

**AN ORDINANCE AMENDING CHAPTER 3 OF THE CODE OF THE CITY OF PEORIA
REGARDING OFF-SITE CATERED FUNCTIONS**

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. 3-52. Classes.

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

- (12) *Class K.* Class "K" licenses shall authorize the retail sale of alcoholic liquor for consumption on the premises of a rental hall business when such retail sale is made by the person who operates the rental hall business and the retail sale of alcoholic liquor at functions off the premises when food is catered by the licensee, and the sale of alcoholic liquor is only incidental to the food service provided that such function, other than a live theatrical performance at a facility maintained exclusively for live theatrical performances, is not open to the general public but only to invited guests and that the sale of alcoholic liquor is in bulk to the person or organization conducting the function and no charge is made to persons being served individual drinks. No live theatrical performance facility shall conduct functions catered under this section on more than 15 days in any 12-month period, and no such function shall exceed five continuous days. The licensee shall file with the city clerk not less than ten days prior to such function a description of the location and the hours during which alcohol will be served. The annual fee for such license shall be \$ 1,000.00 for up to two permanent locations or places on the site of the establishment and \$40.00 for each function off the premises licensed under this subsection.

For catered off-site functions on premises with a Class M (BYOB) license, Class "K" license shall authorize the full retail sale of alcoholic liquor for consumption on the premises and "cash bar" restrictions shall not apply.

Sec. 3-53. 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:

- (11) *Subclass (10).* A supplemental license may be obtained by an licensee currently holding a valid Class "B" license issued under this

chapter , authorizing the retail sale of alcoholic beverages for consumption as an incidental part of a food service that serves prepared meals which excludes the serving of snacks as the primary meal at private functions for a package price agreed upon under contract on any approved premises other than the premises covered by the existing license or as approved by the Local Liquor Commissioner with the following requirements:

- a. The licensee shall submit an application with sufficient proof of dram shop (liability) insurance for the off-site function to the liquor control commissioner, not less than ten days prior to the function at which the license will be used;
- b. A photocopy of the liquor license must be displayed on the premises during any such function;
- c. Gross revenue from the sale of alcoholic liquor at any one event shall not exceed forty (40) percent of the total gross revenues generated from the sale of alcohol and the service of meals. The licensee shall submit an affidavit on a quarterly basis, on a form provided by the Local Liquor Commissioner, certifying compliance with this requirement;
- d. The service and consumption of alcoholic liquor shall only be permitted on the premises where the food is catered;
- e. No agent or employee of the licensee or any person under that age of 21 years shall possess, serve or consume any alcoholic liquor;
- f. The service of alcoholic liquor must be by a person who is an agent or employee of the licensee;
- g. No private event catered under this license shall exceed three (3) consecutive days in length and no alcoholic liquor shall be served earlier than 11a.m. and no later than 12:00 a.m.; and
- h. No cash bar shall be allowed.

The annual fee for this supplemental license shall be \$750.00. For catered off-site functions on premises with a Class M (BYOB) license, subclass (10) license shall authorize the full retail sale of alcoholic liquor for consumption on the premises and "cash bar" restrictions shall not apply.

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