

**AN ORDINANCE TO AMEND SECTION 36.11, ENTITLED, "LIMITATION ON NUMBER OF
LICENSES" OF CHAPTER THIRTY-SIX, 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 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, Walgreens, located at 160 Robert Palmer Drive, Elmhurst, Illinois 60126, currently holds a Class "CBW" liquor license; and

WHEREAS, Walgreens wishes to obtain a Class "PL" liquor license to allow for the retail sale of spirits in addition to wine and beer on their premises; and

WHEREAS, because of the issuance of a Class "PL" liquor license, Walgreens will no longer need a Class "CBW" liquor license; and

WHEREAS, because of Walgreens' change in liquor license, 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 current number of liquor licenses in each classification; and

WHEREAS, such amendment to the table located in Section 36.11 will reflect that increase in Class "PL" liquor licenses issued from ten (10) to eleven (11) licenses and the decrease in Class "CBW" liquor licenses issued from five (5) to four (4).

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
B	9
PL	11
CBBW	1
CBW	4
C	1
RSB	16
RHA	2
RL	13
D	Unlimited
BRW	0
PD	1
H	4
SPR	0

SPB	0
WB	2
IWS	1
WBB	1
WBBS	2
DL	1

Section 3. All ordinances or parts of ordinances in conflict with this Ordinance are hereby amended to the extent of the conflict.

Section 4. This Ordinance shall be in full force and effect upon its passage, approval and publication in accordance with law.

ADOPTED this 21st day of February, 2012, pursuant to a roll call vote as follows:

AYES: 12

NAYS: 0

ABSENT: 2

ABSTENTION: _____

APPROVED by me this 21st day of February, 2012.



Peter P. DiCianni III, Mayor of the City of
Elmhurst, DuPage and Cook Counties, Illinois

ATTESTED and filed in my office,
this 21st day of February, 2012.



Patty Spencer, Clerk of the City of Elmhurst,
DuPage and Cook Counties, Illinois