

**ORDINANCE NO. F- 1500**

**AN ORDINANCE AMENDING THE WHEATON LIQUOR CONTROL  
ORDINANCE, CHAPTER 6 - ALCOHOLIC BEVERAGES  
CLASS D LICENSE - DRUGSTORES**

WHEREAS, The City of Wheaton, Illinois (“City”) is an Illinois home rule municipality pursuant to the provisions of Article VII, Section 6 of the Illinois Constitution, 1970, and as such the City may exercise any power or perform any function pertaining to its government and affairs; and

WHEREAS, the City has determined it to be in the best interests of the City and its residents to consider certain amendments to the Wheaton Liquor Control Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Wheaton, DuPage County, Illinois, pursuant to its home rule powers, as follows:

Section 1: That Sec. 6-87, subsection (5) is hereby amended as follows:

“(5) Class D license shall authorize the retail sale, on the premises specified in the license, of beer and wine, only, in its original package and not for consumption on the premises (“package sales”). Package sales shall be limited to premises primarily devoted to the sale at retail of drugs and sundries, commonly known as drugstores consisting of not less than ten thousand (10,000) gross above grade square feet.

The following conditions and restrictions shall apply to Class D licenses:

- (1) That portion of the premises devoted to the sale of alcoholic liquor shall be no larger than twenty (20) percent of the gross above-grade square feet of the entire store premises.
- (2) Beer in containers of not more than 16 ounces shall not be sold in quantities of less than four cans or bottles to any customer.”

Section 2: That Sec. 6-88, Term; fees, is hereby amended to include the following fee for a Class D license:

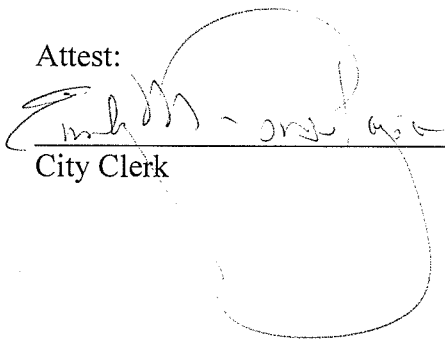
“D: \$2,500”

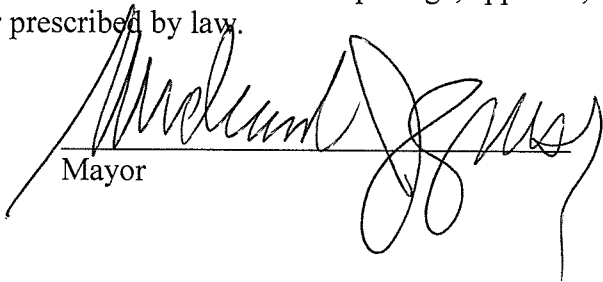
Section 3: That Sec. 6-129, subsection (a3) Hours of business – Generally, is hereby amended to include a Class D license along with a Class E, M, and Q:

“(3) D, E, M, and Q”

Section 4: All ordinances, or parts of ordinances, in conflict with these provisions are hereby repealed.

Section 5: This ordinance shall become effective from and after its passage, approval, and publication in pamphlet form in the manner prescribed by law.

Attest:  
  
\_\_\_\_\_  
City Clerk

  
\_\_\_\_\_  
Mayor

Roll Call Vote:

Ayes: Councilman Levine  
Councilman Mouhelis  
Mayor Gresk  
Councilman Prendiville  
Councilman Scalzo  
Councilman Suess  
Councilwoman Corry

Nays: None

Absent: None

Motion Carried Unanimously

Passed: June 21, 2010  
Published: June 22, 2010