

Ordinance #O.23.23

An Ordinance **AMENDING CHAPTER 111 “ALCOHOLIC BEVERAGES” OF THE CODE OF ORDINANCES OF THE CITY OF GALENA TO MODIFY THE CLASS E LICENSE.**

Adopted by the City Council of the City of Galena on this 13th Day of November 2023.

Published in pamphlet form by authority of the City Council of the City of Galena, Jo Daviess County, Illinois, this 13th Day of November 2023.

STATE OF ILLINOIS)
) City of Galena
COUNTY OF JO DAVIESS)


CERTIFICATE

I, Mary Beth Hyde, certify that I am the duly elected municipal clerk of the City of Galena, JoDaviess County, Illinois.

I further certify that on the 13th Day of November 2023, the Corporate Authorities of said municipality passed and approved Ordinance No. O.23.23 entitled **AN ORDINANCE AMENDING CHAPTER 111 “ALCOHOLIC BEVERAGES” OF THE CODE OF ORDINANCES OF THE CITY OF GALENA TO MODIFY THE CLASS E LICENSE**, which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. O.23.23 including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted in the municipal building, commencing the 13th Day of November 2023 and commencing for at least ten (10) days thereafter.

Dated at Galena, Illinois, this 14th Day of November 2023.


Mary Beth Hyde, City Clerk

(Seal)

AN ORDINANCE AMENDING CHAPTER 111 "ALCOHOLIC BEVERAGES" OF THE CODE OF ORDINANCES OF THE CITY OF GALENA TO MODIFY THE CLASS E LICENSE

WHEREAS, the City of Galena is a municipal corporation operating under the laws of the State of Illinois; and

WHEREAS, Chapter 111 of the Galena Code of Ordinances regulates the sale and consumption of alcoholic beverages in the City of Galena: and

WHEREAS, Chapter 111.20 of the Galena Code of Ordinances defines each classification of liquor license; and

WHEREAS, Chapter 111.20 (E), the one-day Class "E" liquor license, allows legally recognized religious, charitable or not-for-profit organizations, or an accredited organization organized for non-pecuniary purposes to conduct alcohol sales starting at noon for special community events; and

WHEREAS, the City Council seeks to modify the Class "E" license to permit the sale of alcohol starting as early as 11:00 a.m. by special exception approved by the City Council; and

WHEREAS, the City Council of the City of Galena finds that to improve the economic prosperity of the community, it is the best interest of the City of Galena to amend the Alcoholic Beverages code by modifying the Class "E" license to permit alcohol sales by special exception starting as early as 11:00 a.m.

NOW THEREFORE BE IT ORDAINED by the City Council of the City of Galena, Jo Daviess County, Illinois, as follows:

SECTION I: Chapter 111.20 (E) of the Code of Ordinances shall be amended as follows:

(E) Class "E" license shall be known as a "One Day License". No more than one such license shall be issued for a particular time period. Applicants shall be legally recognized religious, charitable or not-for-profit organizations, or an accredited organization organized for non-pecuniary purposes acceptable to the Liquor Commissioner, or the possessor of a Class "A", "B", "C" or "D" license issued by the city and subject to the same investigation as provided in this chapter as are the applicants for the other classes of licenses. Such licenses shall be issued only in connection with a fair, carnival, street dance, bazaar, picnic, reception, outing or similar event. Such event shall be the principal reason for the gathering or other

event, and the consumption of alcoholic liquor shall be incidental thereto. All alcoholic liquor consumption authorized by the license hereunder shall be consumed within the limits of the licensed area. All beer and wine shall be dispensed in returnable or disposable glass bottles, cups or cans and adequate and suitable containers shall be provided for disposable of same. The sale of wine and alcoholic liquor in Turner Hall shall be authorized only by the glass or in another container which is not the original container in which said wine or alcoholic liquor is manufactured or stored. The city, county or state police shall have full access to all areas within the licensed premises and the Liquor Commissioner, Chief of Police or any city police officer may, at his or her sole discretion and judgment, order the sale, dispensing and consumption of beer, wine or alcoholic liquor in Turner Hall halted if, in his or her opinion, any of the provisions of this chapter is being violated and the public peace is likely to be endangered by the keeping open of the premises licensed hereunder. All regulations that are part of this chapter shall apply in the same manner and degree as they apply to all other classes of licenses described herein.

This license shall authorize the retail sale of beer and wine in a place other than a completely enclosed building between the hours of 12:00 noon and 10:00 p.m. on Saturdays, Sundays and holidays and between 5:00 p.m. and 10:00 p.m. Monday through Friday inclusive. Sales shall be authorized only in a specified, enclosed or fenced in area as clearly set forth in the license application so that the general public and law enforcement officers can easily determine the limits of such area.

This license may also be issued for the retail sale of beer and wine in a completely enclosed building between the hours of 12:00 noon and 12:00 midnight on Saturdays, Sundays and holidays and between 5:00 p.m. and 12:00 midnight Monday through Friday inclusive.

This license may also be issued for the retail sale of any alcoholic liquor in the building owned by the city and commonly known as Turner Hall between the hours of 12:00 noon and 12:30 a.m. on Saturdays, Sundays and holidays and between 5:00 p.m. and 12:00 midnight Monday through Friday inclusive. Applicants for this license may obtain no more than four such licenses in any calendar year. Any license issued under this section may be issued for a maximum of five days within any two week period.

Notwithstanding the foregoing, the City Council may approve the Class E licensee to commence the retail sale of alcohol as early as 11:00 a.m. when a determination is made that the earlier sale time will be in the best interest of the community.

The annual license fee shall be set by the City Council from time to time.

SECTION II: All ordinances or parts of ordinances conflicting with the provisions of this ordinance are hereby repealed.

SECTION III: This ordinance shall be effective upon passage and approval.

SECTION IV: Passed on this 13th day of November, 2023, in open Council.

AYES

NAYS

Wienen, Bernstein, Johnson, Kieffer,
Tegtmeyer, Westemeier, Renner

None



TERRY RENNER, MAYOR

ATTEST:



MARY BETH HYDE, CITY CLERK