

**AN ORDINANCE AMENDING CHAPTER 3, SECTIONS 3-33 AND 3-52, OF THE CODE OF THE CITY OF PEORIA AUTHORIZING THE RETAIL SALE AND ON-SITE CONSUMPTION OF WINE AND CRAFT BEER AT A FARMER'S MARKET**

**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 sale of alcoholic liquor;

**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. 3-33. Delivery, dispensing and serving of alcohol at City Hall and retail sale of alcohol at the ~~Riverfront~~ Farmer's Market held on City-owned property.**

(a) Alcoholic beverages may be delivered, dispensed and served at City Hall of the City of Peoria for consumption on the premises by:

(1) an agency, commission, or committee of the City of Peoria, provided such agency, commission or committee first obtains written permission to dispense and serve alcoholic liquors from the local liquor control commissioner of the City of Peoria.

(b) Wine or craft beer may be delivered, and sold, or offered for sale at retail, or consumed on site in a controlled area with proper approved signs stating "No open-container or consumption of alcohol allowed beyond this area" posted around the parameter of the controlled area on the City-owned portion of Liberty Park, specifically described in parcel I.D. no. 1809411005, and/or on City-owned portion of the parking lot described in parcel I.D. no. 18-09-426-007, during the operation of a lawfully established farmer's market ~~the Riverfront Farmer's Market~~ by:

(1) Class J liquor licensee;

(2) Liquor licensee with a subclass 3 that is located immediately adjacent to the area described in the above subsection (b) upon the filing a proof of adequate dram shop liability insurance; and/or

(3) A craft distiller or a brewpub as defined under Illinois Liquor Control Act and licensed by the State of Illinois Liquor Control Commission as a craft distiller or a brewpub which holds a current City of Peoria liquor license issued by the mayor or deputy liquor control commissioner upon the filing a proof of adequate dram shop liability insurance.

(4) At least 7 days prior to the operation of the farmer's market described in above subsection (b), the operator of the farmer's market must submit a proof of general liability insurance in the amount of \$500,000.00 with the City of Peoria as an additional insured for loss, damage and harm arising from the operation of the lawfully established farmer's market at each location.

(5) Section 20-99 of the City Code pertaining to illegal possession or consumption of alcohol upon a public way shall not apply on controlled areas of the City-owned properties described in above subsection (b) during the operation of the lawfully

established farmers market.

(6) The term farmer's market shall be defined as a lawfully established public market at which local farmers and vendors sell or offer for retail sale produce and other goods directly to the consumers.

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**Section 3-52. Classes.**

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

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*Class J.* Class "J" licenses shall authorize the retail sale of wine by a wine-maker or beer by a craft distiller or a brewpub as defined under the Illinois Liquor Control Act and licensed by the State of Illinois Liquor Control Commission as a craft distiller or a brewpub, as it is now or may hereafter be amended, or a group of the wine-makers issued a license or licenses by Illinois Liquor Control Commission during the operation of a farmer's market on premises approved for the retail sale of wine. The annual fee for such licenses shall be \$375.00.

~~(a) The term farmer's market shall be defined as a lawfully established public market at which local farmers and vendors sell or offer for retail sale produce and other goods directly to the consumers.~~

~~(b) This license shall authorize the licensee to conduct product tasting of wine authorized under subsection 3-53(a)(8) of the Code conducted at freestanding booth utilized by the licensee. All product tasting shall be consumed in the area immediately adjacent to said freestanding booth.~~

~~(c) The licensee must provide adequate dram shop liability insurance as required by the Illinois Liquor Control Act, as it is now or may hereafter be amended, and, if selling or offering to sell wine on a City-owned property, shall hold harmless the City of Peoria from all financial loss, damage and harm arising from the retail sale of wine and product tasting during the operation of the farmer's market.~~

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

**PASSED BY THE CITY COUNCIL OF THE CITY OF PEORIA, ILLINOIS** this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

APPROVED:

\_\_\_\_\_  
Mayor

ATTEST:

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

EXAMINED AND APPROVED:

\_\_\_\_\_  
Corporation Counsel