

ORDINANCE NO.

AN ORDINANCE MAKING AMENDMENTS TO CHAPTER 3 OF THE CITY OF PEORIA'S MUNICIPAL CODE REGARDING CATERING ORGANIZATIONS

WHEREAS, the City of Peoria (hereinafter "City") is a home rule unit of local government pursuant to Article VII, Section 6, of the Illinois Constitution, 1970, and may exercise any power and perform any function pertaining to its government and affairs, including the power to regulate for the protection of the public health, safety, and welfare; and

WHEREAS, the City of Peoria recognizes the importance of the performing arts and their valuable contribution to individual development, education, quality of life, and the local economy; and

WHEREAS, the City of Peoria's local liquor code currently limits live theatrical performance facilities from having catered alcohol service at more than 15 days in any 12-month period; and

WHEREAS, live theatrical performance facilities have expressed a desire to serve catered alcohol at all their performances, including theater seasons exceeding 15 days, and whereas catered alcohol service will increase ticket sales, attendance, and the enjoyment of the performances;

WHEREAS, regulating the service and sale of alcohol is a valid exercise of municipal police powers by the City Council of the City of Peoria.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Peoria, as follows:

SECTION 1. **Recitals.** The recitals above shall be and are incorporated into this Section 1 as if fully restated herein

SECTION 2. Chapter 3, Article II, Section 3-52 (Classes) is hereby amended by revising subparagraph 12 (Class K) to remove the following stricken 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 \$1,200.00 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.

SECTION 4. **Publication.** The City Clerk is hereby directed and authorized to publish this ordinance in pamphlet form as provided by law.

SECTION 5. **Effective Date.** This ordinance takes effect immediately after its publication.

SECTION 6. **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