



Legislation Details (With Text)

File #: 23-0737 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 6/11/2023 **In control:** City Council

On agenda: 6/20/2023 **Final action:** 6/20/2023

Title: Waive the first reading and pass the ordinance amending Section 3-3-11:1 of the Naperville Municipal Code to decrease the cap on the Class C - Tavern liquor license to four and provide automatic reduction of the number of Class C - Tavern liquor licenses available by one upon revocation, termination, or non-renewal of a license (requires six positive votes)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Class C Ordinance

Date	Ver.	Action By	Action	Result
6/20/2023	1	City Council	passed	Pass

CITY COUNCIL AGENDA ITEM

ACTION REQUESTED:

Waive the first reading and pass the ordinance amending Section 3-3-11:1 of the Naperville Municipal Code to decrease the cap on the Class C - Tavern liquor license to four and provide automatic reduction of the number of Class C - Tavern liquor licenses available by one upon revocation, termination, or non-renewal of a license (requires six positive votes)

DEPARTMENT: Legal Department

SUBMITTED BY: Jennifer Bonner, Senior Assistant City Attorney

BACKGROUND:

The Class - C Tavern license is a combined liquor license, which allows for the on-premises consumption of alcoholic liquor and package sales of alcoholic liquor for off-premises consumption. It does not require the service of food.

Currently, there are four Class C licensees:

1. Judd Kendall VFW Post 3873, located at 908 Jackson Avenue #02;
2. Miss Kitty’s Saloon, located at 634 E. Odgen Avenue;
3. The Lantern, located at 8 W. Chicago Avenue, and
4. White Tavern, located at 423 E. Odgen Avenue.

Due to the non-renewal of a previously issued license, there is one Class C - Tavern license available.

DISCUSSION:

A decrease in the Class C - Tavern cap requires a Municipal Code text amendment. Decreasing the number of available Class C - Tavern licenses by one allows the City Council to maintain strict control over the number of issued licenses to ensure no unused licenses remain available.

Additionally, the proposed text amendment provides that lapsed, terminated or revoked Class C - Tavern licenses are automatically nullified. Automatic reduction in the number of available Class C - Tavern licenses allows for public comment and City Council review of future requests, because a super majority vote of City Council will be needed to increase the cap to allow for issuance of a new Class C - Tavern license.

FISCAL IMPACT:

Corresponding decrease in licensing fees and sales tax.