

Council Bill/General Ordinance No. 3025-2021

Sponsor:

AN ORDINANCE

AMENDING Chapter 4, “ALCOHOLIC LIQUOR,” of the Moline Code of Ordinances increasing the number of Class CC licenses in the City at the request of Trimble, Inc. d/b/a WaterMark Corners.

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, the current number of Class CC licenses (Packaged Sales Only-Secondary) allowed in the City is 34 (Code Sec. 4-3104) and there are currently no available Class CC licenses; and

WHEREAS, Trimble, Inc. d/b/a WaterMark Corners (“*Applicant*”) applied for a Class CC liquor license and is requesting that the Mayor and City Council increase the number of Class CC licenses to accommodate their application; and

WHEREAS, the Mayor as the local liquor commissioner has determined that the Applicant is eligible for a Class CC liquor license and recommends that the number of Class CC licenses be increased from 34 to 35 as requested by the Applicant; and

WHEREAS, the Mayor and City Council have reviewed the number of Class CC licenses in the City has determined that it is desirable and in the City’s best interests to establish the number of Class CC licenses as 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 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**; deletions in **~~bold and strikethrough~~**):

“SEC. 4-3104. NUMBER OF LICENSES.

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

License Class or Option	Number
Class A: Restaurant	No limit

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Class AA: Restaurant—Beer & Wine Only	No limit
Class B: Tavern	30
Class C: Packaged Sales Only—Primary	1
Class CC: Packaged Sales Only—Secondary	3435
Class CCC: Packaged Sales Beer & Wine Only—Secondary	1
Class D: Clubs/Fraternal or Veterans Organization	No limit
Class E: Rental Hall	No limit
Class F: Hotel/Motel	No limit
Class FF: Hotel/Motel Limited	No limit
Class G: Entertainment/Recreational/Service Facility	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 J: Park Concession	No limit
Class K: Video Gaming Establishment	5
Option 1: Outdoor Use	No limit
Option 2: Additional Bar Station	No limit
Option 3: Caterer's Retail	No limit
Option 4: Restaurant Alternative	15
Option 5: Extended Hours 3 A.M.	15
Option 6: Retailer's Off-Site Special Use (Public Property)	No limit
Option 7: Retailer's On-Site Outdoor Special Use	No limit
Option 8: Retailer's On-Site Pouring	No limit

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 –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 3 – 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

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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 4 – 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:
S. Rayapato

Mayor 8D16AB8EFE254D4...

September 21, 2021
Date

Passed: _____
September 21, 2021

Approved: _____
October 5, 2021

Attest: DocuSigned by:
Jessie L. K. Pore

1A0D2384B9F8B434
City Clerk

Approved as to Form:

DocuSigned by:
M. Stipultra

City Attorney CA118214F2366407...