

ORDINANCE NO. F-0856

AN ORDINANCE AMENDING THE LIQUOR CONTROL
ORDINANCE, CHAPTER 6 – ALCOHOL AND 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 function pertaining to its government and affairs; and

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

WHEREAS, on October 9, 2003, the Wheaton Local Liquor Commission reviewed a request to reduce the square foot requirement contained in the Class E classification, and the Commission unanimously recommended approval of the reduction.

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: That in Sec. 6-87. (6), the Class E License shall be deleted in its entirety and replaced with the following:

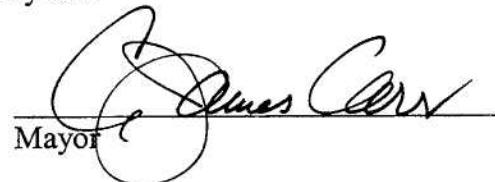
“(6) Class E license shall authorize the retail sale, on the premises specified in the license of alcoholic liquor in its original package and not for consumption on the premises (package sales), provided that samples for tasting may be furnished. Package sales shall be limited to premises primarily devoted to the sale at retail of grocery food, commonly known as supermarket, and drugs and sundries, commonly known as drugstores, if the drugstore is operated in conjunction, and shares a common entrance with, a supermarket, both totally consisting of areas of not less than 14,800 gross above grade square feet, subject to the following conditions and restrictions:

- a. That portion of the premises devoted to the sale of alcoholic liquor shall be no larger than 20 percent of the gross above grade square footage of the entire premises which is the subject of the application and license.
- b. Beer in containers of not more than 16 ounces shall not be sold in quantities of less than six cans or bottles to any customer.
- c. A class E license may not be issued to both the supermarket and drugstore within the premises; rather, the license may be issued to either the supermarket or the drugstore, but not both.

d. That portion of the premises devoted to the sale of alcoholic liquor shall not have ingress and egress separate from the ingress and egress of the nonalcoholic portions of the premises."

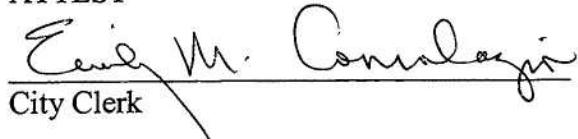
Section 2: All ordinances or parts of ordinances in conflict with these provisions are repealed.

Section 3: This ordinance shall become effective from and after its passage, approval, and publication in pamphlet form in the manner prescribed by law.



Mayor Carr

ATTEST



Emily M. Conneligan
City Clerk

Roll Call Vote

Ayes: Councilman Mouhelis
Councilwoman Bolds
Councilwoman Corry
Councilman Johnson
Mayor Carr
Councilwoman Johnson
Councilman Mork

Nays: None

Absent: None

Motion Carried Unanimously

Passed: November 3, 2003
Published: November 4, 2003