



AGENDA ITEM EXECUTIVE SUMMARY

Agenda Item Number: IC

Title:

Ordinance allowing Temporary Municipal Code Modification to Title 5 Chapter 8, Section 100, Liquor License and Late-Night Permit Fees for Fiscal Year 2021-2022 (COVID-19 Executive Order No. 2021-1)

Presenter:

Mark Koenen

Meeting: City Council

Date: April 5, 2021

Proposed Cost: \$ N/a

Budgeted Amount: \$ N/a

Not Budgeted:

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

After the creation and administration of a COVID-19 vaccine, the public has seen a noticeable decrease of case positivity and death associated with the Novel Coronavirus. In anticipation of the Council removing the Declaration of a Local State of Emergency or the State of Illinois declaring their Declaration is no longer in effect (ending automatically the local declaration); , the city wants to codify temporary liquor license and permit fees, for Fiscal Year 2021-2022.

Key Provisions of the Ordinance:

- The ordinance allows establishes a temporary change to the late-night permit license fee, for Fiscal Year 2021-22.
- If any provision of the Ordinance or its application to any circumstance is held invalid by any court of competent jurisdiction, this does not affect any other provision or applications.

The ordinance will be in effect April 6, 2021immediately and cease by its own terms (April 30, 2022).

Attachments *(please list):*

Ordinance

Recommendation/Suggested Action *(briefly explain):*

Staff recommends approval.

City of St. Charles, Illinois
Ordinance No. _____

**ORDINANCE ALLOWING TEMPORARY MUNICIPAL CODE
MODIFICATION TO TITLE 5 CHAPTER 8, SECTION 100, LIQUOR
LICENSE AND LATE-NIGHT PERMIT FEES FOR FISCAL YEAR
2021-2022 (COVID-19 EXECUTIVE ORDER NO. 2021-1)**

WHEREAS, in March of 2020 COVID-19 (a/k/a Novel Coronavirus) was designated as a severe respiratory illness caused by the SARS-CoV-2 virus, a new strain of coronavirus that is spread from person to person, that posed a threat to the health and safety of the residents of the City of St. Charles; and

WHEREAS, on March 9, 2020, Illinois Governor J.B. Pritzker issued a Gubernatorial Disaster Proclamation declaring that all counties in the State of Illinois, including Kane and DuPage Counties, are disaster areas due to the Novel Coronavirus; and

WHEREAS, on March 18, 2020, Raymond P. Rogina, as Mayor of the City of St. Charles (“City”) issued a Declaration of a Local State of Emergency for the City to address the impact of COVID-19 on the City and its residents and businesses and property owners (“Emergency Declaration”); and

WHEREAS, the Illinois Governor has established a five-phase plan, “Restore Illinois, dated May 5, 2020, for the reopening of the State; and

WHEREAS, after the creation and administration of a vaccine over the past year, which began during December of 2020, the severity of the COVID-19 virus has decreased considerably, and

WHEREAS, the noticeable decrease of COVID-19 case positivity will lead to the eventual removal of the Local State of Emergency Declaration from the City of St. Charles, and

WHEREAS, the Mayor of St. Charles signed an executive order on January 29, 2021, and ratified by the City council on February 1, 2021 to provide temporary late-night permit fees for Fiscal Year 2021-2022; and

WHEREAS, though the threat from COVID-19 to the public health, safety and welfare continues, the Restore Illinois Plan acknowledges the need to allow local and State economies to advance forward toward recover to minimize and reverse the adverse economic, social and psychological effects of prior Phases of the Plan; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ST. CHARLES, KANE AND DUPAGE COUNTIES, ILLINOIS, AS FOLLOWS:

SECTION 1: The recitals set forth above are adopted and incorporated herein as the material and significant findings of City Administration. It is hereby declared that for

Class License	Annual License Fee	FY 2021-2022 Renewal License Fee	Comments
A-1	\$1,600.00	\$1,600.00	Package Liquor Stores Only
A-2	\$1,600.00	\$1,600.00	Grocery Stores
A-2B	\$1,600.00	\$1,600.00	Wine/Beer Sales Only
A-4	\$1,600.00	\$0.00	Brewery, Distillery, and Winery Sales
A-5	\$1,800.00	\$0.00	Wine by Glass & Bottle Sales
A-6	\$1,600.00	\$1,600.00	Gasoline Station with Convenience Store
B-1	\$1,200.00	\$0.00	Basic Restaurant Liquor License
B-2	\$1,800.00	\$0.00	Purchase Wine w/Takeout
B-3	\$1,800.00	\$0.00	On Premise Consumption & Retail Sale of Wine
C-1 & C2	\$1,200.00	\$0.00	Basic Tavern Liquor License
C-2	\$1,200.00	\$0.00	Beer/Wine Only
C-3	\$1,800.00	\$0.00	Sale of Bottled Wine
D-2	\$2,000.00	\$0.00	Hotels
D-3	\$2,000.00	\$0.00	Banquet Halls/Country Clubs
D-4	\$1,000.00	\$0.00	Moose/Clubs
D-5	\$2,000.00	\$0.00	Arcada
D-6	\$2,000.00	\$0.00	Q-Center
D-7	\$500.00	\$0.00	Steele Beam Theatre
D-8	\$1,200.00	\$0.00	Arts & Entertainment License
D-9	\$500.00	\$0.00	Small Event Venues
D-10	\$1,000.00	\$0.00	Entertainment
D-11	\$1,200.00	\$0.00	Movie Theater
D-12	\$500.00	\$0.00	Salon/Spa
E-1	\$50.00 per day	\$50.00 per day	Not for Profit
E-2	\$100.00 per day	\$100.00 per day	Special Events B/C licensees
E-3	\$50.00 per day	\$50.00 per day	Kane County Fair
E-4	\$100.00 per day	\$100.00 per day	City Owned Premises
E-5	\$500.00 annual	\$500.00 annual	Harley Davidson
E-6	\$100.00 per day	\$100.00 per day	Special Late-Night Permit Event
E-7	\$100.00 per day	\$100.00 per day	Special Events A-2/A-2B licensees
E-8	\$500.00 annual	\$0.00 annual	St. Charles History Museum
F-1	\$100.00	\$0.00	BYOB Beer and Wine Only
F-2	\$250.00	\$0.00	BYOB Beer, Wine, and Spirits
G-1	\$1,600.00	\$0.00	Brewery/Restaurant
G-2	\$3000.00	\$0.00	Nano Brewery Market
H-1	\$500.00	\$0.00	Caterer – St Charles Business
H-2	\$750.00	\$0.00	Caterer – Non-St Charles Business

Fiscal Year 2021-2022, beginning May 1, 2021, liquor license fees for the classifications identified in Municipal Code 5.08.100, and late-night permit fees are as follows:

NOTE: Initial license fee is two times the Annual fee if the new license is issued between May 1, 2021 – October 31, 2021 for all first time Class A-1, A-2, A-2B, A-6 licenses. Initial license fee is one times the Annual fee if the new license is issued between November 1, 2021 – April 30, 2022 for all first time Class A-1, A-2, A-2B, A-6 licenses. Initial license fee is one times the Annual fee for all other liquor license types, for the full fiscal year, May 1, 2021 – April 30, 2022.

Late Night Permit	Initial Fee	FY 2021-2022 Renewal Fee
Late Night Permit – 1 (1:00 a.m.)	\$800.00	\$400.00
Late Night Permit – 2 (2:00 a.m.)	\$2,300.00	\$1,150.00

SECTION 2: This ordinance is effective immediately and shall cease by its own terms as provided herein.

SECTION 3: If any provision of the Ordinance or its application to any person or circumstance is held invalid by any court of competent jurisdiction, this invalidity does not affect any other provision or application of this ordinance, which can be given effect without the invalid provision or applications. To achieve this purpose, the provisions of this Ordinance are declared to be severable.

PRESENTED to the City Council of the City of St. Charles, Illinois, this 5th day of April 2021.

PASSED by the City Council of the City of St. Charles, Illinois, this 5th day of April 2021.

APPROVED by the Mayor of the City of St. Charles, Illinois, this 5th day of April 2021.

Raymond P. Rogina, Mayor

ATTEST:

City Clerk

COUNCIL VOTE:

Ayes:

Nays:

Absent:

Abstain: