

## ORDINANCE NO. F-1903

### 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 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, that Chapter 6 of the Wheaton City Code is hereby amended as follows:

Section 1: That subsection (b) of Sec. 6-82, "Applications - Generally," is hereby repealed and rescinded in its entirety and replaced with a new subsection (b) of Section 6-82 which shall read:

"(b) A person applying for a retail liquor dealer's license shall obtain an application form from the city as prescribed by the city manager. Such application shall be filed with the local liquor commissioner, together with: a description of the applicant's program for training its employees to properly handle the sale of alcoholic liquor and a nonrefundable application fee of \$500.00. The application shall be signed by the applicant, if the applicant is an individual; by the president and secretary, if the applicant is a club or corporation; or by a general partner, if the applicant is a partnership; or by a manager if the applicant is an LLC. A copy of a lease, title or tract search for the premises for which a license is sought shall be attached to the application to establish the applicant's interest in the premises."

Section 2: That subsection (7) of Sec. 6-87, "Classification of licenses" is hereby repealed and rescinded in its entirety and replaced with a new subsection (7), "Class F license" of Sec. 6-87, which shall read:

"(7) Class F (temporary) license shall authorize the sale of alcoholic liquor at a special event sponsored by a club or nonprofit organization whose principal place of business is in the city, where held in accordance with all other provisions of this chapter. A Class F licensee may request permission to hold up to 12 one-day events. The fee shall be \$50.00 for each one-day period."

Section 3: That subsection (a) of Sec. 6-87.5, “Outdoor special event liquor license,” is hereby repealed and rescinded in its entirety and replaced with a new subsection (a) of Section 6-87.5 which shall read:

- “(a) The outdoor special event liquor license shall authorize the sale of only beer and wine on a specified premise for a maximum period of five consecutive days in conjunction with an outdoor special event as defined in section 10-241 of the Wheaton City Code. Issuance of an outdoor special event liquor license shall be limited to Wheaton-based non-profit organizations sponsoring the outdoor special event.”

Section 4: That subsection (d) of Sec. 6-87.5, “Outdoor special event liquor license,” is hereby repealed and rescinded in its entirety and replaced with a new subsection (d) of Section 6-87.5 which shall read:

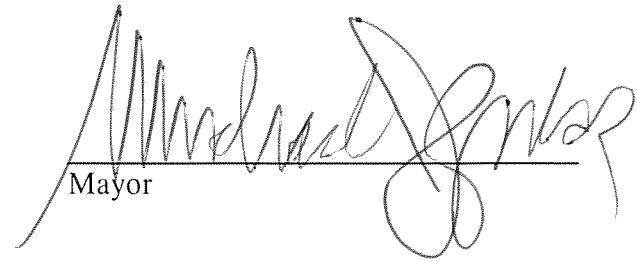
- “(d) The retail sale and consumption of wine and beer authorized by an outdoor special event liquor license shall be limited to the downtown Wheaton area as defined as Seminary Avenue to the north, Naperville Road to the east, Illinois Street to the south, and West Street to the west or on the DuPage County Fairgrounds property located at 2015 Manchester Road.”

Section 5: That subsection (g) of Sec. 6-88, “Term; fees,” is hereby repealed and rescinded in its entirety and replaced with a new subsection (g) of Section 6-88 which shall read:

- “(g) Licensees and/or the designated managers holding any class of license, except Class F, under this chapter shall submit proof of completion of a Beverage Alcohol Sellers/Servers Education & Training (BASSET) program within six months of receiving a city liquor license or the approval of a new manager. In addition, all on-premise alcohol servers (and those checking identification for alcohol service) shall submit proof of completion of a BASSET program. Newly hired servers have 120 days after their start date to be trained. BASSET certification must be renewed every three years.”

Section 6: All ordinances or parts of ordinances in conflict with these provisions are hereby repealed.

Section 7: This ordinance shall become effective from and after its passage, approval, and publication in pamphlet form in the manner prescribed by law.



Handwritten signature of the Mayor, with the word "Mayor" written below the signature line.

Attest:



Handwritten signature of Aaron Bennett Hagen, with "Aaron Bennett Hagen" written above the signature line.

City Clerk

Roll Call Vote:

Ayes: Councilman Saline  
Councilwoman Fitch  
Councilman Prendiville  
Mayor Pro Tem Scalzo

Nays: None  
Absent: Mayor Gresk  
Councilman Rutledge  
Councilman Suess

Motion Carried Unanimously

Passed: December 7, 2015

Published: December 8, 2015

