

**AN ORDINANCE AMENDING**  
**CHAPTER 3 OF THE CODE OF THE CITY OF PEORIA**  
**PERTAINING TO LIQUOR LICENSE REGULATION**

**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;

**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. 3-1. Definitions.**

Unless the context otherwise requires, the following terms, as used in this chapter, shall be construed according to the definitions given below:

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Coffee shop shall mean an establishment whose primary business is for the sale and service of coffee and other drinks as well as simple foods.

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**Sec. 3-7. - Sales to persons of nonage, intoxicated persons, etc.**

(a) No licensee or any officer, associate, member, representative, agent or employee of such licensee shall sell, give or deliver alcoholic liquor to any person under the age of 21 years, or to any intoxicated person ~~or to any person known by him to be under legal disability or in need of mental treatment.~~ For the purpose of this section, the words "intoxicated person" mean a person whose mental or physical functioning is substantially impaired as a result of the use of alcohol.

(b) Should the mayor find, following a hearing held pursuant to section 3-29, that any licensee or his officer, associate, member, representative, agent or employee has knowingly sold, given or delivered any alcoholic liquor to an intoxicated person, and the person while so intoxicated has caused death or great bodily harm to himself or any other person, the mayor shall revoke or suspend the license for the establishment for not less than 30 days for the first such violation, and shall revoke such license for any subsequent violations.

(c) No person, after purchasing or otherwise obtaining alcoholic liquor, shall sell, give or deliver such alcoholic liquor to another person under the age of 21 years, except in performance of a religious ceremony or service.

(d) Upon conviction of a violation of this section, a violator shall be punished by a fine set forth in section 1-5 [of this Code.]

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**Sec. 3-9. - Presence of persons of nonage upon licensed premises.**

(a) Any person to whom the sale, gift or delivery of any alcoholic liquor is prohibited because of age shall not enter or remain upon any premises licensed for the sale of alcoholic liquor except in the company of his parent or legal guardian or when performing as a compensated entertainer pursuant to a signed contract for such performance; provided, however, that this section shall not apply to restaurants, except as set forth in paragraph (d), dinner theaters, clubs, package liquor stores, gift or flower shops, universities, coffee shops, or that portion of bowling alleys, assembly halls, stadiums, privately owned public golf courses, health clubs or premises holding a valid class "N" license or a valid "H" or "L" temporary license, other than those portions used exclusively or primarily for the sale and consumption of alcoholic liquors.

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**Sec. 3-52. Classes.**

Licensee to sell alcoholic liquor at retail are hereby divided into ~~23~~ classes as follows:

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- (3) Class G. Class "G-A" licenses shall authorize the retail sale of beer and wine only and for on-site consumption of any tavern, "G-B" licenses for the retail sale of beer and wine only and for on-site consumption of any restaurant, ~~or~~ "G-C" licenses for the retail sale of beer and fine wine only on the premises of any gift or flower shop with no on-site consumption and no more than 15 percent of the gross revenue in any month from the operation of the establishment be from the retail sale of beer and wine, or "G-D" licenses for the retail sale of beer and wine only for on-site consumption of any coffee shop. The annual fee for such licenses shall be \$1,100.00.

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Section 2. This ordinance shall be in full force and effect after its passage and publication.

**PASSED BY THE CITY COUNCIL OF THE CITY OF PEORIA, ILLINOIS** this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

APPROVED:

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

EXAMINED AND APPROVED:

\_\_\_\_\_

Corporation Counsel