

Council Bill/General Ordinance No. 3035-2023

Sponsor: \_\_\_\_\_

AN ORDINANCE

AMENDING Various sections of Chapter 4, “ALCOHOLIC LIQUOR,” of the Moline Code of Ordinances, to be more business friendly and to streamline the liquor licensing process.

WHEREAS, the City of Moline is a home rule unit of government under Article VII, Section 6 of the 1970 Illinois Constitution with the authority to exercise power and perform any function pertaining to its government and affairs; and

WHEREAS, each liquor license applicant should apply for and renew one classification of liquor license. Then, the applicant may choose to add any options for which they are eligible; and

WHEREAS, for this reason, City staff is proposing that the Class E License be a Caterer’s License for businesses outside of the City, and for those inside the City, a catering option be required; and

WHEREAS, holders of Class A, B, BB, D, F G and H liquor licenses may add a Catering Option 4 to allow them to provide catered service of alcoholic liquor on private or public property for any event open to the public; and

WHEREAS, the State of Illinois requires a permit/letter for each event that is open to the public; and

WHEREAS, City staff is proposing the licensee pay an annual fee of \$400 for the Catering Option 4 and submit a certificate of insurance that lists the City of Moline as an additional insured and acknowledges coverage for catering of events on private and public property; and

WHEREAS, staff has determined that it is in the best interests of the citizens of the City of Moline to amend the Moline Code of Ordinances, as provided in this Ordinance, to be more business friendly and to streamline the liquor licensing process.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MOLINE, ILLINOIS, as follows:

**Section 1** – The foregoing recitals are hereby incorporated into this Ordinance as though fully set forth in this Section 1.

**Section 2** – That Chapter 4, “ALCOHOLIC LIQUOR,” Section 4-2103, “POWERS,” of the Moline Code of Ordinances, is hereby amended by repealing Paragraph (7) in its entirety and consecutively renumbering the remaining paragraphs of Section 4-2103, which shall read as follows (additions in **bold and underline**; deletions in ~~**bold and strikethrough**~~):

**“SEC. 4-2103. POWERS.**

[ . . . ]

~~—(7) To grant a variance to Class E licensees or holders of an Option 3 Caterer’s Retailer to extend their hours of business to 1:00 a.m. for certain events, but no more than three (3) times per year per licensee. Such a request must be made in writing no less than ten (10) days prior to the event.~~

(87) To grant a variance to Class A licensees to allow up to three (3) private events per calendar year at the licensed premises during which time the entire premises may be closed to the general public. Such a request must be made in writing no less than ten (10) days prior to the event.”

**Section 3** - That Chapter 4, “ALCOHOLIC LIQUOR,” Section 4-3101, “THE CLASS OF LICENSES ESTABLISHED,” of the Moline Code of Ordinances, is hereby amended and shall read as follows (additions in **bold and underline**; deletions in ~~**bold and strikethrough**~~):

**“SEC. 4-3101. THE CLASSES OF LICENSES ESTABLISHED.**

There shall be the following classes of liquor licenses available to qualified applicants in the City of Moline, Illinois.

<b>Class</b>	<b>Description</b>
Class A	Consumption on Premises - Incidental Activity (COPIA)
Class B	Tavern
Class BB	Liquor Producer & Reseller
Class C	Packaged Sales Only
Class D	Non-for-Profit Organization; Club/Fraternal or Veterans; Church
Class E	Caterer’s License
<del>Class EE</del>	<del>Caterer’s Registration (Out-of-City)</del>
Class F	Hotel/Motel
Class G	Specialty Retailer - Limited
Class H	Civic Center
Class I	Special Event Not-for-Profit
Class II	Special Event Hosted Bar
Class III	Special Event Homebrewer
Class K*	Video Gaming Establishment

\* License classification terminating on January 31, 2027.”

**Section 4** - That Chapter 4, “ALCOHOLIC LIQUOR,” Section 4-3104, “NUMBER OF LICENSES,” of the Moline Code of Ordinances, is hereby amended and shall read as follows (additions in **bold and underline**; deletions in ~~**bold and strikethrough**~~):

**“SEC. 4-3104. NUMBER OF LICENSES.**

(a) The total number of liquor licenses and options to be issued at any time is limited to:

License Class, Option or Permit	Number
<del>License Class, Option or Permit</del>	<del>Number</del>
Class A: Consumption on Premises - Incidental Activity (COPIA)	No limit
Class B: Tavern; and Class BB: Liquor Producer & Reseller	20
Class C: Packaged Sales Only	37
Class D: Club/Fraternal or Veterans, Churches or Not-for-Profit Organization	No limit
Class E: Caterer’s License	No limit
<del>Class EE: Caterer’s Registration (Out-of-City)</del>	<del>No limit</del>
Class F: Hotel/Motel	No limit
Class G: Specialty Retailer - Limited Hours	No limit
Class H: Civic Center	No limit
Class I: Special Event Not for Profit	No limit
Class II: Special Event Hosted Bar	No limit
Class III: Special Event Homebrewer	No limit
Class K: Video Gaming Establishment	0
Option 1: Outdoor Use	No limit
Option 2: Extended Hours 3 A.M.	10
Option 3: Self Pour	1
Permit: Retailer’s Off-Site Special Use (Public Property)	No limit
Permit: Retailer’s On-Site Outdoor Special Use	No limit

[ . . . ]”

**Section 5** - That Chapter 4, “ALCOHOLIC LIQUOR,” Section 4-3208, “LICENSE FEES,” of the Moline Code of Ordinances, is hereby amended and shall read as follows (additions in **bold and underline**; deletions in ~~**bold and strikethrough**~~):

**“SEC. 4-3208. LICENSE FEES.**

[ . . . ]

(a) The fees for the various classes of licenses to be issued pursuant to this division shall be as follows:

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Class	Description	Application Fee	Annual Fee
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Class A	Consumption on Premises Incidental Activity (COPIA)	\$3,000.00	\$1,400.00
Class B	Tavern	\$3,000.00	\$1,400.00
Class BB	Liquor Producer & Reseller	\$3,000.00	\$1,400.00
Class C	Packaged Sales Only	\$3,000.00	\$1,400.00
Class D	Not-for-Profit Organization including Church or Club/Fraternal or Veterans Organization	\$1,000.00	\$700.00
Class E	Caterer's License	<del>N/A</del> <b>\$1,000.00</b>	<del>\$400.00</del> <b>\$700.00</b>
<del>Class EE</del>	<del>Caterer's Registration (Out-of-City)</del>	<del>\$1,000.00</del>	<del>\$700.00</del>
Class F	Hotel/Motel	\$3,000.00	\$1,400.00
Class G	Specialty Retailer - Limited Hours	\$3,000.00	\$1,400.00
Class H	Civic Center	\$3,000.00	\$6,800.00
Class I	Special Event Not for Profit *	\$25.00/Event	N/A
Class II	Special Event Hosted Bar *	\$25.00/Event	N/A
Class III	Special Event Homebrewer *	\$25.00/Event	N/A
Class K	Video Gaming Establishment	\$8,000.00	\$5,000.00

Options	Description	Application Fee	Annual Fee	Class Eligible
Option 1	Outdoor Use	N/A	N/A	A, B, BB, D, F, <b>and G and H</b>
Option 2	Extended Hours-3 a.m.	N/A	\$1,000.00	A, B, BB
Option 3	Self Pour	N/A	N/A	B, BB
<b>Option 4</b>	<b>Catering Use</b>	<b>N/A</b>	<b>\$400</b>	<b>A, B, BB, F, G</b>
Permit	Retailer's Off-Site Special Use (Public Property)	\$25.00/Event *	N/A	A, <b>AA</b> , B, <b>BB</b> , D, <b>E</b> , F, <b>FF</b> , G, H
Permit	Retailer's On-Site Outdoor Special Use	\$25.00/Event *	N/A	A, <b>AA</b> , B, <b>BB</b> , D, <b>E</b> , F, <b>FF</b> , G, H

\* Special Event / Special Use – for purposes of this fee, an event may cover multiple days as long as it is at the same location and for the same purpose and is submitted under one special event license application. **Annually renewing licenses with a catering option are exempt from the application fee.**

(f) In the case of renewal of a license issued pursuant to this article, the licensee shall pay a penalty of one percent (1%) for each day payment is late.

**Section 6-** That Chapter 4, “ALCOHOLIC LIQUOR,” Section 4-3306, “CLASS E CATERER’S LICENSE; CLASS EE CATERER’S REGISTRATION,” of the Moline Code of Ordinances, is hereby amended and shall read as follows (additions in **bold and underline**; deletions in **~~bold and strikethrough~~**):

**“SEC. 4-3306. CLASS E CATERER’S LICENSE; ~~CLASS EE CATERER’S REGISTRATION (OUT-OF-CITY).~~**

(a) A Class E Caterer’s License allows catering companies or restaurants, whether located inside or outside of the city limits, to cater food and alcoholic beverages off site and within the City of Moline. "Off Site" catering means the preparation of food at one location for service at another. Holders of this license are required to have a valid City of Moline food license as well.

~~(b) A Class EE Caterer’s Registration permits caterers or restaurants that are located outside the City of Moline to cater events with food and alcoholic beverages within the city limits. "Outside Caterer" means a person who performs off-site catering by preparing food at a location outside the City of Moline for service at a location within the city limits. Holders of this registration are required to have a valid food license from the municipality in which they are located.~~

~~(c)~~ **(b)** A Class E ~~or EE~~ licensee issued pursuant to this chapter shall entitle the licensee to make the following sales of alcoholic liquor:

(1) Sales for consumption on the premises.

~~(d)~~ **(c)** A Class E ~~or EE~~ licensee may sell and serve alcoholic liquor during the following hours of business:

Day	Hours
Sunday	6:00 a.m. until 1:00 a.m. the next day
Monday through Thursday	For each day: 6:00 a.m. until 1:00 a.m. the next day
Friday and Saturday	For each day: 6:00 a.m. until 2:00 a.m. the next day.

~~(e)~~ **(d)** A “minor” is as defined in Section 4-1100. Minors may be allowed on premises of an event catered by a Class E ~~or EE~~ licensee pursuant to this chapter for purposes other than the purchase, possession or consumption of alcoholic liquor; however, no minor may be allowed to sit at a bar.”

**Section 7-** That Chapter 4, “ALCOHOLIC LIQUOR,” Section 4-3316, “RETAILER’S OFF-SITE SPECIAL USE PERMIT (PUBLIC PROPERTY), Section 4-3317, “RETAILER’S ON-SITE OUTDOOR SPECIAL USE PERMIT,” and Section 4-3318, “OPTION 3. SELF-POUR,” of the Moline Code of Ordinances, are hereby amended by adding a new Section 4-3317 entitled, “OPTION 4. CATERING USE,” and renumbering the above-referenced sections,

as appropriate and with amendments, which shall read as follows (additions in **bold and underline**; deletions in **~~bold and strikethrough~~**):

**“SEC. 4-33186. OPTION 3. SELF-POUR.**

[ . . . ]

**SEC. 4-3317. OPTION 4. CATERING USE.**

(a) **The following classes of licenses are eligible for the catering use option if licensee meets the definition of a caterer retailer as set forth in Section 4-1100: Class A, B, BB, D, F, G and H.**

(b) **A licensee may select the catering use option to authorize the licensee to provide catering services at an off-site catering location during the following hours of business:**

<u>Day</u>	<u>Hours</u>
<u>Sunday through Saturday</u>	<u>6:00 a.m. until 1:00 a.m. the next day</u>

(c) **Catering location is defined as a location that is used for a private or public party or function.**

(d) **If a retail license holder with a catering option wishes to provide alcoholic service on public property, a retailer’s off-site special use permit (public property) must be obtained.**

(e) **To exercise this option, a licensee must provide verification to the local liquor control commissioner that its dram shop (liquor liability) insurance covers catering events and locations. For functions located on public property, the City of Moline must be listed as an additional insured with liquor liability coverage of no less than \$1,000,000.**

**SEC. 4-33168. RETAILER’S OFF-SITE SPECIAL USE PERMIT (PUBLIC PROPERTY).**

(a) The following classes of licenses are eligible for a retailer's off-site special use permit: Class A, B, BB, D, F, G and H; **with option 4 catering use.**

[ . . . ]

**SEC. 4-33179. RETAILER’S ON-SITE OUTDOOR SPECIAL USE PERMIT.**

[ . . . ]”

**Section 8 – Superseder.** The specific terms and conditions of this Ordinance shall prevail against other existing ordinances of the City to the extent of any conflicts.

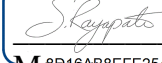
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**Section 9 - Effective Date.** This ordinance shall be in full force and effect from and after passage, approval, and if required by law, publication in the manner provided for by law.

CITY OF MOLINE, ILLINOIS

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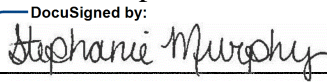
Mayor

September 12, 2023

Date

Passed: September 12, 2023

Approved: September 26, 2023

Attest: 

DocuSigned by:

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City Clerk