

**AN ORDINANCE AMENDING CHAPTER 3 OF THE MUNICIPAL CODE TO ALLOW
WITHDRAWL OF SITE APPROVAL APPLICATIONS FOR LIQUOR ESTABLISHMENT
PRIOR TO CITY COUNCIL CONSIDERATION**

WHEREAS, the City of Peoria is a home rule municipality pursuant to Article VII, Section 6, of the Illinois Constitution of 1970; and

WHEREAS, as a home rule municipality, the City of Peoria may exercise any power to perform any function pertaining to its government and affairs, including modifications to its Municipal Code; and

WHEREAS, City Council desires to allow an application for site approval of a liquor establishment to be withdrawn in writing to the City Clerk prior to City Council consideration; and

WHEREAS, the opportunity for an applicant to withdraw their application by written notification to the City Clerk prior to City Council consideration allows the applicant an opportunity to modify their application before a potential denial by City Council and 6 to 12 month wait period before their application for the same site and use is re-considered;

NOW, AND THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PEORIA, ILLINOIS AS FOLLOWS:

Section 1: The additional language added to Municipal Code Section 3-95 is the underlined portion of the text below:

CHAPTER 3- ALCOHOLIC BEVERAGES

ARTICLE III.- RETAIL SALE LOCATIONS

Sec. 3-95. - Approval or disapproval by city council.

After receipt of the recommendation from the liquor commission, the city council shall approve or disapprove the site for the retail sale of alcoholic liquors. If the city council has disapproved a site for the retail sale of liquors only once, no application for the same site and use will be considered by the city council or the liquor commission for a period of six months from the date of disapproval unless the applicant can establish a substantial change in circumstances relating to the reasons for disapproval. If the city council has disapproved a site for the retail sale of alcoholic liquors two or more times, no application for the same site and use will be considered by the city council or the liquor commission for a period of 12 months of the date of the last disapproval unless the applicant can establish a substantial change in circumstances relating to the reasons for disapproval. Applicants may withdraw their application by written notification to the City Clerk prior to consideration by the City Council.

Section 2. This Ordinance shall be in full force immediately and upon passage and approval according to law.

PASSED BY THE CITY COUNCIL OF THE CITY OF PEORIA, ILLINOIS, THIS
_____ DAY OF _____, 2023

AYES:

NAYS:

ABSENT:

APPROVED:

Mayor

ATTEST:

City Clerk

EXAMINED AND APPROVED:

Corporation Counsel