

**ORDINANCE NO. O-2019-58**

**AN ORDINANCE AMENDING THE WHEATON LIQUOR CONTROL  
ORDINANCE, CHAPTER 6 - ALCOHOLIC BEVERAGES - CLASS W LICENSE CLASSIFICATION CODE -  
INCREASE IN CLASS W (PERFORMING ARTS FACILITY) LIQUOR LICENSE – ASH-CULHANE LLC D/B/A  
WESTSIDE IMPROV – 125 W. FRONT STREET**

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Section 1: That Sec. 6-87, subsection (23) is hereby repealed and rescinded in its entirety and replaced with a new Section 6-87 subsection (23) which shall read as follows:

“Sec. 6-87. - Classification of licenses.

Alcoholic liquor licenses authorized to be issued under this chapter shall be, and are hereby, divided into the following classes:

- (23) A Class W License shall authorize the sale at retail of alcoholic liquor, for consumption on the specified premises to patrons of a performing arts facility not more than one hour before the start of the theatrical performance and no later than one hour after the end of a theatrical performance.
- a. Such sale and delivery shall be confined to the lobby or foyer of the licensed premises.
  - b. Alcoholic liquor may be consumed within the seating area of the performance area.
  - c. Alcoholic liquor shall be sold and served from a customer bar only. Beer shall be served by the glass, can or bottle only, having a capacity of not more than 12 ounces. Other alcoholic liquor shall be served by the glass only, and such vessel shall have a capacity of not more than six ounces.”

Section 2: That Section 6-89 is hereby repealed and rescinded in its entirety and replaced with a new Section 6-89 which shall read as follows:

“Sec. 6-89. - Limitation on number of licenses.

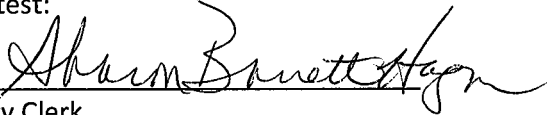
The number of licenses in each classification as defined in Section 6-87 which it shall be lawful to issue shall be limited so that the licenses in force and effect in the City at any time shall not exceed the following numbers:

<u>Class</u>	<u>Number of Licenses</u>
A	12
B	4
C	0
D	5
E	5
E-Café	2
F	6
G	0
H	2
I	12
J-1	0
J-2	0
K	0
L	1
M	1
N	1
O	2
Q	1
R	2
S	6
T	0
V	0
W	1"

Section 2: All ordinances, or parts of ordinances, in conflict with these provisions are hereby repealed.

Section 3: This ordinance shall become effective from and after its passage, approval, and publication in pamphlet form in the manner prescribed by law.

  
 \_\_\_\_\_  
 Mayor

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

Roll Call Vote  
 Ayes: Councilwoman Bray-Parker  
 Mayor Sues  
 Councilman Rutledge  
 Councilman Zaruba  
 Councilman Barbier

Nays: None

Absent: Councilwoman Fitch

Councilwoman Robbins

Motion Carried Unanimously

Passed: December 2, 2019

Published: December 3, 2019

