

**AN ORDINANCE AMENDING CHAPTER 3 OF THE CODE OF THE CITY OF PEORIA
PERTAINING TO BOTTLE CLUBS**

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 of alcoholic liquors;

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

Section 1: Chapter 3 of the Code of the City of Peoria is hereby amended by deleting the following stricken words and by adding the following underlined words.

Sec. 3-15. - Bottle clubs.

(a) No person shall patronize or operate any bottle club in the city, except on premises licensed for the retail sale of alcoholic liquor for consumption on the premises or on premises licensed as a Class M (BYOB club). Further, no person shall sell at retail for consumption on the premises any nonalcoholic beverage or ice, knowing the same to be intended to be mixed with any alcoholic liquor, except on premises licensed for the retail sale of alcoholic liquor for consumption on the premises or on premises licensed as a Class M (BYOB club).

(b) For purposes of this section, a person who is present on the premises shall be presumed to be a patron.

Sec. 3-52. Classes.

Licensee to sell alcoholic liquor at retail are hereby divided into classes as follows:

- (14) Class M. Class "M" licenses shall authorize an organization designated as a 501(c)(3) by the Internal Revenue Service to operate as a bottle club for on-site consumption only on premises approved by the mayor as being suitable and located within the River Entertainment District as defined in Ordinance No.16,864, as amended. For the purpose of catered or special events, Class M licensee shall not be prohibited from utilizing the catering services including retail sale of alcohol for on-site consumption served in conjunction with the service of a meal as authorized under the caterer's licensee. the retail sale by mail order for future delivery by mail or by common carrier of beer and wine in the original package container only and not for consumption on the premises where sold. The hours of operation of a BYOB club under this license shall be limited from 4 p.m. to 12 a.m. in any one day and .The annual fee for such license shall be \$925100.00.

Section 3-52. Supplemental licenses and fees.

(a) Upon application to the local liquor commissioner by a license holder, the following supplemental licenses may be issued after approval by the local liquor commissioner and the payment of the fees set forth herein:

- (3) Subclass (2). A supplemental license authorizing the performance of live entertainment not including entertainment with the use of a karaoke machine. A supplemental license for live entertainment will not be require, however, of any establishment holding a class "D," "E," "I," or "N" or "M" liquor license or any other premises holding a class "F" or "H" liquor license. The annual fee for such license shall be \$150.00. The supplemental license shall in no way abrogates the responsibility of obtaining any other license required by this Code.

Subclass (2a). A supplemental license authorizing the performance of live entertainment only with a use of a karaoke machine. A supplemental license for live entertainment will not be require, however, of any establishment holding a class "D," "E," "I," or "N" or "M" liquor license or any other premises holding a class "F" or "H" liquor license. The annual fee for such license shall be \$100.00. The supplemental license shall in no way abrogates the responsibility of obtaining any other license required by this Code. Any licensee approved for a subclass (2) live entertainment supplemental license shall be allowed to switch to a subclass (2a) karaoke only supplemental license without having to go the site approval process.

Sec. 3-92. - Suitability of site.

(a) The mayor shall not issue any license authorized under this chapter, other than temporary event licenses or a Class M license, unless the site for which the license is to be used has been designated by the city council as being suitable for the retail sale of alcoholic liquors under a specified class of license, as set forth in section 3-52 of this chapter, and such license to be issued conforms to the license classification approved for such site. For purposes of this section, Class B and Class B-1 shall be treated as same class of license, Class E and E-1 shall be treated as same class of license.

Section 2. This Ordinance shall be in full force and effect immediately upon after its passage.

PASSED BY THE CITY COUNCIL OF THE CITY OF PEORIA, ILLINOIS this _____ day
of _____, 2015.

APPROVED:

Mayor

ATTEST:

City Clerk

EXAMINED AND APPROVED:

Corporation Counsel