



**AGENDA ITEM EXECUTIVE SUMMARY**

Agenda Item number: **4d**

Title:

Overview and Discussion Related to City Code Class C Licenses

Presenter:

Chief Keegan, Police Department

Meeting: Government Operations Committee

Date: September 19, 2016

Proposed Cost: \$

Budgeted Amount: \$

Not Budgeted:

**Executive Summary** (if not budgeted please explain):

This item is to discuss the criteria of the Class C liquor license code as is written in the City’s codebook and how action is carried out on application requests in accordance to the City code. Following are excerpts from the code that is related Class C liquor licenses.

**CLASS C LICENSE CITY CODE LANGUAGE**

The following businesses are currently holding Class C licenses in the City of St. Charles:

- A’Salute Lounge & Grill
- St. Charles Bowl
- Second Street Bar & Grill
- Pub 222
- The House Pub

Proposed Class C applications submitted that have not yet opened:

- Prohibition
- Dawn’s VooDoo Room
- Global Craft Tap House

**5.08.010 – Definitions**

**“Restaurant and Tavern”** means any public place kept, used, maintained, advertised and held out to the public as a place where meals are served, and where meals actually are served and regularly served, without sleeping accommodations, such space being provided with adequate and sanitary kitchen and dining room equipment and capacity and having employed therein a sufficient number and kind of employees to prepare, cook and serve suitable food for its guests. The intent of this definition is that the primary business conducted on premises to be licensed as a restaurant and tavern shall be the service of meals. Provided, all tables at which food is served shall only be served alcoholic liquor by waitpersons from a service bar. Alcoholic liquor may be served from a holding bar, provided, a full menu, including entrees and appropriate side dishes, shall be available at all times liquor sales are being conducted until eleven o’clock (11) p.m. Sunday through Thursday, and eleven o’clock (11) p.m. Friday and Saturday. After such times, in the event a full menu is not provided, a reduced menu, which includes only appetizers, sandwiches, snacks, hors d’oeuvres or other similar foods, shall be available, however provided in no event shall the kitchen cease operating sooner than one hour before closing.

**“Tavern,” “Bar” or “Saloon”** means any place that engages in the retail sale of alcoholic liquor for consumption on the premises. No tavern, bar or saloon shall sell alcoholic liquor unless food/menu items are offered to its guests. In the event a full menu is not provided a reduced menu, which includes appetizers, sandwiches, snacks, hors d’oeuvres or other similar foods, shall be available. (Ord. 2015-M-14 § 1; Ord. 2012-M-30 § 2.)

#### 5.08.090 – License - Classifications

**3. Class C – Tavern; Bar; Saloon Licenses** - Live entertainment may be permitted as otherwise provided in this chapter for Class C licenses. A tavern, bar, or saloon licensed to sell wine under this Code may permit a patron to remove one, unsealed and partially consumed bottle of wine for off-premise consumption, provided that the patron has purchased a meal and consumed a portion of the bottle of wine with the meal on the restaurant premises. A partially consumed bottle of wine that is to be removed from the premises shall be securely sealed by the licensee or an agent of the licensee prior to removal from the premises and placed in a transparent, one-time use, tamperproof bag. The licensee or agent of the licensee shall provide a dated receipt for the bottle of wine to the patron. Wine that is resealed in accordance with the provisions of this section and not tampered with shall be in violation of section 5.08.290 while being transported in a motor vehicle. Class C licenses are divided into the following sub-classes:

- **C-1. Class C-1** licenses shall authorize the retail sale of alcoholic liquors for consumption on the premises of a tavern, bar, or saloon. Class C-1 licenses may authorize the sale of alcoholic liquor in outdoor sales areas provided such sales are in conjunction with food service, if approved by the Local Liquor Control Commissioner.
- **C-2. Class C-2** licenses shall authorize the retail sale of beer and wine only for consumption on the premises of a tavern, bar, or saloon.
- **C-3. Class C-3** licenses shall authorize the retail sale of alcoholic liquors for consumption on the premises of a tavern, bar, or saloon. Class C-3 licenses may authorize the sale of alcoholic liquor in outdoor sales areas provided such sales are in conjunction with food service, if approved by the Local Liquor Control Commissioner. Class C-3 licenses shall also authorize the retail sale of wine in original packages only and not for consumption on the premises. The following additional application requirements apply to all Class C licenses:

1. Every application for a Class C license, whether an initial application or a renewal application, shall have attached thereto a site drawing of the proposed licensed premises, drawn to scale, showing the following:
  1. the location of all rooms, segregated areas, including outdoor seating areas and the square footage thereof,
  2. the designated use of each room or segregated area (e.g. dining room, holding bar, service bar, kitchen, restrooms, outdoor seating areas, all rooms and segregated areas, including outdoor areas, where alcoholic liquor may be served or consumed and all locations where live entertainment may be provided (Class C-2 only with Local Liquor Control Commissioner approval), etc.).
  3. the seating capacity of rooms or segregated areas where the public is permitted to consume food and/or alcoholic beverages and/or live entertainment may be provided.
2. The site drawing is subject to the approval of the Local Liquor Control Commissioner. The Local Liquor Control Commissioner may impose such restrictions as he deems appropriate on any licensee by noting same on the approved site drawing or as provided on the face of the license.
3. A copy of the approved site drawing shall be attached to the approved license and is made a part of said license.
4. It shall be unlawful for any Class C licensee to operate and/or maintain the licensed premises in any manner inconsistent with the approved site drawing.

5.08.130 – License - Hours of Sale

- 3 It shall be unlawful for any person holding a Class B- 1, B- 2, B- 3, C- 1, C- 2, C- 3, or D8 license issued pursuant to this chapter to sell, offer for sale or to give away, in or upon any ALCOHOLIC BEVERAGES 5.08-21 licensed premises, any alcoholic liquor between the hours of 12: 00 midnight and 7: 00 a. m. on Monday, Tuesday, Wednesday, Thursday, Friday and Saturday; and between the hours of 12: 00 midnight and 10: 00 a.m. on Sunday except where New Year' s Day, Easter, Mother' s Day, Father' s Day, Christmas Eve, Christmas and New Year' s Eve occurs on a Sunday, then alcoholic liquor sales shall be unlawful prior to the hour of 7: 00 a.m. and after the hour of 12: 00 midnight.
4. It shall be lawful for any person holding a B- 1, B-2, B- 3, C- 1, C-2 or C- 3 license issued pursuant to this chapter to sell, offer for sale, in or upon any licensed premises, any alcoholic liquor until 2: 00 a.m. on January 1 without being issued a Late Night Permit.

**Attachments** *(please list):*

None

**Recommendation/Suggested Action** *(briefly explain):*

Overview and discussion related to City Code Class C licenses.