

MCO- 07- 2020

**AN ORDINANCE TO AMEND
SECTION 36.11, ENTITLED "LIMITATION ON NUMBER OF LICENSES,"
OF ARTICLE II ENTITLED "RETAIL LICENSES" OF
CHAPTER 36, ENTITLED "LIQUOR,"
OF THE MUNICIPAL CODE OF ORDINANCES OF THE CITY OF ELMHURST, ILLINOIS**

WHEREAS, the corporate authorities of the City of Elmhurst (the "City") are expressly authorized by Section 4-1 of the Illinois Liquor Control Act of 1934 (235 ILCS 5/4-1) to establish such regulations and restrictions upon the issuance of and operations under local liquor licenses not inconsistent with law as the public good and convenience may require; and

WHEREAS, the table located in Section 36.11, entitled "Limitation on Number of Licenses," of Article II entitled "Retail Licenses" of Chapter 36, entitled "Liquor," of the Municipal Code of Ordinances of the City establishes the number of liquor licenses in each classification, as defined in Section 36.09, entitled "Classification of Licenses;" and

WHEREAS, the corporate authorities of the City find it necessary, desirable and in the best interest of the City to amend the table located in Section 36.11 to reflect the addition of one (1) more Class "RSB" license; and

WHEREAS, such amendment to the table located in Section 36.11 will reflect that there are seventeen (17) Class "RSB" liquor licenses.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Elmhurst, DuPage and Cook Counties, Illinois, as follows:

Section 1. The recitals set forth are incorporated herein by reference.

Section 2. That the table located in Section 36.11, entitled "Limitation on Number of Licenses," of the Municipal Code of Ordinances of the City is hereby deleted in its entirety and replaced with the following:

“36.11 – Limitation on Number of Licenses

License Class	Maximum Number of Licenses
AC	2
B	10
BF	2
BP	1
BRW	0
C	2
CBBW	4
CBW	3
D	Unlimited
DL	1
ECRL	1
EHO	Unlimited
GSWC	2
H	3
IWS	0
PD	0
PL	10
RHA	0
RL	18
RPDL	1
RSB	17
SPB	0
SPR	0
WB	1
WBB	0
WBBS	3

Section 3:_____The provisions of this Ordinance are hereby declared to be severable; and if any section, phrase, or provisions shall for any reason be declared to be invalid, such declaration shall not affect the validity of the remainder of this sections phrases, or provisions.

Section 4. All ordinances or parts of ordinances in conflict with this Ordinance are hereby amended to the extent of the conflict.

Section 5. This Ordinance shall be in full force and effect from and after its passage, approval and publication in accordance with law.

ADOPTED this day of _____, 2020, pursuant to a roll call vote as follows:

AYES: _____

NAYS: _____

ABSENT: _____

ABSTENTION: _____

APPROVED by me this _____ day of _____, 2020.

Steven M. Morley, Mayor of the City of
Elmhurst, DuPage and Cook Counties, Illinois

ATTESTED and filed in my office,
and published in pamphlet form
this _____ day of _____, 2020.

Jackie Haddad-Tamer, Clerk of the City of
Elmhurst, DuPage and Cook Counties, Illinois.

COUNCIL ACTION SUMMARY

SUBJECT: An Ordinance to Amend Section 36.11, Entitled "Limitation on Number of Licenses," of Article II entitled "Retail Licenses" of Chapter 36, Entitled "Liquor," of the Municipal Code of Ordinances of the City of Elmhurst, Illinois.

ORIGINATOR: Public Affairs and Safety Committee and City Attorney

DESCRIPTION OF SUBJECT MATTER:

Pursuant to the recommendations of the Public Affairs and Safety Committee, the City Attorney prepared an Ordinance to Amend Section 36.11, entitled "Limitation on Number of Licenses," of Article II entitled "Retail Licenses" of Chapter 36, entitled "Liquor," of the Municipal Code of Ordinances to reflect the creation of one (1) additional Class "RSB" liquor license.