novelty foods.

Wine means any alcoholic beverage obtained by the fermentation of natural contents of fruits or vegetables, containing sugar, including such beverages when fortified by the addition of alcohol or spirits."

Section 2: Section 6-87 (16) of the Wheaton Liquor Control Ordinance is hereby amended as follows:

"Class M license shall authorize the retail sale, on the premises specified in the license, of wine and beer only, in its original package and not for consumption on the premises and only

when sold in gift boxes or in gift baskets, and the retail sale of wine only, in its original package and not for consumption on the premises shall also be authorized by a Class M license. No such license shall be granted or retained for a premises not located in the C-2 Retail Core Business District or in a shopping center of at least 150,000 gross above grade square feet. The licensed premises shall not exceed a maximum of one thousand (1,000) gross above grade square feet, and at least twenty percent (20%) of the retail space shall be devoted to the sale of specialty foods. No such license shall be granted or retained by any establishment whose primary business is that of a convenience store. No more than one (1) Class M liquor license shall be granted or issued for any one shopping center."

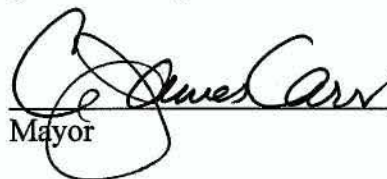
Section 3: Section 6-88 (b) of the Wheaton Liquor Control Ordinance is hereby amended as follows:

(b) The fee for the various classes of licenses under this chapter shall be as follows:

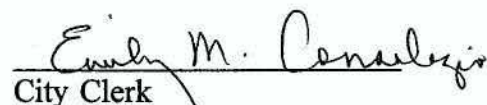
M.....\$1,500.00"

Section 4: All ordinances or parts of ordinances in conflict with these provisions are repealed.

Section 5: This ordinance shall become effective from and after its passage, approval, and publication in pamphlet form in the manner prescribed by law.


Mayor

ATTEST:


City Clerk

	<u>Roll Call Vote</u>
Ays:	Councilwoman Culler
	Councilman Eckhoff
	Mayor Carr
	Councilman Gresk
	Councilwoman Johnson
	Councilman Mork
Nays:	None
Absent:	Councilwoman Davenport

Motion Carried Unanimously

Passed: August 5, 1996
Published: August 6, 1996