

MEMORANDUM

AUGUST 12, 2022

TO: Mayor John P. Kahl and Members of the City Council

FROM: Morgan R. Cadwalader, City Clerk

SUBJECT: Ordinance Amending the City Code to increase the number of Class D Liquor Licenses authorized in the City

DISCUSSION: It is necessary to change the number of Class D (Restaurant) licenses at various times throughout the year. Currently, it is necessary to increase the number of Class D liquor licenses by two.

RECOMMENDATION: To approve an increase of Class D liquor licenses limit to 28.

ORDINANCE NO. 4670

**AN ORDINANCE AMENDING TITLE 3, CHAPTER 3 OF
THE EAST PEORIA CITY CODE TO CHANGE THE NUMBER OF
CLASS D LIQUOR LICENSES AUTHORIZED TO BE ISSUED
WITHIN THE CORPORATE LIMITS OF THE CITY**

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
EAST PEORIA, TAZEWELL COUNTY, ILLINOIS, THAT:**

Section 1. Title 3, Chapter 3, Section 1.10 of the East Peoria City Code is hereby amended to read as follows (additions are indicated by underline, deletions by ~~strikeout~~):

3-3-1.10. Licenses; limitation upon number issued.

So that the health, safety and welfare of the people of the city shall be protected and minors shall be prevented from the purchase of alcoholic liquors, and temperance in the consumption of alcoholic liquors shall be fostered and promoted:

- (a) No additional class A licenses shall be issued under the provisions of this chapter unless the number of such licenses in force at the time shall be less than fourteen (14);
- (b) No additional class B licenses shall be issued under the provisions of this chapter unless the number of such licenses in force at the time shall be less than twenty-five (25);
- (c) Class C licenses may be issued without limit upon approval by the liquor control commission;
- (d) No additional class D licenses shall be issued under the provisions of this chapter unless the number of such licenses in force at that time shall be less than ~~twenty-six~~eight (~~26~~28);
- (e) No additional class E licenses shall be issued under the provisions of this chapter unless the number of such licenses in force at that time shall be less than three (3);
- (f) There may be only one class F license in force at any time;
- (g) No additional class G licenses shall be issued under the provisions of this chapter unless the number of such licenses in force at the time shall be less than one (1);

- (h) No additional class H licenses shall be issued under the provisions of this chapter unless the number of such licenses in force at the time shall be less than two (2);
- (i) Class V licenses may be issued without limit to those organizations qualifying upon approval by the liquor control commission;
- (j) No additional class Z licenses shall be issued under the provisions of this chapter unless the number of such licenses in force at the time shall be less than one (1);
- (k) No additional class AS licenses shall be issued under the provisions of this chapter unless the number of such licenses in force at the time shall be less than one (1);
- (l) No additional class CC licenses shall be issued under the provisions of this chapter unless the number of such licenses in force at the time shall be less than one (1);
- (m) No additional class CR licenses shall be issued as a stand-alone license or as a sublicense under the provisions of this chapter unless the number of such licenses in force at the time shall be less than four (4);
- (n) No additional class RB licenses shall be issued under the provisions of this chapter unless the number of such licenses in force at the time shall be less than four (4);
- (o) No additional class GC licenses shall be issued under the provisions of this chapter unless the number of such licenses in force at the time shall be less than one (1);
- (p) No additional subclass 1 licenses shall be issued under the provisions of this chapter unless the number of such licenses in force at the time shall be less than twenty-one (21);
- (p) No additional subclass 2 licenses shall be issued under the provisions of this chapter unless the number of such licenses in force at the time shall be less than one (1).

Provided however, that upon the surrender and cancellation of an existing license, the local liquor control commission may reissue such license to a person who has purchased the business or premises of the prior licensee; and provided, further, that in the event of annexation of any

territory to the city, in which territory there is located any business or property for which a valid county retail liquor license has been issued and in force at the date of such annexation, the local liquor control commission is empowered to authorize the issuance of a new license strictly under the provisions of this Code to the person named in the county retail liquor license issued for such business or property, notwithstanding the foregoing limitations upon the number of licenses to be issued.

Section 2. This Ordinance is hereby ordered to be published in pamphlet form by the East Peoria City Clerk and said Clerk is ordered to keep at least three (3) copies hereof available for public inspection in the future and in accordance with the Illinois Municipal Code.

Section 3. This Ordinance is in addition to all other ordinances on the subject and shall be construed therewith excepting as to that part in direct conflict with any other ordinance, and in the event of such conflict, the provisions hereof shall govern.

Section 4. This Ordinance shall be in full force and effect from and after its passage, approval and ten (10) day period of publication in the manner provided by law.

PASSED BY THE COUNCIL OF THE CITY OF EAST PEORIA, TAZEVELL COUNTY, ILLINOIS, IN REGULAR AND PUBLIC SESSION THIS ____ DAY OF _____, 2022.

APPROVED:

Mayor

ATTEST:

City Clerk

EXAMINED AND APPROVED:

Corporation Counsel