ORDINANCE NO. O-2020-08

**AN ORDINANCE AMENDING THE WHEATON LIQUOR CONTROL
ORDINANCE, CHAPTER 6 - ALCOHOLIC BEVERAGES
SECTION 6-87 - CLASSIFICATION OF LICENSES AND SECTION 6-129 - HOURS OF BUSINESS - GENERALLY
CLASS A and B LICENSES**

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Section 1: That Sec. 6-87, subsections (1) and (2) are hereby repealed and rescinded in their entirety and replaced with new Section 6-87 subsections (1) and (2) which shall read as follows:
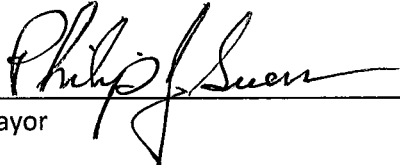
"(1) Class A license shall authorize the retail sale in restaurants of alcoholic liquor, for consumption on the restaurant premises, package sales of bottles of wine which are otherwise sold by the establishment by the glass and/or bottle and specialty spirits not readily available in mass-market retail stores which are used as ingredients in cocktails sold in their restaurant. No such license may be granted to, or retained by, any establishment in which the facilities for food preparation and service are not primarily those of the restaurant which has a dining seating capacity of at least 25. Alcoholic liquor may be sold in a restaurant holding a Class A license only during the period when patrons of the license are offered a complete meal or where a limited menu is offered after 11:00 p.m. which has been approved by the Local Liquor Commission. Service of alcoholic liquor shall be incidental to the service of meals and shall be at tables or in areas where patrons are waiting to be seated. Bars are not permitted. Written approval must be first obtained from the local liquor commission to permit the service of alcoholic liquors in areas where patrons are waiting to be seated.

(2) Class B license shall authorize the retail sale in restaurants of beer and wine for consumption on the restaurant premises and package sales of bottles of wine which are otherwise sold by the establishment by the glass and/or bottle. A Class B license may be grant to, or retained by, any establishment in which the facilities for food preparation and service are primarily those of a restaurant which has a dining capacity of at least 25. Beer and wine may be served in a restaurant holding a Class B license only during the period when patrons of the licensees are offered a complete meal or where a limited menu is offered after 11:00 p.m. which has been approved by the Local Liquor Commission. Service of beer and wine shall be incidental to the service of meals and shall be at tables or in areas where patrons are waiting to be seated. Bars are not permitted. Written approval must be first obtained from the local liquor commission to permit the service of alcoholic liquors in areas where patrons are waiting to be seated."

Section 2: That Sec. 6-129. - Hours of business – Generally, subsection (a)(1), hereby repealed and rescinded in its entirety and replaced with the following: Monday - Saturday, 7:00 a.m. to 1:00 a.m.; Sunday 7:00 a.m. to 12:00 midnight.

Section 3: All ordinances, or parts of ordinances, in conflict with these provisions are hereby repealed.

Section 4: 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: Councilwoman Bray-Parker
Councilwoman Fitch
Mayor Suess
Councilwoman Robbins
Councilman Rutledge
Councilman Zaruba
Councilman Barbier

Nays: None
Absent: None
Motion Carried Unanimously

Passed: March 2, 2020
Published: March 3, 2030