

Council Bill/General Ordinance No. 3016-2021

Sponsor: _____

AN ORDINANCE

AMENDING Chapter 4, "ALCOHOLIC LIQUOR," of the Moline Code of Code of Ordinances, regarding the number of, and distance separating, Class C/CC/CCC licenses permitted within the City.

WHEREAS, the City is an Illinois municipal corporation possessing home rule powers under Section 6 of Article VII of the Illinois Constitution; and

WHEREAS, the City has the power by general ordinance or resolution to determine the number, kind and classification of licenses, for sale at retail of alcoholic liquor not inconsistent with the Liquor Control Act and to establish such further regulations and restrictions upon the issuance of and operations under local licenses not inconsistent with law as the public good and convenience may require, 235 ILCS 5/4-1; and

WHEREAS, a cocktail, mixed drink, or single serving of wine placed in a sealed container by a retail licensee at the retail licensee's location or a manufacturer's original container may be transferred and sold for off-premises consumption, subject to local ordinances and statutory conditions, 235 ILCS 5/6-28.8; and

WHEREAS, the City has determined that it is desirable and in the City's best interests to regulate the retail sale of alcoholic liquor in the manner set forth herein.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MOLINE, ILLINOIS, as follows with the foregoing recitals incorporated herein as if fully set forth herein:

Section 1 – Chapter 4 of the Moline Code of Ordinances is hereby amended as follows, with the addition of new Section 4-3104 (additions in **bold and underline**):

SEC. 4-3104. NUMBER OF LICENSES.

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

<u>License Class or Option</u>	<u>Number</u>
<u>Class A: Restaurant</u>	<u>No limit</u>
<u>Class AA: Restaurant—Beer & Wine Only</u>	<u>No limit</u>
<u>Class B: Tavern</u>	<u>30</u>
<u>Class C: Packaged Sales Only—Primary</u>	<u>1</u>
<u>Class CC: Packaged Sales Only—Secondary</u>	<u>34</u>
<u>Class CCC: Packaged Sales Beer & Wine Only—Secondary</u>	<u>1</u>

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<u>Class D: Clubs/Fraternal or Veterans Organization</u>	<u>No limit</u>
<u>Class E: Rental Hall</u>	<u>No limit</u>
<u>Class F: Hotel/Motel</u>	<u>No limit</u>
<u>Class FF: Hotel/Motel Limited</u>	<u>No limit</u>
<u>Class G: Entertainment/Recreational/Service Facility</u>	<u>No limit</u>
<u>Class H: Civic Center</u>	<u>No limit</u>
<u>Class I: Special Event Not for Profit</u>	<u>No limit</u>
<u>Class II: Special Event Hosted Bar</u>	<u>No limit</u>
<u>Class III: Special Event Homebrewer</u>	<u>No limit</u>
<u>Class J: Park Concession</u>	<u>No limit</u>
<u>Class K: Video Gaming Establishment</u>	<u>5</u>
<u>Option 1: Outdoor Use</u>	<u>No limit</u>
<u>Option 2: Additional Bar Station</u>	<u>No limit</u>
<u>Option 3: Caterer's Retail</u>	<u>No limit</u>
<u>Option 4: Restaurant Alternative</u>	<u>15</u>
<u>Option 5: Extended Hours 3 A.M.</u>	<u>15</u>
<u>Option 6: Retailer's Off-Site Special Use (Public Property)</u>	<u>No limit</u>
<u>Option 7: Retailer's On-Site Outdoor Special Use</u>	<u>No limit</u>
<u>Option 8: Retailer's On-Site Pouring</u>	<u>No limit</u>

In the event any one of the Class C, Class CC, or Class CCC licenses provided for herein shall lapse, be revoked or terminated in any manner, or the Class C, Class CC, or Class CCC licensed establishment has closed or relocated, the maximum number of licenses or options in that classification shall be automatically reduced, without further action by the Mayor and City Council.

Section 2 – Section 4-3302 of the Moline Code of Ordinances is hereby amended as follows (additions in **bold and underline**; deletions in ~~**bold and strikethrough**~~):

SEC. 4-3302. CLASS A RESTAURANT LICENSE AND CLASS AA RESTAURANT-BEER & WINE ONLY LICENSE.

[...]

~~(i) There is no limit to the number of Class A or AA licenses issued within the City.~~

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Section 3 – Section 4-3303 of the Moline Code of Ordinances is hereby amended as follows (additions in **bold and underline**; deletions in ~~**bold and strikethrough**~~):

SEC. 4-3303. CLASS B TAVERN LICENSE.

[...]

~~**(h) There shall be no more than thirty (30) Class B licenses issued at any one time within the City.**~~

Section 4 – Section 4-3304 of the Moline Code of Ordinances is hereby amended as follows (additions in **bold and underline**; deletions in ~~**bold and strikethrough**~~):

SEC. 4-3304. CLASS C PACKAGED SALES ONLY- PRIMARY LICENSE;
CLASS CC PACKAGED SALES ONLY- SECONDARY LICENSE AND
CLASS CCC PACKAGED SALES BEER AND WINE ONLY- SECONDARY.

[...]

(c) A Class C, Class CC or Class CCC license may not be located within one hundred (100) feet of any church, school, other than an institution of higher learning, hospital, home for aged or indigent persons or for veterans, their spouses or children, any military or naval station. **After October 1, 2021, a new initial Class C, Class CC, or Class CCC license may not be located within one hundred (100) feet of a renewed Class C, Class CC, or Class CCC license.** The distance of one hundred (100) feet shall be measured from the nearest part of the licensee's building to the nearest part of a church, school, other than an institution of higher learning, hospital, home for aged or indigent persons or for veterans, their spouses or children, any military or naval station, **or building for a renewed Class C, Class CC or Class CCC license.**

Section 5 – Section 4-3306 of the Moline Code of Ordinances is hereby amended as follows (additions in **bold and underline**; deletions in ~~**bold and strikethrough**~~):

SEC. 4-3306. CLASS E RENTAL HALL.

[...]

~~**(f) There is no limit to the number of Class E licenses issued within the City.**~~

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Section 6 – Section 4-3307 of the Moline Code of Ordinances is hereby amended as follows (additions in **bold and underline**; deletions in ~~**bold and strikethrough**~~):

SEC. 4-3307. CLASS F HOTEL/MOTEL LICENSE.

[...]

~~(e) There is no limit to the number of Class F licenses issued within the City.~~

Section 7 – Section 4-3308 of the Moline Code of Ordinances is hereby amended as follows (additions in **bold and underline**; deletions in ~~**bold and strikethrough**~~):

SEC. 4-3308. CLASS FF HOTEL/MOTEL LIMITED.

[...]

~~(e) There is no limit to the number of Class FF licenses issued within the City.~~

Section 8 – Section 4-3309 of the Moline Code of Ordinances is hereby amended as follows (additions in **bold and underline**; deletions in ~~**bold and strikethrough**~~):

SEC. 4-3309. CLASS G ENTERTAINMENT/RECREATIONAL/SERVICE FACILITY LICENSE.

[...]

~~(e) There is no limit to the number of Class G licenses issued within the City.~~

Section 9 – Section 4-3310 of the Moline Code of Ordinances is hereby amended as follows (additions in **bold and underline**; deletions in ~~**bold and strikethrough**~~):

SEC. 4-3310. CLASS H CIVIC CENTER LICENSE.

[...]

~~(e) There is no limit to the number of Class H licenses issued within the City.~~

Section 10 – Section 4-3315 of the Moline Code of Ordinances is hereby amended as follows (additions in **bold and underline**; deletions in ~~**bold and strikethrough**~~):

SEC. 4-3315. CLASS K VIDEO GAMING ESTABLISHMENT LICENSE.

[...]

~~(k) There shall be no more than five (5) Class K licenses issued at any one time within the City.~~

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Section 11 – Section 4-3320 of the Moline Code of Ordinances is hereby amended as follows (additions in **bold and underline**; deletions in ~~bold and strikethrough~~):

SEC. 4-3320. OPTION 4 RESTAURANT ALTERNATE.

[...]

~~(e) There shall be no more than fifteen (15) Option 4 licenses issued at any one time within the City.~~

Section 12 – Section 4-3321 of the Moline Code of Ordinances is hereby amended as follows (additions in **bold and underline**; deletions in ~~bold and strikethrough~~):

SEC. 4-3321. OPTION 5 EXTENDED HOURS 3 A.M.

[...]

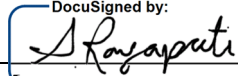
~~(d) There shall be no more than fifteen (15) Option 5 licenses issued at any one time within the City.~~

Section 13 –All ordinances and parts of ordinances in conflict with this Ordinance are hereby repealed to the extent necessary to give effect to the provisions of this Ordinance.

Section 14 – This Ordinance and every provision thereof shall be considered severable. If any word, phrase, clause, sentence, paragraph, provision, section, or part of this Ordinance is found to be void, unconstitutional, or otherwise unenforceable, all remaining portions of this Ordinance not so declared void, unconstitutional, or unenforceable shall remain in full force and effect.

Section 15 – This Ordinance will be in full force and effect upon passage, approval and publication in pamphlet form in the manner provided by law.

CITY OF MOLINE, ILLINOIS

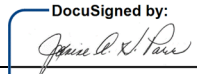
DocuSigned by:


Mayor 16AB8EFE254D4...

July 27, 2021
Date

Passed: July 27, 2021

Approved: August 10, 2021

Attest: 

1A0D2384E051FC4
City Clerk

Business Name	Street Address	Classification Description
VANSH LLC DBA RIVERSIDE LIQUOR	4100 4TH AVE	LIQUOR-CLASS C PACKAGED SALES ONLY-PRIMA
AKAL INC DBA PREET MINI MART	2704 69TH AVENUE CT	LIQUOR-CLASS CC PACKAGED SALES ONLY-SECO
AMERICAN DRUG STORES LLC, DBA	2014 1ST STREET A	LIQUOR-CLASS CC PACKAGED SALES ONLY-SECO
AW FOOD & LIQUOR	702 18TH AVE	LIQUOR-CLASS CC PACKAGED SALES ONLY-SECO
BETHANY ENTERPRISES INC. DBA Q	2302 16TH ST	LIQUOR-CLASS CC PACKAGED SALES ONLY-SECO
BETHANY ENTERPRISES, INC. DBA	1300 41ST ST	LIQUOR-CLASS CC PACKAGED SALES ONLY-SECO
CENTRAL STORE LLC DBA CENTRAL	1810 5TH AVE	LIQUOR-CLASS CC PACKAGED SALES ONLY-SECO
DANPHE INC DBA CU FOOD & LIQUO	4322 4TH AVE	LIQUOR-CLASS CC PACKAGED SALES ONLY-SECO
EXPRESSLANE, INC. DBA EXPRESSL	3140 AVENUE OF THE CITIES 702 19TH AVE	LIQUOR-CLASS CC PACKAGED SALES ONLY-SECO LIQUOR-CLASS CC PACKAGED SALES ONLY-SECO
F & A CORP OF MOLINE DBA TMART	5403 4TH AVE	LIQUOR-CLASS CC PACKAGED SALES ONLY-SECO
FAREWAY STORES, INC	3705 25TH ST	LIQUOR-CLASS CC PACKAGED SALES ONLY-SECO
HIGHLAND PARK CVS LLC DBA CVS	2250 41ST ST	LIQUOR-CLASS CC PACKAGED SALES ONLY-SECO
HY-VEE	4218 AVENUE OF THE CITIES	LIQUOR-CLASS CC PACKAGED SALES ONLY-SECO
HY-VEE GAS	4228 AVENUE OF THE CITIES	LIQUOR-CLASS CC PACKAGED SALES ONLY-SECO
HY-VEE, INC. #2 (1418)	750 42ND AVENUE DR	LIQUOR-CLASS CC PACKAGED SALES ONLY-SECO
KALIKOTEY KHADKA LLC DBA EAGLE	1404 6TH AVE	LIQUOR-CLASS CC PACKAGED SALES ONLY-SECO
KC BROTHERS LLC DBA GASLAND	4100 AVENUE OF THE CITIES	LIQUOR-CLASS CC PACKAGED SALES ONLY-SECO
KOUJHA CORP, DBA MOLINE GAS, F	3328 A AVENUE OF THE CITIES	LIQUOR-CLASS CC PACKAGED SALES ONLY-SECO
KRISHU CONVENIENCE STORE, INC.	1901 16TH ST	LIQUOR-CLASS CC PACKAGED SALES ONLY-SECO
MOLINE OIL INC. DBA U SAVE MAR	5211 25TH AVENUE CT	LIQUOR-CLASS CC PACKAGED SALES ONLY-SECO
MOLO OIL COMPANY DBA BIG 10 MA	2220 53RD ST	LIQUOR-CLASS CC PACKAGED SALES ONLY-SECO
QUAD CITIES RETAIL GROUP LLC D	2702 AVENUE OF THE CITIES 2930 16TH ST 3718 39TH AVENUE DR 4720 27TH ST	LIQUOR-CLASS CC PACKAGED SALES ONLY-SECO LIQUOR-CLASS CC PACKAGED SALES ONLY-SECO LIQUOR-CLASS CC PACKAGED SALES ONLY-SECO LIQUOR-CLASS CC PACKAGED SALES ONLY-SECO
RAJPUT LLC DBA MART STOP	3401 4TH AVE	LIQUOR-CLASS CC PACKAGED SALES ONLY-SECO
S & K LLC	5211 44TH AVE	LIQUOR-CLASS CC PACKAGED SALES ONLY-SECO
SUPER STOP INC. DBA SUPER STOP	1525 7TH ST	LIQUOR-CLASS CC PACKAGED SALES ONLY-SECO
SUPER STOP UNLIMITED INC DBA S	1305 15TH ST	LIQUOR-CLASS CC PACKAGED SALES ONLY-SECO
WALGREEN CO #3633	4000 AVENUE OF THE CITIES	LIQUOR-CLASS CC PACKAGED SALES ONLY-SECO

WALGREEN CO #5720	3601 16TH ST	LIQUOR-CLASS CC PACKAGED SALES ONLY-SECO
WALGREEN CO #6067	555 19TH AVE	LIQUOR-CLASS CC PACKAGED SALES ONLY-SECO
WALMART, INC. DBA WALMART #223	3930 44TH AVENUE DR	LIQUOR-CLASS CC PACKAGED SALES ONLY-SECO
WATERMARK CORNERS	1500 RIVER DR 1500 RIVER DR	LIQUOR-CLASS CC PACKAGED SALES ONLY-SECO LIQUOR-CLASS CC PACKAGED SALES ONLY-SECO
ALDI INC DBA ALDI STORE #23	4211 AVENUE OF THE CITIES	LIQUOR-CLASS CCC PCKGD BEER/W ONLY-SECON