

**CITY OF WAUKEGAN**

**ORDINANCE No. 17-O-15**

**The Title of The**

ORDINANCE AMENDING ARTICLE II – LICENSE, SECTION 3-40 ENTITLED  
“CLASSES; SCOPE; FEES” WHICH IS CONTAINED IN THE CITY OF WAUKEGAN CODE OF  
ORDINANCES AT CHAPTER 3, ENTITLED  
“ALCOHOLIC BEVERAGES” BY CREATING AN ADDITIONAL  
BYOB LICENSE

**ADOPTED AND PASSED BY THE CITY COUNCIL  
OF THE CITY OF WAUKEGAN**

**ON THE 6<sup>th</sup>  
DAY OF MARCH 2017**

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**Published in pamphlet form by authority of the City Council, of the City of Waukegan,  
Lake County, Illinois, on the 8<sup>th</sup> day of March, 2017**

  
CITY CLERK

17-O-15

## ORDINANCE

**BE IT ORDAINED** by the City Council of the City of Waukegan Illinois, as follows:

**SECTION 1:** That Article II – License, Section 3-40 entitled “Classes; scope; fees” which is contained in the City of Waukegan Code of Ordinances at Chapter 3, entitled “Alcoholic Beverages” be and is hereby amended by adding the following:

### Section (a)

**(21)** Class BYO-3 licenses shall authorize the consumption of beer, wine and liquor which has been brought onto the premises of a business operating as a public accommodation as defined in section 11-42-10.1 of the Illinois municipal code by a patron or patrons as a complement to the purchase/sale and consumption of tobacco products in said establishment.

- The application fee for class BYO-3 shall be \$250.00. The annual license fee for a class BYO-3 license shall be \$500.00.
- The license holder is only allowed to provide glasses, ice and an ice holder for the patrons.
- The license holder, its agents, and/or its employees may store wine, beer or liquor for its patrons.
- It shall be unlawful for the license holder, its agents and/or its employees to permit any patron to leave the licensed premises with open wine, beer or liquor, and the license holder shall require that patrons who leave with such of their own beer and wine that has not been consumed to do so only in sealed or unopened containers in compliance with Illinois law.
- No consumption of wine, beer or liquor shall be permitted on the premises unless it is consumed as a complement to the sale and consumption of tobacco products. Furthermore, no persons under the age of 21 shall be permitted in any areas designated a private or club VIP area.
- A certificate of insurance, reflecting coverage for general liability purposes in such minimum amounts as the liquor commissioner may deem necessary from time to time, shall be presented to the city by the applicant for a class BYO-3 establishment and the city shall be named as an additional insured on the license holder's insurance. Further, the license holder shall agree in writing to save and hold harmless the city's agents, employees elected and appointed officials from any and all claims or causes of actions arising out of the consumption of alcoholic liquor on the premises as a condition of the license.
- The hours during which a class BYO-3 license holder may permit consumption of beer, wine and liquor on its premises shall conform identically to the hours of operation of the licensed business for which the BYOB liquor license has been issued.
- There shall be no more than 1 class BYO-3 license issued.

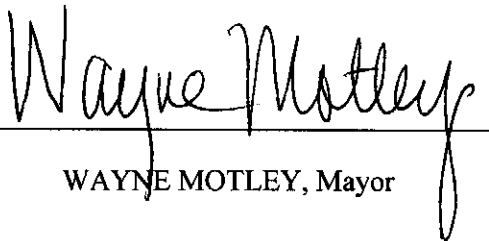
Section (d)

*Fee schedule.* The annual fee, starting with the 2011 license year, shall be in accordance with the following fee schedule:

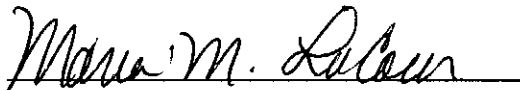
License Class	Section 3-40 subsection	Fee
BYO-3	(21)	500.00

**SECTION 2:** All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

**SECTION 3:** This ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

  
WAYNE MOTLEY, Mayor

ATTEST:



MARIA M. LACOUR, City Clerk

Presented and read at a regular meeting of the City of Waukegan City Council on the 6<sup>th</sup> day of March, 2017

Passed and approved at the regular meeting of the Waukegan City Council on the 6<sup>th</sup> day of March, 2017

ROLL CALL: Alderman Cunningham, Seger, Moisiso, Villalobos, Newsome, TenPas, May, Valko, Taylor

AYES: Alderman Cunningham, Seger, Moisiso, Villalobos, TenPas, May, Valko, Taylor

NAYS: Alderman Newsome

ABSENT: None

ABSTAIN: None