

A SPECIAL ORDINANCE AMENDING CHAPTER 3
OF THE CODE OF ORDINANCES OF THE
CITY OF ROCK ISLAND, ILLINOIS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCK ISLAND, ILLINOIS:

Section One. Section 3-1. Definitions, paragraph six titled *Caterer Retailer*, of the Code of Ordinances of The City of Rock Island, Illinois, is hereby amended by deleting said paragraph in its entirety and by inserting in lieu thereof the following:

Caterer Retailer: A person, corporation or business entity who currently holds a class B, C, D, E, F, G, J or L license and who serves or sells alcohol at a “catering location” as defined herein, within the city, whether licensed or unlicensed, as an incidental part of its food preparation and service business. Prepared meals and the sale or service of alcoholic liquor must be for a price agreed upon under contract and may include a cash bar.

Section Two. Section 3-8. Types of Licenses and Fees, of the Code of Ordinances of The City of Rock Island, Illinois, is hereby amended by deleting said Section in its entirety and by inserting in lieu thereof the following:

Section 3-8. Types of Licenses and Fees

- (a) *Hours of Operation*: All licenses issued hereunder shall allow the licensee to be open Monday through Saturday from five o'clock (5:00) a.m. to one o'clock (1:00) a.m. and Sunday from ten o'clock (10:00) a.m. to one o'clock (1:00) a.m. Class F and G licenses may reopen one hour after closing, but the service of alcoholic beverages may only occur during the hours herein identified. The hours established herein shall be Central Standard Time, except when daylight saving time is in effect and then those hours shall be Central Daylight Saving Time.
- (b) *Class A: “Class A, Packaged Sales Only – Primary Business”* license shall be issued when the sale of alcoholic liquors is the primary business of the licensee. “Primary Business” shall mean that twenty-five percent (25%) or more of the square footage of the store available for sales is dedicated to the displays or promotion of alcoholic liquors. A license shall permit the retail sale of alcoholic liquor on the premises where sold, except that reasonable tasting / sampling of alcoholic liquor by patrons may be allowed on the licensed premises of establishments.
- (1) Minors are not allowed in a Class A licensed premises.
 - (2) The sale of alcoholic liquor in packaged sizes of fifty milliliters (50 ml) or less, commonly known as “airline bottles” is prohibited.
 - (3) If any premises, which initially applies for and is licensed as a Class A license, later wishes to reclassify the license to another class of license, it shall be considered by the local liquor commissioner and may be treated as a new license application and all application procedures contained in this chapter may apply, including, but not limited to those contained in Section 3-5, “Licensing Procedure”, and subsection 3-6(c), “Adjacent Business”, of this chapter.
 - (4) The annual fee for a Class A license shall be One Thousand One Hundred Dollars (\$1,100.00).
- (c) *Class B: “Class B, Packaged Sales Only – Secondary Business”* license shall be issued when less than twenty-five percent (25%) of the square footage of the store available for sales is dedicated to the

displays or promotion of alcoholic liquors. A license shall permit the retail sale of alcoholic liquor on the premises where sold, except that reasonable tasting / sampling of alcoholic liquor by patrons may be allowed on the licensed premises of establishments over 10,000 square feet in size.

- (1) The sale of alcoholic liquor in packaged sizes of fifty milliliters (50 ml) or less, commonly known as “airline bottles” is prohibited.
- (2) If any premises, which initially applies for and is licensed as a Class B license, later wishes to reclassify the license to another class of license, it shall be considered by the local liquor commissioner and may be treated as a new license application and all application procedures contained in this chapter may apply, including, but not limited to those contained in Section 3-5, “Licensing Procedure”, and subsection 3-6(c), “Adjacent Business”, of this chapter.
- (3) The annual fee for a Class B license shall be One Thousand One Hundred Dollars (\$1,100.00).

(d) *Class C: “Class C, Packaged Sales Only – Beer and Wine”* license shall be issued when less than twenty-five percent (25%) of the square footage of the store available for sales is dedicated to the displays or promotion of alcoholic liquors and the licensee sells only beer or wine. A license shall permit the retail sale of beer and wine on the premises where sold, except that reasonable tasting / sampling of beer and wine by patrons may be allowed on the licensed premises of establishments over 10,000 square feet in size.

- (1) The sale of alcoholic liquor in packaged sizes of fifty milliliters (50 ml) or less, commonly known as “airline bottles” is prohibited.
- (2) If any premises, which initially applies for and is licensed as a Class C license, later wishes to reclassify the license to another class of license, it shall be considered by the local liquor commissioner and may be treated as a new license application and all application procedures contained in this chapter may apply, including, but not limited to those contained in Section 3-5, “Licensing Procedure”, and subsection 3-6(c), “Adjacent Business”, of this chapter.
- (3) The annual fee for a Class C license shall be One Thousand Dollars (\$1,000.00).

(e) *Class D: “Class D, Tavern with Packaged Sales Primary”* license shall permit the retail sale of alcoholic liquor in sealed packages for consumption off premises, as well as for consumption on the licensed premises, if the sale of sealed alcohol for off premises consumption constitutes greater than fifty percent (50%) of the total annual sales of all alcoholic liquor.

- (1) The sale of alcoholic liquor in packaged sizes of fifty milliliters (50 ml) or less, commonly known as “airline bottles” is prohibited.
- (2) If any premises, which initially applies for and is licensed as a Class D license, later wishes to reclassify the license to another class of license, it shall be considered by the local liquor commissioner and may be treated as a new license application and all application procedures contained in this chapter may apply, including, but not limited to those contained in Section 3-5, “Licensing Procedure”, and subsection 3-6(c), “Adjacent Business”, of this chapter.

(3) The annual fee for a Class D license shall be One Thousand Four Hundred Thirty Dollars (\$1,430.00).

(f) *Class E: "Class E, Tavern with Packaged Sales Secondary"* license shall permit the retail sale of alcoholic liquor for consumption on the licensed premises, as well as other retail sales of alcoholic liquor in sealed packages for consumption off the licensed premises.

(1) Packaged alcoholic liquor sold for off premises consumption shall not compromise greater than fifty percent (50%) of the total annual sales of all alcoholic liquor for said licensee.

(2) The sale of alcoholic liquor in packaged sizes of fifty milliliters (50 ml) or less, commonly known as "airline bottles" is prohibited.

(3) If any premises, which initially applies for and is licensed as a Class E license, later wishes to reclassify the license to another class of license, it shall be considered by the local liquor commissioner and may be treated as a new license application and all application procedures contained in this chapter may apply, including, but not limited to those contained in Section 3-5, "Licensing Procedure", and subsection 3-6(c), "Adjacent Business", of this chapter.

(4) The annual fee for a Class E license shall be One Thousand One Hundred Dollars (\$1,100.00).

(g) *Class F: "Class F, Restaurant"* license shall permit the retail sale of alcoholic liquor for consumption only on the premises where sold.

(1) Service of alcoholic liquor shall be only during the time that food is prepared on the premises and is available to be served, a menu is in effect, and a cook or chef, whose primary duties shall not include bartending or the service of alcoholic liquor, is in attendance.

(2) Minors may be allowed on premises licensed as a Class F license pursuant to this for the purposes other than the purchase or consumption of alcoholic liquors; however, no minor may be allowed to sit at a bar.

(3) If any premises, which initially applies for and is licensed as a Class F license, later wishes to reclassify the license to another class of license, it shall be considered by the local liquor commissioner and may be treated as a new license application and all application procedures contained in this chapter may apply, including, but not limited to those contained in Section 3-5, "Licensing Procedure", and subsection 3-6(c), "Adjacent Business", of this chapter.

(4) The annual fee for a Class F license shall be One Thousand One Hundred Dollars (\$1,100.00).

(h) *Class G: "Class G, Restaurant – Wine and Beer Only"* license shall permit the retail sale of wine and beer for consumption only on the premises where sold.

(1) Service of wine and beer shall be only during the time that food is prepared on the premises and is available to be served, a menu is in effect, and a cook or chef, whose primary duties shall not include bartending or the service of alcoholic liquor, is in attendance.

(2) Minors may be allowed on premises licensed as a Class G license pursuant to this for the purposes other than the purchase or consumption of alcoholic liquors; however, no minor may be allowed to sit at a bar.

(3) If any premises, which initially applies for and is licensed as a Class G license, later wishes to reclassify the license to another class of license, it shall be considered by the local liquor commissioner and may be treated as a new license application and all application procedures contained in this chapter may apply, including, but not limited to those contained in Section 3-5, "Licensing Procedure", and subsection 3-6(c), "Adjacent Business", of this chapter.

(4) The annual fee for a Class G license shall be Seven Hundred Dollars (\$700.00).

(i) *Class H: "Class H, Theater / Bowling Center"* license shall permit the retail sale of alcoholic liquor for consumption only on the premises where sold, and not for resale in any form, to be issued to premises which conform to the definition of restaurant as defined in Section 3-1 of this chapter.

(1) Minors may be allowed on premises licensed as a Class H license pursuant to this for the purposes other than the purchase or consumption of alcoholic liquors; however, no minor may be allowed to sit at a bar.

(2) If any premises, which initially applies for and is licensed as a Class H license, later wishes to reclassify the license to another class of license, it shall be considered by the local liquor commissioner and may be treated as a new license application and all application procedures contained in this chapter may apply, including, but not limited to those contained in Section 3-5, "Licensing Procedure", and subsection 3-6(c), "Adjacent Business", of this chapter.

(3) The annual fee for a Class H license shall be One Thousand One Hundred Dollars (\$1,100.00).

(j) *Class I: "Class I, Hotel / Motel"* license shall permit the retail sale of alcoholic liquor for consumption on the premises whether for private events or public consumption in a tavern, lounge area, or banquet room only, and not for resale in any form to other portions of a premises which meet the definition of a hotel as defined in Section 3-1 of this chapter.

(1) Minors may be allowed on premises licensed as a Class I license pursuant to this for the purposes other than the purchase or consumption of alcoholic liquors; however, no minor may be allowed to sit at a bar.

(2) If any premises, which initially applies for and is licensed as a Class I license, later wishes to reclassify the license to another class of license, it shall be considered by the local liquor commissioner and may be treated as a new license application and all application procedures contained in this chapter may apply, including, but not limited to those contained in Section 3-5, "Licensing Procedure", and subsection 3-6(c), "Adjacent Business", of this chapter.

(3) The annual fee for a Class I license shall be One Thousand One Hundred Dollars (\$1,100.00).

- (k) *Class J: "Class J, Banquet Facilities"* license shall permit the retail sale of alcoholic liquor for consumption only on the premises where sold and not for resale in any form to premises which meet the definition of a hotel as defined in Section 3-1 of this chapter.
- (1) Sales for consumption on the premises used exclusively for private functions. Hors d'oeuvres, meals or other foods from the licensee or a licensed food establishment must be served continually during every private function when alcohol is being served.
 - (2) Minors may be allowed on premises licensed as a Class J license pursuant to this for the purpose other than the purchase or consumption of alcoholic liquors; however, no minor may be allowed to sit at a bar.
 - (3) If any premises, which initially applies for and is licensed as a Class J license, later wishes to reclassify the license to another class of license, it shall be considered by the local liquor commissioner and may be treated as a new license application and all application procedures contained in this chapter may apply, including, but not limited to those contained in Section 3-5, "Licensing Procedure", and subsection 3-6(c), "Adjacent Business", of this chapter.
 - (4) The annual fee for a Class J license shall be one thousand one hundred dollars (\$1,100.00).
- (l) *Class K: Class K, Clubs / Fraternal Organizations"* license shall permit the retail sale of alcoholic liquor for consumption on the licensed premises, as well as other retail sales of packaged alcoholic liquor for consumption off the licensed premises.
- (1) Packaged alcoholic liquor sold for off premises consumption shall not compromise greater than fifty percent (50%) of the total annual sales of all alcoholic liquor for said licensee.
 - (2) Minors may be allowed on premises licensed as a Class K license pursuant to this for the purposes other than the purchase or consumption of alcoholic liquors; however, no minor may be allowed to sit at a bar.
 - (3) If any premises, which initially applies for and is licensed as a Class K license, later wishes to reclassify the license to another class of license, it shall be considered by the local liquor commissioner and may be treated as a new license application and all application procedures contained in this chapter may apply, including, but not limited to those contained in Section 3-5, "Licensing Procedure", and subsection 3-6(c), "Adjacent Business", of this chapter.
 - (4) The annual fee for a Class K license shall be One Thousand One Hundred Dollars (\$1,100.00).
- (m) *Class L: Class L, City Owned Facilities"* license shall permit the retail sale of beer, wine and distilled spirits at City owned facilities and also permits the sale of beer and wine at identified facilities operated or maintained by the Park and Recreation Board.
- (1) May include the use of 50 milliliter (50 mil) bottles (typically referred to as airline bottles) to pour and serve mixed drinks at City owned golf courses.

- (2) This license shall not allow the retail sale of beer, wine or distilled spirits for consumption off the licensed premises of city owned property, to include golf courses and any other designated park facilities.
- (3) This license shall only be in effect during regular business hours or during authorized events.
- (4) Minors may be allowed on premises licensed as a Class L license pursuant to this for the purposes other than the purchase or consumption of alcoholic liquors; however, no minor may be allowed to sit at a bar.
- (5) If any premises, which initially applies for and is licensed as a Class L license, later wishes to reclassify the license to another class of license, it shall be considered by the local liquor commissioner and may be treated as a new license application and all application procedures contained in this chapter may apply, including, but not limited to those contained in Section 3-5, "Licensing Procedure", and subsection 3-6(c), "Adjacent Business", of this chapter.
- (6) The annual fee for a Class L license shall be Two Hundred Seventy-Five Dollars (\$275.00).

(n) *Temporary License:* Upon approval by the local liquor commissioner, and in the case of a Park and Recreation operated facility or property, the prior approval of the Park and Recreation Board must also be obtained. A class T or temporary license to sell alcoholic liquor at retail may be granted to organized clubs, societies, associations, fraternal organizations, duly constituted churches or other not for profit organizations. A temporary license may be issued pursuant to this subsection for one day, two (2) consecutive days, or three (3) consecutive days. The license shall specify on its face the duration.

- (1) No organization shall be issued more than one temporary license during any thirty (30) days period. This restriction may be waived by the local liquor commissioner upon application by any not for profit business association representing the Rock Island Arts and Entertainment District as part of public events that are within a scheduled program of events which schedule has been approved by the City Council and, if so waived, the fee for such additional temporary license shall be One Hundred Dollars (\$100.00) per day.
- (2) All applications for temporary licenses must be received by the Local Liquor Commissioner at least thirty (30) days prior to the dates being requested.
- (3) All applicants for temporary licenses shall show evidence of dram shop liability insurance or other proof of financial responsibility prior to issuance of such license.
- (5) The fee for a class T license shall be Twenty Five Dollars (\$25.00) per day.

(o) *Special Use Permit Liquor License:* A special use permit liquor license allowing the sale of alcohol at an approved designated site for special events shall be available for qualified applicants. The following special use permit liquor licenses are available for the purpose of special events on city owned properties.

- (1) *Parks and Recreation Department Operated Property or Facility:* Upon the approval, first by the Park and Recreation Board and then by the Local Liquor Commissioner, a "Special Use Permit

Liquor License” may be granted to an approved Rock Island license holder to sell alcohol for special events at any property or facility operated by the Parks and Recreation Department.

- (2) *City Properties not under the Jurisdiction of the Park and Recreation Board:* Upon the approval, first by the City Council and then the Local Liquor Commissioner, a “Special Use Permit Liquor License” may be granted to an approved Rock Island license holder to sell alcoholic liquor at any designated city owned location.
- (3) *Rock Island Liquor License Holders with a Class D, E, F, G, H, J, K or L License:* Upon the approval first by the appropriate policy making board and then the Local Liquor Commissioner, a Rock Island license holder with a Class, D, E, F, G,H, J, K or L liquor license may be granted a “Special Use Permit Liquor License” to transfer a portion of its alcoholic inventory from its licensed premises to a designated site within the city for a special event. As of April 30, 2013, the license holders in classifications who currently have these options available will still be able to have them, even though their classification may have changed.

The following rules apply for “Special Use Permit Liquor Licenses”:

- a. A Special Use Permit Liquor License cannot exceed three (3) days in duration and days must be consecutive.
- b. The area designated where the alcohol sales are to take place must be located within a demarcated area, with all appropriate safeguards to control the sales, age requirements, and safety indicated.
- c. For events that are to be for one day or less in duration, the fee shall be Fifty Dollars (\$50.00) per event/location.
- d. For events that are to be for two (2) or three (3) consecutive days, the fee shall be One Hundred Dollars (\$100.00) per event/location.
- e. A Class L license holder may apply for a special use permit for a single themed event, which would be characterized by an event with the same theme and at the same location, but may run nonconsecutive days for up to fifteen (15) days in duration. The fee for a single themed event special use permit shall be One Hundred Dollars (\$100.00) per theme / event location. As of April 30, 2013, the license holders in classifications who currently have this option available will still be able to retain it, even though their classification may have changed.
- f. After receiving prior approval by the appropriate policy making board, all special use permit liquor license applications must be received by the Liquor Commissioner’s office no later than twenty-one (21) days in advance of the first day of the scheduled event.
- g. Said applications shall include, but are not limited to, the following information:
 1. Name and contact information of applicant/liquor license holder for the event;
 2. The date(s) and time(s) that the event will be held;
 3. The address and location of the event;

4. The proposed area(s) inside of the designated location where the alcohol sales are to occur;
5. The name/type of event being proposed;
6. Submission of proof of dram shop insurance to the maximum limit that has been secured for this event, naming, where applicable, The City of Rock Island, Illinois, as an additional insured;
7. Proof of approval by the policy board that operates the property or facility.

Section Three. Section 3-9(a)(1)a. of The Code of Ordinances of The City of Rock Island, Illinois, is hereby amended by deleting the first sentence of the paragraph and by inserting in lieu thereof the following:

- a. Extended Hours Two O' Clock Option: All class D, E, F, G, and K liquor license holders who are eligible for a supplemental extended option license under this section and not located in the "Downtown Security Area" may apply for an "Extended Hour Two O'clock (2:00) a.m. License Option". As of April 30, 2013, the license holders in classifications who currently have this option available will still be able to retain it, even though their classification may have changed.

Section Four. Section 3-9(a)(1)b. of the Code of Ordinances of The City of Rock Island, Illinois, is hereby amended by deleting the first sentence of the paragraph and by inserting in lieu thereof the following:

- b. Extended Hours Two O' Clock Option – Downtown Security Area: the option in this subsection (a)(1)b shall permit all holders of class D, E, F, G, and K liquor licenses whose licensed premises are located in the area of the city designated as the "Downtown Security Area", which area is bounded from the north side of 1st Avenue to the south side of 5th Avenue and from the west side of 17th Street to the east side of 19th Street to be open all days, except Sundays, from five o'clock (5:00) a.m. to two o'clock (2:00) a.m. on the following day and on Sundays from ten o'clock (10:00) a.m. to two o'clock (2:00) a.m. on the following Monday.

Section Five. Section 3-9(a)(1)c. of the Code of Ordinances of The City of Rock Island, Illinois, is hereby amended by deleting the paragraph in its entirety and by inserting in lieu thereof the following:

- c. Extended Hours Three O' Clock Option: All class D, E, F, G, and K liquor license holders who are eligible for a supplemental extended option license under this section and not located in the "Downtown Security Area" may apply for an "Extended Hour Three O'clock (3:00) a.m. License Option". The annual fee for the Extended Hour Three O'clock (3:00) a.m. Option shall be One Thousand Two Hundred Dollars (\$1,200.00) for the license year.

Section Six. Section 3-9(a)(1)d. of the Code of Ordinances of The City of Rock Island, Illinois, is hereby amended by deleting the first paragraph in its entirety and by inserting in lieu thereof the following:

- d. Extended Hours Three O' Clock Option – Downtown Security Area: the option in this subsection (a)(1)d shall permit all holders of class D, E, F, G, and K liquor licenses whose licensed premises are located in the area of the city designated as the "Downtown Security Area" which area is bounded from the north side of 1st Avenue to the south side of 5th Avenue and from the west side of 17th Street to the east side of 19th Street to be open all days, except Sundays , from five o'clock (5:00) a.m. to three o'clock (3:00) a.m. on the following day and on Sundays from ten o'clock (10:00) a.m. to three o'clock (3:00) a.m. on the following Monday. The annual fee for the Extended Hours Three O'clock (3:00) a.m. – Downtown Security Area Option shall be One Thousand Two Hundred Dollars (\$1,200.00) for the license year. The payment of the security surcharge shall be a condition of receiving and maintaining an Extended Hours Three O'clock (3:00) a.m. Downtown Security Area Liquor License. The annual surcharge for licensees shall be assessed as follows:

Section Seven. Section 3-9(b) of the Code of Ordinances of The City of Rock Island, Illinois, is hereby amended by deleting the first paragraph in its entirety and by inserting in lieu thereof the following:

- b. License Options; Outdoor Events: Upon approval of the Local Liquor Commissioner and the City Council, holders of class D, E, F, G, H, I, J, K and L only shall be allowed to conduct outdoor events provided that the following conditions are met:

Section Eight. All ordinances and parts of ordinances in conflict herewith are hereby repealed insofar as they do so conflict.

Section Nine. This ordinance shall be in full force and effect from and after its passage and approval, as required by law.

MAYOR OF THE CITY OF ROCK ISLAND

PASSED: _____

APPROVED: _____

ATTEST: _____

CITY CLERK

