

ORDINANCE NO. O-2024-26

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF WHEATON CHAPTER 6, (ALCOHOLIC BEVERAGES) & APPENDIX B (FEE SCHEDULE) RELATING TO THE CREATION OF A CLASS U LIQUOR LICENSE – CRAFT COCKTAIL LOUNGE

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. 6-3 is hereby amended to include the following definition:

"Craft Cocktail Lounge means a place of business licensed under Chapter 26 Article II of this Code in which guests may order and consume a curated selection of specialty alcoholic liquor with or without the purchase of food. A Craft Cocktail Lounge may include bars with chairs, stools or other seating for the use of patrons."

Section 2: That Sec. 6-87 is hereby amended to include the following language for the new Class U license classification and that the numbering of subsections following the Class U shall be amended as necessary:

- (22) "A Class U License shall authorize the retail sale in a craft cocktail lounge of alcoholic liquor, for consumption on the premises, package sales of bottles of beer and 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 the craft cocktail lounge.

Licensees are also authorized to sell and deliver "to go" mixed drinks, cocktails, and single servings of wine subject to the conditions in 235 ILCS 5/6-28.8. Any on-premises only licensees in these license classes are considered combined on-premises/off-premises licensees authorized to make the limited off-premises sales authorized by this subsection. In the event that 235 ILCS 5/6-28.8 is repealed, this subsection is automatically repealed without further action of the City Council and the additional privileges granted by this subsection are terminated.

- a) No person under the age of 21 is allowed on premises during authorized hours of business. Signage shall be posted at the entrance of the premises to reflect this requirement.
- b) A licensee must offer and have available at all times that alcoholic liquor is available for consumption, a menu which includes food more substantial than bar snacks such as nuts, pretzels, chips or the like. Examples of acceptable food

service include but are not limited to hot or cold sandwiches, flatbreads, cheese plates and charcuterie boards. All food items are subject to approval from the DuPage County Health Department.

- c) Private tasting seminars shall be permitted at premises with a Class U liquor license.
- d) A Class U license shall only be granted or retained for a premises located in the C-2 CBD Retail Core Business District or C-4 CBD Perimeter Commercial District.
- e) The licensed premises shall not exceed a maximum of 1,250 gross square feet.
- f) No more than one Class U liquor license shall be granted or issued for any one city block."

Section 3: That Section B-4, Administrative Fees; B (Liquor License) of Appendix B, Fee Schedule, of the Wheaton City Code is hereby amended by the addition of the following:

"Class U \$2,000"

Section 4: That Sec. 6-129, subsection (a) Hours of business – Generally, is hereby amended to include a Class U – Craft Cocktail Lounge license classification:

"(18) U; Monday- Saturday 11:00 AM to 1:00 AM
Sunday 11:00 AM to 12:00 Midnight"

Section 5: All ordinances, or parts of ordinances, in conflict with these provisions are hereby repealed.

Section 6: 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 Weller
Councilman Barbier
Councilwoman Bray-Parker
Mayor Suess
Councilman Clousing
Councilwoman Robbins

Nays: None

Absent: Councilman Brown

Motion Carried Unanimously

Passed: September 16, 2024

Published: September 17, 2024