

	<b>AGENDA ITEM EXECUTIVE SUMMARY</b>	
	Title:	Motion to Approve an Ordinance Amending Title 5 “Business Licenses and Regulations”, Chapter 5.08 “Alcoholic Beverages,” Section 5.08.250 “Regulations Applicable Generally, Item Q. Licenses – Curb/Drive-Through Service” of the St. Charles Municipal Code
	Presenter:	Mayor Rogina

*Please check appropriate box:*

<input type="checkbox"/>	Government Operations	<input type="checkbox"/>	Government Services
<input type="checkbox"/>	Planning & Development	<input checked="" type="checkbox"/>	City Council (080315)
<input type="checkbox"/>	Public Hearing	<input type="checkbox"/>	

Estimated Cost:		Budgeted:	YES	<input checked="" type="checkbox"/>	NO	
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If NO, please explain how item will be funded:

**Executive Summary:**

This ordinance went before the July 20, 2015 Government Operations Committee where it was thoroughly discussed with some proposed amendments. A statement was made on the choices of the committee to either vote the proposed ordinance down or move it forward with some recommendations to come back at a later date with changes that were commented on that night.

Motion was made by Ald. Gaugel, second by Lemke to recommend approval of the proposed code revision for Title 5 “Business Licenses and Regulations”, Chapter 5.08 “Alcoholic Beverages,” Section 5.08.250 “Alcoholic Beverages/Regulations Applicable Generally” with a roll call vote of Ayes: 6; Nays: 2; Absent: 1. Chrmn. Stellato did not vote as Chairman. Motion carried

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

Ordinance

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

Motion to approve an Ordinance Amending Title 5 “Business Licenses and Regulations”, Chapter 5.08 “Alcoholic Beverages,” Section 5.08.250 “Regulations Applicable Generally, Item Q. Licenses – Curb/Drive-Through Service” of the St. Charles Municipal Code.

*For office use only:*      *Agenda Item Number: IIA4*

**City of St. Charles, Illinois**  
**Ordinance No. 2015-M-\_\_**

**An Ordinance Amending Title 5, “Business Licenses and Regulations”,  
Chapter 5.08 “Alcoholic Beverages”, Section 5.08.250 “Regulations  
Applicable Generally, Item Q. Licenses – Curb/Drive-Through Service”  
of the St. Charles Municipal Code**

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

Section 1. That Title 5, “Business Licenses and Regulations”, Chapter 5.08 “Alcoholic Beverages” of the St. Charles Municipal Code be and is hereby amended to Section 5.08.250 “Regulations Applicable Generally, Item Q. Licenses – Curb/Drive-Through Service” by deleting this section in its entirety and replacing it with the following language:

**5.08.250 Regulations Applicable Generally**  
**Q. Licenses – Curb/Drive-Through Service**

Class A-1 license holders shall be authorized to sell alcoholic beverages through drive-through service, in accordance with all other regulations that are applicable to this license classification. In addition, the drive-through structure and operation shall comply with all other requirements of the City of St. Charles Municipal Code. All other curbside service or methodologies are prohibited. In addition, walk-up service through the drive-through structure is prohibited.

For properties where Title 17 of the Municipal Code (The Zoning Ordinance) requires the granting of a Special Use for a Drive-Through Facility, such Special Use approval must be granted prior to the establishment of any drive-through service. The ordinance approving the establishment of the Special Use must specifically identify that the Drive-Through Facility is to be utilized for the sale of alcoholic beverages. The drive-through service shall only be operated in conformance with the approved site plan and any conditions contained in the ordinance granting the Special Use.”

Section 2. That after the adoption and approval hereof, this Ordinance shall (i) be printed or published in book or pamphlet form, published by the authority of the City Council of the City of St. Charles, or (ii) within thirty (30) days after the adoption and approval hereof, be published in a newspaper published in and with general circulation within the City of St. Charles.

Section 3. That this Ordinance shall be in full force and effect ten (10) days from and after its passage, approval and publication as provided by law.

PRESENTED to the City Council of the City of St. Charles, Illinois this \_\_\_\_\_  
day of \_\_\_\_\_, 2015.

PASSED by the City Council of the City of St. Charles, Illinois the \_\_\_\_\_ day of  
\_\_\_\_\_, 2015.

APPROVED by the Mayor of the City of St. Charles, Illinois this \_\_\_\_\_ day of  
\_\_\_\_\_, 2015.

\_\_\_\_\_  
Mayor Raymond P. Rogina

ATTEST:

\_\_\_\_\_  
City Clerk

COUNCIL VOTE:

Ayes:

Nays:

Abstain:

Absent:

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

DATE: \_\_\_\_\_