

Council Bill/General Ordinance No. 3026-2021

Sponsor: _____

A GENERAL ORDINANCE

AMENDING Chapter 4, “ALCOHOLIC LIQUOR,” of the Moline Code of Ordinances to create an exception to the liquor license requirement for artistic or personal service establishments.

WHEREAS, the City is an Illinois municipal corporation processing 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 City may license or regulate businesses operating as a public accommodation that permit the consumption of alcoholic liquor on the business premises and that are not licensed under the Liquor Control Act, 65 ILCS 5/11-42-10.1; 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 – Section 4-3100 of the Moline Code of Ordinances is hereby amended as follows (additions in **bold and underline**; deletions in ~~**bold and strikethrough**~~):

SEC. 4-3100. WHEN REQUIRED

- (a) It shall be unlawful for any person to sell alcoholic liquor at retail or to make any sale of liquor at retail within the City without first having obtained a liquor license as provided by this article.

[. . .]

(3) ~~Salon~~ **Artistic or Personal Service Establishment** Exception: A license is not required for ~~salons~~**artistic and personal service establishments** to ~~serve~~**allow customers to bring and consume their own** alcoholic liquor ~~for consumption~~ on the premises ~~only to customers receiving paid salon service~~ **(“BYOB”)**. The ~~service~~**consumption** of alcoholic liquor shall be limited to beer and wine only. ~~The service of beer and wine shall be limited to one (1) drink per hour and no customer shall be served more than two (2) servings of beer and/or wine within a twenty-four (24) hour period. The serving size for each glass of wine shall be no~~

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~~more than six (6) ounces and for each beer shall be no more than twelve (12) ounces.~~ The ~~service~~**consumption** of beer and wine shall be limited to **the time the customer is receiving services during** the hours of operation of the ~~salon~~ **artistic or personal service establishment. For purposes of this exception, “artistic and personal service establishments” are art galleries, art studios, barber shops, beauty shops, cosmetic facilities, craft studios, salons, spas, and other similar uses as determined by the local liquor control commissioner.**

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 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 – The 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

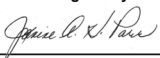
DocuSigned by:


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Mayor

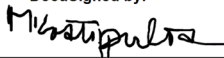
September 21, 2021
Date

Passed: September 21, 2021

Approved: October 5, 2021

DocuSigned by:

Attest: _____
City Clerk 1A0D2384B9BB4C...

Approved as to Form:

DocuSigned by:


City Attorney A1103711EE06407...