

ORDINANCE NO. O-2022-40

**AN ORDINANCE AMENDING SECTION 6-89, "LIMITATION ON NUMBER OF LICENSES", OF ARTICLE III, "RETAIL LICENSES", OF CHAPTER 6, "ALCOHOLIC BEVERAGES"**

**WHEREAS**, the City restricts the number of retail liquor licenses in, Section 6-89 of Article III of the Wheaton City Code, by enumerating the number of licenses in the ordinance available for issuance per classification; and

**WHEREAS**, due to the timing of the granting or repeal of liquor licenses the codification of the City Code will frequently not reflect the accurate number of authorized liquor licenses; and

**WHEREAS**, the Mayor and City Council have determined that the discrepancy between the number of licenses authorized by City Ordinance, and those expressed in the codification Section of 6-89 increases the possibility of confusion and error in the issuance or reduction in City liquor licenses.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and City Council of the City of Wheaton, DuPage County, Illinois, pursuant to its home rule authority, that Section 6-89, "Limitation on Number of Licenses" of Article III, "Retail Licenses," of Chapter 6, "Alcoholic Beverages" of the Wheaton City Code, is hereby amended by repealing and rescinding Section 6-89 in its entirety and replacing it with a new Section 6-89, which shall be entitled "Limitation on Number of Licenses" which shall read:

**SECTION 1:** The number of liquor licenses authorized for each liquor license classification shall be limited to that number enumerated in the most recently adopted amendment to Section 6-89 "Limitation on the of Licenses", Article III, "Retail Licenses," of Chapter 6, "Alcoholic Beverages", on file with the City Clerk.

**SECTION 2:** In all other respects, the terms and provisions of the Wheaton City Code are ratified and shall remain in full force and effect.

**SECTION 3:** All ordinances or parts of ordinances in conflict with this amendment are repealed.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.

  
Philip J. Suess Mayor

ATTEST:

  
Andrea Roxdale  
City Clerk

Roll Call Vote:

Ayes: Councilman Barbier  
Councilwoman Bray-Parker  
Councilman Brown  
Mayor Suess  
Councilwoman Fitch  
Councilwoman Robbins

Nays: None

Abstain: Councilman Weller

Absent: None

Passed: September 19, 2022  
Published: September 20, 2022