

CITY OF MARSHALL

ORDINANCE NO. 20¹²-O-20

AN ORDINANCE AMENDING THE TEXT OF CHAPTER 10 ALCOHOLIC BEVERAGES
ARTICLE II. LICENSES
SECTION 10-37. CLASSIFICATIONS, FEES.

ADOPTED BY THE
CITY COUNCIL
OF THE
CITY OF MARSHALL

Published in pamphlet form by authority of the City of Marshall, Clark County, Illinois, this 13
day of August, 20 12.

ORDINANCE NO. 20 12 -O- 20

AN ORDINANCE AMENDING THE TEXT OF CHAPTER 10 ALCOHOLIC BEVERAGES

BE IT ORDAINED by the City Council of the City of Marshall, Illinois:

Section 1. That section 10-37 of the Code of Ordinances, City of Marshall, Illinois is hereby amended to read as follows, with strikeouts indicating deletions in text and underscores indicating additions to text:

Sec. 10-37. Classification, fees.

- (a) Licenses issued under this article shall be and are hereby divided into five classes, as follows:
 - (1) *Class A licenses*, which shall authorize the retail sale on the premises as well as other retail sales of such liquor. The annual license fee for such license shall be \$500.00. Provided, that the number of class A licenses issued in the city shall be limited to one.
 - (2) *Class B licenses*, which shall authorize the sale at retail of alcoholic liquor in the original package therein and not for consumption on the premises where sold. The annual fee for such license shall be \$400.00. Provided, that the number of class B licenses issued in the city shall be limited to one.
 - (3) *Class C licenses*, which shall authorize the retail sale on the premises specified of alcoholic liquor for consumption on the premises as well as other such retail sales of liquor. Class C licenses shall be issued only to clubs as the term "club" is defined in 235 ILCS 5/1-3.24. The annual fee for such license shall be \$400.00. Provided, that the number of class C licenses issued in the city be limited to three.
 - (4) *Class D licenses*, which shall authorize the retail sale on the premises specified of alcoholic liquor for consumption on the premises as well as other retail sales of such liquor, but only in conjunction with the operation of a restaurant with a seating capacity of over 75 patrons. The annual license fee shall be \$500.00.
 - (5) *Class E licenses*, which shall authorize the retail sale of beer and wine only for consumption on the premises, but only in conjunction with the operation of a restaurant with a seating capacity of over 50 patrons. The annual license fee shall be \$500.00.

- (6) *Class F licenses*, which shall authorize the retail sale of alcoholic liquors for consumption on the premises specified, for special events only, only to a special event retailer as defined in 235 ILCS 5/1-3.17.1. The fee for such license shall be \$25.00 per special event. Each separate special event must be specifically authorized by the liquor commissioner after authorization is applied for by the license holder. Each special event application shall be filed at least 48 hours before the event is to be held, and each special event license shall specify the hours during which the license shall be valid; in no event shall any special event license be valid for more than one event in any one 24-hour period, nor shall any such license be issued for more than 12 hours' duration.

- (7) *Class G licenses*, which shall authorize the retail sale of alcoholic liquors for consumption on the premises specified, but only in conjunction with the operation of a golf course. The annual license fee shall be \$500.00.

- (8) *Class H licenses*, which shall authorize the retail sale of beer and wine only in the original package therein and not for consumption on the premises where sold. The annual fee for such license shall be \$400.00 provided, that the number of class H licenses issued by the city shall be limited to three.

- (b) If the holder of a class A, B or C license under this section qualifies for and obtains a class D license, that holder's former license shall be immediately withdrawn and the limit of licenses of that type issued by this city shall be reduced by one for each such license so withdrawn.
 (Code 1976, § 3-7; Ord. No. 03-9, § 4, 2-24-03; Ord. No. 04-26, § 1, 7-29-04; Ord. No. 07-10, § 1, 4-10-07; Ord. No. 07-37, § 1, 8-14-07)

Section 2. If any provision of this Ordinance, or application thereof, is held invalid by any Court, other provisions or applications of this Ordinance which can be given effect without the invalid provision or application shall not be affected, and to this end the provisions of this Ordinance are declared to be severable.

Section 3. That this Ordinance shall be published in pamphlet form and shall take effect ten (10) days after its passage, approval and publication in pamphlet form as provided by law.

	<u>AYES</u>	<u>NAYS</u>	<u>ABSENT</u>
Beverly K. Church	✓		}
Terry Clatfelter	✓		
John D. Ferris	✓		
Warren J. Le Fever	✓		
James McKittrick	✓		
Cheryl A. Raisner	✓		
Tim J. Sanders	✓		
James White	✓		

PASSED this 13 day of August, 2012.

APPROVED this 13 day of August, 2012.

Kenneth R. Smith
MAYOR

ATTESTED, filed in my office,
and published in pamphlet form
this 13 day of August, 2012.

John W. Duff
CITY CLERK

(SEAL)