

ORDINANCE NO: _____

AN ORDINANCE CONCERNING 2021 LIQUOR LICENSE RENEWALS

WHEREAS, the City of Peoria is a home rule unit of government pursuant to Article VII, Section 6 of the Constitution of the State of Illinois 1970, and may exercise any power and perform any function pertaining to its government and affairs including regulating and licensing the retail sale and service of alcoholic liquors; and

WHEREAS, the City of Peoria issues various classes of liquor licenses and charges fees for the privilege of using said license; and

WHEREAS, current liquor licenses expire on February 28, 2021; and

WHEREAS, due to the COVID-19 pandemic and mitigation measures put into place by the State of Illinois, liquor licensees with licenses for on-premise consumption have been severely restricted in their ability to conduct business; and

WHEREAS, it is the best interest of the health, safety and welfare of the community to assist those local liquor license holders by extending their current license period and reducing the fees for renewals in 2021.

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

SECTION 1. Definitions. As used in this ordinance:

“2020 License Year” means the period beginning March 1, 2020 and continuing through April 30, 2021.

“2021 License Year” means the period beginning May 1, 2021 and continuing through February 28, 2022.

“COVID-19 Regulation” means the Restore Illinois Plan, any executive order of the Governor related to the COVID-19 pandemic, any order, guideline, regulation, or administrative rule of the Illinois Department of Public Health or any other State or federal agency related to the COVID-19 pandemic, any order, guideline, regulation, or administrative rule of Peoria County Health Department related to the COVID-19 pandemic, or any executive order of the Mayor or City Manager of the City of Peoria related to the COVID-19 pandemic.

“Liquor Code” means Chapter 3 of the Municipal Code City of Peoria, Illinois.

“Qualified Liquor Licensee” means any liquor licensee that:

- (1) In 2020, held any of the following classes or subclasses of liquor license for the premises for which the licensee is applying for renewal: Class A, B, B-1, D, E, E-1, G-A, G-B, I, J, K, K-1, L, M, M-1, N, MT, Subclass 1, Subclass 1(a), Subclass 2, Subclass 2(a), Subclass 3, Subclass 3(a), Subclass 4, Subclass 5, Subclass 6, Subclass 7, Subclass 8, Subclass 10, Subclass 11, Subclass 12,
- (2) Has not been found in any court or state or local administrative hearing or proceeding to have violated a COVID-19 Regulation.
- (3) Qualified Liquor Licensee expressly excludes any of the following classes of licenses: C, C-1, C-G.

SECTION 2. **License Year and Expiration.** Section 3-1 defines License Year as “that period from March 1 to the last day of February next following.” For 2020 and 2021 the license years are amended pursuant to the definitions set forth herein. The 2020 license year is being extended by two months and will not expire until April 30, 2021. The 2021 license year will begin on May 1, 2021 and extend through February 28, 2022.

SECTION 3. **Fees.** The two month extension of the 2020 license year will not require any additional fees from the licensee. For each Qualified Liquor Licensee that applies for renewal of its liquor license under Section 3-66, the fees for renewal will be 50% of the fees listed in Section 3-52 and 3-53 for the applicable Class or Subclass for the 2021 License Year.

SECTION 4. **Renewal. Late Fees.** Nothing in this ordinance relieves a liquor licensee from the requirement to file an application for renewal of its liquor license under section 3-66 of the Liquor Code. No late fees for the filing of the 2021 License Year will be assessed until May 1.

SECTION 5. **Compliance with Mitigation Measures.** If, after the liquor license for the 2021 License Year is issued, the licensee is found in any court or state or local administrative hearing or proceeding to have violated a COVID-19 Regulation, then, within 30 days after the finding, the licensee shall, as a condition of its license, pay the City the full amount of the license fee for its license as set forth in sections 3-52 and 3-53 of the Liquor Code.

If a finding that the licensee has violated a COVID-19 Regulation is later overturned on appeal, then, after all appeals have been exhausted, the City shall refund 50% of the amount paid for the license for the 2021 License Year so that

the licensee's total cost for the license is no more than set forth in Section 3 of this Ordinance.

SECTION 6. **Publication.** The City Clerk is hereby directed and authorized to publish this ordinance in pamphlet form as provided by law.

SECTION 7. **Effective Date.** This ordinance takes effect immediately after its publication.

SECTION 8. **Authority.** This ordinance is adopted under the home-rule authority granted to the City of Peoria by Article 7, Section 6, of the Illinois Constitution, 1970.

PASSED BY THE CITY COUNCIL OF THE CITY OF PEORIA, ILLINOIS this ___ day of _____ 2021.

APPROVED:

Mayor

ATTEST:

City Clerk

EXAMINED AND APPROVED:

Corporation Counsel