

ORDINANCE NO. O-2025-38

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF WHEATON CHAPTER 6,
(ALCOHOLIC BEVERAGES) CLASS M LIQUOR LICENSE CLASSIFICATION**

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 – Definitions, be amended to include the following: *Wine shop* means an establishment where the majority of inventory, shelf space and revenues come from the sale of wine and wine related products.

Section 2: That Sec. 6-87 (14) is hereby repealed and rescinded in its entirety and replaced with the following:

(14) Class M license

a. Class M liquor license shall authorize the retail sale, on the premises specified in the license, of beer, ale and/or wine, in its original package or when sold in gift boxes or in gift baskets. The retail sale of beer, ale and/or wine, for consumption on the premises shall also be authorized by a Class M license. Premises issued or granted a Class M license shall be subject to all the following conditions:

1. The licensed premise must be located in the C-2 or C-4 zoning district or in a shopping center of at least 150,000 gross above grade square feet.
2. The licensed premises shall not exceed a maximum of 2,500 gross above grade square feet.
3. At least 20 percent of the retail space shall be devoted to the sale of specialty foods and merchandise.
4. Private tasting seminars shall be permitted on the licensed premises.
5. No such license shall be granted to or retained by any establishment whose primary business is that of a convenience store or restaurant.
6. No more than one Class M license shall be granted or issued for any one shopping center.

b. Class M Plus license shall authorize the retail sale of specialty spirits not readily available in mass-market retail stores in its original package or when sold in gift boxes or in gift baskets and for consumption on the premises of a retail establishment whose primary business is that of a bona fide wine shop that has an existing Class M license.

Section 3: That Sec. 6-129. - Hours of business – Generally, subsection (a)(4), is hereby repealed and rescinded in its entirety and replaced with the following: M and M Plus Monday-Saturday 9:00 a.m. – 10:00 p.m. and Sunday 12:00 noon – 9:00 p.m.

Section 4: That Appendix B of the Wheaton City Code shall be amended as follows: The fee for a Class M Plus license shall be \$500.00 in addition to the \$1,500 Class M license.

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.



Philip J. Suess

Mayor

Attest:



Andrea Rosedale

City Clerk

Roll Call Vote:

Ayes: Councilman Weller
Councilwoman Bray-Parker
Councilwoman Brice
Councilman Brown
Mayor Suess
Councilman Clousing
Councilwoman Robbins

Nays: None

Absent: None

Motion Carried Unanimously

Passed: August 4, 2025

Published: August 5, 2025