

**SEC. 4-3322. OPTION 6 RETAILER’S OFF-SITE SPECIAL USE
(PUBLIC PROPERTY).**

(a) The following classes of licenses are eligible for the retailer’s off-site special use option: Class A, AA, B, D, E, F, FF and H.

(b) The retailer’s off-site special use option shall allow an eligible licensee to sell alcoholic liquor for an off-site special event on any approved City property or right-of-way in accordance with the requirements of an Illinois Special Use Permit Liquor License. Off-site means a premises other than the establishment premises covered by the existing license.

(c) An Option 6 licensee may sell and serve alcoholic liquor for an off-site special event during the following hours:

<u>Day</u>	<u>Hours</u>
Sunday	10:00 a.m. until 12:00 a.m. the next day
Monday through Saturday	For each day: 6:00 a.m. until 12:00 a.m. the next day.

Exception: Any such special event that takes place outside of an enclosed building shall cease the sale of alcoholic liquor at 11:00 p.m. of the same day upon which sales commenced.

(d) If the sale of alcoholic liquor is to be conducted outside of an enclosed building, the following requirements must be met:

- (1) Adequate lighting must be maintained at all times such that law enforcement personnel may visually identify patrons.
- (2) Sound amplification is allowed only if the event location is more than five hundred (500) feet from any residentially zoned parcel, which shall be measured from the nearest part of the event location premises to the nearest part of any residentially zoned parcel. If sound amplification is allowed based on this distance, such sound may not cause alarm or disturb the public peace and quiet as set forth in Sec. 22-1100(7), “Noises,” of the Code of Ordinances, which references noise measurement limits in Sec. 35-5409(d) of the Code. If the amplified sound exceeds the noise measurements of Sec. 35-5409(d) from any point at or within the property line of the residentially zoned parcel, it will be considered a nuisance violation of Sec. 22-1100(7) and the sound amplification must cease immediately.
- (3) Security provided by Moline police department and paid for by licensee if the city administrator or designee deems it necessary.
- (4) Only non-glass containers may be used.

(e) Application for the retailer’s off-site special use option along with the annual option fee of one hundred dollars (\$100.00) may be made to the local liquor control commissioner no less than ten (10) business days prior to the special event. To exercise this option, a licensee must provide verification to the local liquor control commissioner that its dram shop (liquor liability) insurance covers the special event. The licensee must also pay the special event license fee of twenty-five dollars (\$25.00) for each event. For purposes of this section, 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 application.

(f) This option also requires an approved licensing agreement executed by the licensee, which agreement shall require proof of insurance on behalf of the City insuring for use of the City property or public right-of-way in one of the following amounts per Section 6-2104 of the Code: one million dollars (\$1,000,000.00) if less than five thousand (5,000) persons are expected to be in attendance or five million dollars (\$5,000,000.00) if more than five thousand (5,000) persons are expected to be in attendance.

(g) The licensee shall immediately cease the sale and serving of alcoholic liquor at a special event if the City of Moline police department informs the licensee that a violation of any of the City ordinances or state law has occurred at the event.

(h) Following issuance of a special event liquor license by the City under the Retailer's Off-Site Special Use option, a licensee shall submit an Application for State of Illinois Special Use Permit Liquor License to the Illinois Liquor Control Commission and obtain a State liquor license for the event.