

**AMENDING CHAPTER 38 “INTOXICATING LIQUORS”,
SECTION 38.12 “RESTRICTIONS APPLICABLE TO
RESTAURANT SALES” OF THE MUNICIPAL CODE OF
THE CITY OF DEKALB, ILLINOIS AS IT PERTAINS TO
THE SERVICE OF REAL FOOD REQUIREMENT FOR
LOW ABV RESTAURANTS.**

WHEREAS, the City of DeKalb, DeKalb County, Illinois is a home rule community with those powers granted under the provisions of the Illinois Constitution and the Illinois Municipal Code, 65 ILCS 5/1-1-1, et seq.; and,

WHEREAS, the City of DeKalb currently maintains Section 38.12 of the City Code, which relates to liquor sales by licensed restaurants within the City; and,

WHEREAS, the City Council has determined that it is necessary and advantageous to adopt certain updates to this section, to protect the public health, safety and welfare and to provide for the orderly review of proposed development within the City;

THEREFORE BE IT ORDAINED by the Mayor and City Council of the City of DeKalb, DeKalb County, Illinois, as follows:

Section 1. Ordinances Amended.

Section 38.12 of the City Code shall be amended as follows:

38.12 RESTRICTIONS APPLICABLE TO RESTAURANT SALES.

a) Restaurant Sales shall consist of the retail sale of Alcoholic Liquors, for consumption on premises, only when accompanied by the contemporaneous (same meal) sale and consumption of Real Food. Unless otherwise permitted, sale in the original package for consumption off-premises is prohibited.

1) Restaurants that engage in the sale of Alcoholic Liquors under a Restaurant Low-ABV license shall be permitted to engage in the sale of Alcoholic Liquors without a corresponding purchase of Real Food, at times when Real Food is available for purchase from the establishment.

b) Restaurants shall have prominently displayed signage, in a format acceptable to the Liquor Commissioner, indicating age restrictions applicable to service and consumption of Alcoholic Liquors.

Section 2. All ordinances or portions thereof in conflict with this ordinance, including the prior versions of the ordinances included above, are hereby repealed.

Section 3. Should any provision of this Ordinance be declared invalid by a court of competent jurisdiction, the remaining provisions will remain in full force and affect the same as if the invalid provision had not been a part of this Ordinance.

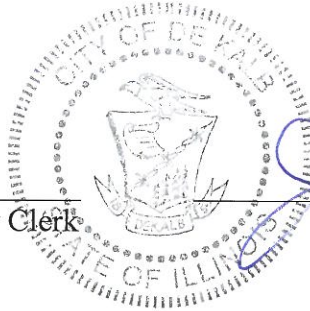
Section 4. This Ordinance shall be in full force and effect after passage and publication pursuant to law. Publication date: April 26, 2016. Effective date: May 5, 2016.

PASSED BY THE CITY COUNCIL of the City of DeKalb, Illinois at a regular meeting thereof held on the 25th day of April, 2016 and approved by me as Mayor on the same day. First Reading April 11, 2016. Passed on a 6-2 roll call vote. Aye: Jacobson, Finucane, Noreiko, Baker, Faivre, Rey. Nay: Marquardt, Snow.

ATTEST:



JENNIFER JEEP JOHNSON, City Clerk





JOHN A. REY, Mayor