

**MCO- 13- 2017**

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

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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 the City finds that it is necessary, desirable and in the public interest that the City amend its Municipal Code of Ordinances to add a liquor license classification to permit the sale of alcoholic liquor at arts, crafts, or painting classes are taught within the City; and

WHEREAS, it is necessary that the table located in Section 36.11 be amended to reflect the new Class "AC" liquor license and to reflect the number of licenses to be issued as one (1) Class "AC" liquor license.

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

Section 1. The corporate authorities hereby incorporate the foregoing preamble clauses into this Ordinance.

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**

<b>License Class</b>	<b>Maximum Number of Licenses</b>
AC	1
B	10
BF	2
BP	1
BRW	0
C	1
CBBW	2
CBW	4
D	Unlimited
DL	1
ECRL	1
EHO	Unlimited
GSWC	2
H	3
IWS	0
PD	0
PL	9
RHA	0
RL	16
RPDL	1
RSB	16
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 7<sup>th</sup> day of August, 2017, pursuant to a roll call vote as follows:

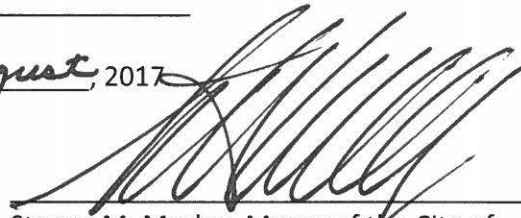
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NAYS: 0

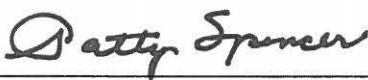
ABSENT: 2

ABSTENTION: \_\_\_\_\_

APPROVED by me this 7<sup>th</sup> day of August, 2017

  
\_\_\_\_\_  
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 7<sup>th</sup> day of August, 2017.

  
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Patty Spencer, 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 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 Chapter 36, entitled "Liquor," of the Municipal Code of Ordinances to reflect the creation of a Class "AC" Liquor License for arts, crafts, or painting classes. The Class "AC" liquor license classification shall consist of one (1) license.