

Council Bill/General Ordinance No. 3002-2021

Sponsor: _____

AN ORDINANCE

AMENDING Chapter 4, "ALCOHOLIC LIQUOR," of the Moline Code of Ordinances, by adding Section 4-3325, OPTION 8, "RETAILER'S ON-SITE POURING;" and amending Section 4-3317, OPTION 1, "OUTDOOR USE," Section 4-3324, OPTION 7, "RETAILER'S ON-SITE OUTDOOR SPECIAL USE," Section 4-3208, "LICENSE FEES," and Section 4-3319, OPTION 3 "CATERER'S RETAIL."

WHEREAS, the City of Moline is a home rule unit of government and has the authority to adopt ordinances, to promulgate rules and regulations that pertain to its government and affairs, including the permitting and regulation of the sale of alcoholic liquors within its boundaries, and the authority to protect the public health, safety, and welfare of its residents; and

WHEREAS, in Chapter 4 of the Moline Code of Ordinances, the City has adopted ordinances and promulgated rules and regulations concerning the sale and possession of packaged alcoholic liquors; and

WHEREAS, in the exercise of its home rule powers, the City desires to amend its Code of Ordinances to permit on-site pouring of alcoholic liquors on limited days during limited hours by certain licensees that are licensed to sell packaged goods.

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

Section 1 – That the facts and statements contained in the preambles to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance.

Section 2 – That Chapter 4, "ALCOHOLIC LIQUORS," is hereby amended by adding Section 4-3325 as follows:

SEC. 4-3325. OPTION 8: RETAILER'S ON-SITE POURING.

- (a) The following classes of licenses are eligible for the retailer's on-site pouring option: Class CC, CCC.
- (b) Option 8 shall allow an eligible licensee to pour alcohol for service on the Premises within a defined and controlled area during limited days and hours.
- (c) An Option 8 issued pursuant to this chapter shall entitle the licensee to make sales of alcoholic liquor from one (1) defined and controlled service (bar) area only for consumption

solely on the Premises as defined in the application and license. (Note that with Option 1, the Licensee may also be authorized for Outdoor Service.)

(d) The license fee for Option 8 is \$400.00 per year in addition to the license fee for the Class CC or CCC license.

(e) An Option 8 licensee may serve alcoholic liquor during the following hours:

<u>Day</u>	<u>Hours</u>
Sunday	10:00 am until 11:00 pm the same day
Monday through Saturday	9:00 am until 11:00 pm the same day

(f) No licensee shall give or offer to give away alcoholic liquors as a gift, gratuity, or tie-in with the sale of nonalcoholic products.

(g) Poured liquor sales under this Option shall be limited to the liquors permitted to be sold by the underlying Class CC or Class CCC license and shall be limited to the approved liquor display area.

(h) This Option shall not make a licensee eligible for any video gaming license.

Section 3 – That Chapter 4, “ALCOHOLIC LIQUORS,” Section 4-3317, is hereby amended as follows (additions marked by underline and deletions marked by ~~striketrough~~):

SEC. 4-3317. OPTION 1 OUTDOOR USE.

(a) The following classes of licenses are eligible for the outdoor use option: Class A, AA, B, D, E, F, FF, and G, and H and, Class CC and CCC license holders that also possess Option 8.

Section 4 – That Chapter 4, “ALCOHOLIC LIQUORS,” Section 4-3324 is hereby amended as follows (additions marked by underline and deletions marked by ~~striketrough~~):

SEC. 4-3324. OPTION 7 OUTDOOR USE.

(b) The following classes of licenses are eligible for a retailer’s on-site outdoor special use: Class A, AA, B, D, E, F, FF and H and, Class CC and CCC license holders that also possess Option 8.

Section 5 – That Chapter 4, “ALCOHOLIC LIQUORS,” Section 4-3208 (e) is hereby amended as follows (additions marked by underline and deletions marked by ~~striketrough~~):

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SEC. 4-3208. LICENSE FEES.

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

Options	Description	Application Fee	Annual Fee	Class Eligible
Option 1	Outdoor Use	N/A	\$0	A, AA, B, CC, CCC, D, E, F, FF, G, H

* * *

Option 8 | Retailer’s On-Site Pouring | N/A | \$400 | CC, CCC

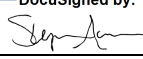
Section 6 – That Chapter 4, “ALCOHOLIC LIQUORS,” Sections 4-3208 (e) and 4-3319 are hereby amended to strike all references to the requirement that a Class CC licensed premises be 10,000 square feet or greater.

Section 7 – That if any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions hereof.

Section 8 – That all prior ordinances and resolutions in conflict or inconsistent herewith are hereby expressly repealed only to the extent of such conflict or inconsistency.

Section 9 – That 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

DocuSigned by:


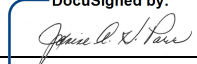
Mayor

February 23, 2021

Date

Passed: February 23, 2021

Approved: March 9, 2021

Attest: 

City Clerk