



ST. CHARLES  
SINCE 1834

## AGENDA ITEM EXECUTIVE SUMMARY

Title: Recommendation to Approve an Ordinance to Allow for the Creation of a Liquor Commission

Presenter: Chief Lamkin

*Please check appropriate box:*

	Government Operations	X	Government Services 06.24.13
	Planning & Development		City Council
	Public Hearing		

Estimated Cost:	\$N/A	Budgeted:	YES		NO	
-----------------	-------	-----------	-----	--	----	--

If NO, please explain how item will be funded:

**Executive Summary:**

At the May Government Service Committee meeting, staff was directed to work with the city attorney on the development of a draft ordinance for the creation of a liquor commission. The key components of the ordinance to be drafted included:

1. Commission would have five members, the Liquor Commissioner (Mayor), two city council members and two residents of the City of St. Charles.
2. The Commission would act in an advisory and hearing capacity.
3. The Commission would meet as called by the Liquor Commissioner.
4. The Commission would review applications and background investigations upon the request of the Liquor Commissioner, and submit findings and recommendations to the Liquor Commissioner.
5. The Commission would conduct disciplinary hearings and submit findings and recommendations to the Liquor Commissioner.

The attached ordinance has been prepared for committee review and input prior to adoption.

In addition, staff has had discussions with representatives from the St. Charles Tavern Association, who have no negative feedback and support the creation of the liquor commission. Other amendments to the code regarding changes to 2:00 a.m. closing for license holders, based on cause, will be considered in the future.

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

Ordinance

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

Recommendation to approve an Ordinance to allow for the creation of a Liquor Commission

<i>For office use only:</i>	<i>Agenda Item Number: 5.a</i>
-----------------------------	--------------------------------

**AMENDMENT TO THE ST. CHARLES MUNICIPAL CODE**  
**(Alcoholic Beverages)**

TITLE 5 –

5.08.030: Local Liquor Control Commission- Purpose and Creation

A Local Liquor Control Commission is hereby created. The Commission shall be composed of five (5) members. The Local Liquor Commissioner shall be a member and shall be the Chairman of the Local Liquor Commission for purposes of presiding over its meetings. The other four (4) members of the Commission shall be appointed by the Local Liquor Commissioner. The creation of the Local Liquor Commission shall not be construed to grant any substantive authority to the Commission, which shall act as an advisory and hearing commission only.

5.08.040: Local Liquor Control Commission - Membership and Term

Two (2) members of the Local Liquor Control Commission shall be members of the St. Charles City Council and two (2) members shall be residents of the City of St. Charles. Appointments shall be made to coincide with the term of the Mayor. Members shall hold office for their designated terms or until their successors have been appointed. No member of the Local Liquor Control Commission shall have any ownership interest in, or be employed by, any licensed establishment. No person shall be appointed to, or remain a member of the Local Liquor Control Commission if a spouse, parent, sibling, or child has, or acquires any ownership interest in, or is employed by, any licensed establishment.

5.08.050: Local Liquor Control Commission – Powers and Duties

The Local Liquor Control Commission shall perform such functions and duties as directed or requested by the Local Liquor Commissioner in relation to the regulation of license activities including but not limited to the following:

- A. Upon the request of the Local Liquor Commissioner, the Local Liquor Control Commission shall review the applications and the investigations of applicants for liquor licenses, and submit its findings and recommendations to the Local Liquor Commissioner.
- B. Conduct disciplinary hearings and submit findings and recommendations to the Local Liquor Commissioner setting forth its conclusions with respect to the existence and nature of any violation of this Chapter and the appropriate disciplinary action to be taken, if any.
- C. Review and recommend changes in this Chapter to the Local Liquor Commissioner.

- D. Keep written records of its meeting and proceedings, which shall be open for public inspection in accordance with the Freedom of Information Act (5 ILCS 140/1 *et seq.*)
- E. Hold meetings at times and on days as designated by the Chairman of the Commission.