

**AMENDING CHAPTER 38 "INTOXICATING LIQUORS", SECTION 38.07 "CLASSIFICATIONS OF LIQUOR LICENSES", OF THE MUNICIPAL CODE OF THE CITY OF DEKALB, ILLINOIS BY ADDING NEW CLASSIFICATION "LAUNDROMATS".**

**WHEREAS**, the City of DeKalb (the "City") is a home rule unit of local government which may exercise any power and perform any function pertaining to its government and affairs including, but not limited to, the power to regulate for the protection of the public health, safety, morals and welfare, pursuant to Article VII, Section 6, of the Illinois Constitution of 1970; and

**WHEREAS**, the City regulates alcoholic liquors as provided by Chapter 38 "Intoxicating Liquors" of the City's Municipal Code (the "Code"); and

**WHEREAS**, the City's Corporate Authorities find that laundromats present unique regulatory issues pertaining to liquor control requiring a novel kind and classification of liquor license under the Code; and

**WHEREAS**, the City's Corporate Authorities find that it is in the best interests of the City's welfare, public health, and safety to amend the Code to allow liquor licenses for laundromats pursuant to this Ordinance; and

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF DEKALB, ILLINOIS:**

**SECTION 1:** Chapter 38 "Intoxicating Liquors", Section 7 "Classifications of Liquor Licenses", of the Code shall be amended to state in its entirety as follows:

**38.07 CLASSIFICATION OF LIQUOR LICENSES**

\* \* \*

- k. Laundromat Liquor License shall authorize the Retail Sale of Alcoholic Liquors for consumption on the premises only in a Building that is lawfully used as a laundromat and on Premises that are licensed for a City of DeKalb Video Gaming License. The issuance of a Laundromat Liquor License shall be subject to the following specific limitations:
  - 1. A Laundromat Liquor Licensee may engage in Bar Sales subject to the same license requirements, restrictions, and hours for sale provided for a Bar License and Bar Sales, except as may otherwise be provided herein.
  - 2. A Laundromat Liquor Licensee shall not be allowed to engage in Package Sales for consumption off premises, Restaurant Sales, Banquet Sales, or Liquor Production.
  - 3. A Laundromat Liquor Licensee shall not be allowed to engage in or allow the Sale or Consumption of Alcoholic Liquors in any outdoor seating area on the Premises.

4. A Laundromat Liquor Licensee shall not be eligible for a Live Entertainment Permit, an Outdoor Special Event Permit, a Caterer Events Permit, or a Tasting Permit.
5. A Laundromat Liquor License applicant shall submit a building floor clearly delineating the Permitted Area for the retail sale and consumption of liquor, which shall be maintained with signage and physically separated in part or in whole from the rest of the Premises as may be approved by the Liquor Commissioner.
6. There shall be no more than three (3) Laundromat Liquor Licenses in the City of DeKalb.

**SECTION 2:** Chapter 38 "Intoxicating Liquors", Section 8 "Term of Licenses and License Fees", of the Code shall be amended to state in its entirety as follows:

**38.08 TERM OF LICENSES AND LICENSE FEES**

- \* \* \*
- (b) Term of Licenses
- \* \* \*
- (3) Auditorium and Laundromat Liquor Licenses shall have a term from January 1 of a year to the last day of December in that year. Applications for renewal shall be due no later than December 1 of the license year. All initial issuance and renewal fees for an Auditorium Liquor License shall be the same as that provided for Hospitality licenses unless waived by the Liquor Commissioner. All initial issuance and renewal fees for a Laundromat Liquor License shall be the same as that provided for a Bar License.

**SECTION 3:** This ordinance and each of its terms shall be the effective legislative act of a home rule municipality without regard to whether such ordinance should (a) contain terms contrary to the provisions of current or subsequent non-preemptive state law, or (b) legislate in a manner or regarding a matter not delegated to municipalities by state law. It is the intent of the Corporate Authorities of the City of DeKalb that to the extent that the terms of this ordinance should be inconsistent with any non-preemptive state law, that this resolution shall supersede state law in that regard within its jurisdiction.

**SECTION 4:** That City Clerk and/or the Executive Assistant be authorized to attest the Mayor's signature and that this ordinance shall be in full force and effect from and after its passage and approval as provided by law.

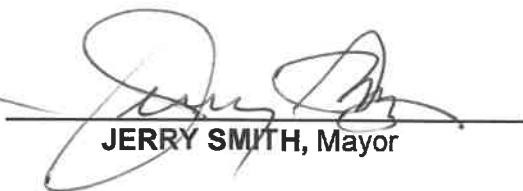
**ADOPTED BY THE CITY COUNCIL** of the City of DeKalb, Illinois, at a Regular meeting thereof held on the 28<sup>th</sup> day of September 2020 and approved by me as Mayor on the same day. First Reading passed on August 24, 2020 by a 7-1 roll call vote. Aye: Morris, Finucane, Smith, Perkins, Verbic, Faivre, Mayor Smith. Nay: McAdams. Waiver of Second Reading failed on August 24, 2020 by a 3-4 roll call vote. Aye: Smith, Verbic, Faivre. Nay: Morris, Finucane, Perkins, McAdams. Second Reading passed on September 28, 2020 by a 7-1 roll call vote. Aye: Morris,

Finucane, Smith, Perkins, Verbic, Faivre, Mayor Smith. Nay: McAdams.

**ATTEST:**



**RUTH A. SCOTT, Executive Assistant**



**JERRY SMITH, Mayor**

