

## ORDINANCE NO. F-1824

### AN ORDINANCE AMENDING THE WHEATON LIQUOR CONTROL ORDINANCE, CHAPTER 6 - ALCOHOLIC BEVERAGES CLASS T LICENSE – MAIL ORDER/ON-LINE WINE SALES

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 the best interests of the City and its residents to consider certain amendments to the Wheaton Liquor Control Ordinance.

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 Sec. 6-87 is hereby amended by the addition of a new Section 6-87 subsection (23) which shall read as follows:

“*Class T license* shall authorize the retail sale of wine only, by a business in which said retail sale of wine is exclusively done by means of mail order, telephone order, or electronically transmitted order, for shipment to members of the general public of the age of 21 years or more, and subject to the following conditions, restrictions, and requirements:

- a. A Class T license shall only be issued to persons who can demonstrate that they are operating a bona fide mail order, telephone order, internet or catalog business for retail distribution of wine with no other type of retail sale on the licensed premises.
- b. Wine shall be sold in sealed packages only, and shall not be for consumption on the premises of the licensee. Sales shall only be by mail order, telephone order or electronically transmitted order and shipped by United Parcel Service or other authorized carriers, pursuant to the regulations adopted by the Illinois State Liquor Commission, to locations and destinations away from the premises of licensee. It shall be unlawful for holders of a Class T license to deliver wine by parcel service delivery without having procured adequate information to determine that the purchaser is qualified to receive the product sent. The provisions of Section 6-6 of this Code, concerning sale or delivery to underage persons, shall apply to any postal or parcel service delivery made by a Class T license holder. Evidence of any parcel service delivery shipped by a licensee in violation of Section 6.6 of this Code shall be grounds for revocation of the Class T license.

Section 2: That Sec. 6-88, Term; fees, is hereby amended to include the following fee for a Class T license:

“T: \$1,500”

Section 3: That Sec. 6-129, Hours of business – Generally, is hereby amended to include the following hours for a Class T license:

“(11)T: Monday – Sunday; 24 hours a day”

Section 4: All ordinances, or parts of ordinances, in conflict with these provisions are hereby 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

Roll Call Vote:

Ayes: Councilman Scalzo  
Councilman Suess  
Councilman Prendiville  
Councilman Rutledge  
Councilman Saline  
Mayor Gresk

Nays: None

Absent: Councilwoman Pacino Sanguinetti

Motion Carried Unanimously

Passed: November 17, 2014

Published: November 18, 2014