

CITY OF MONTICELLO  
PIATT COUNTY, ILLINOIS

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ORDINANCE NO. 2019-11

“AN ORDINANCE AMENDING  
TITLE XI, CHAPTER 111 OF THE MONTICELLO CITY CODE  
OF ORDINANCES CONCERNING CLASS A & CLASS D LIQUOR LICENSES”

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ADOPTED BY THE  
CITY COUNCIL  
CITY OF MONTICELLO  
THIS 28<sup>th</sup> DAY OF JANUARY, 2019

**CITY OF MONTICELLO  
PIATT COUNTY, ILLINOIS**

**ORDINANCE NO. 2019-11**

**AN ORDINANCE AMENDING  
TITLE XI, CHAPTER 111 OF THE MONTICELLO CITY CODE  
OF ORDINANCES CONCERNING CLASS A AND CLASS D LIQUOR  
LICENSES**

WHEREAS, the City of Monticello, County of Piatt, State of Illinois has the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs and to protect the public health, safety, and welfare of its citizens; and

WHEREAS, the Illinois Liquor Control Act of 1934 (235 ILCS 5/4-1, *et seq.*) authorizes the City Council to determine the number, kind, and classification of liquor licenses available in the City; and

WHEREAS, the City Code of Ordinances currently provides for up to 4 Class A liquor licenses; and

WHEREAS, all 4 Class A liquor licenses have been issued; and

WHEREAS, the City wishes to increase the number of Class A liquor licenses so an additional license may be issued to Mac's Convenience Stores LLC #1402, 300 W. Center Street, for the purpose of constructing a video gaming room, which would require a 'pour' license; and

WHEREAS, once the gaming room opens, Circle K #1402 will surrender the existing Class D license, to replace with the appropriate Class A license; and

WHEREAS, the City wishes to decrease the number of Class D liquor licenses from 4 to 3, as there will be an open license.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF MONTICELLO, PIATT COUNTY, ILLINOIS, AS FOLLOWS:

SECTION ONE: The facts and statements contained in the preambles to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance.

SECTION TWO: The City Code of Ordinances, Title XI, Chapter 111, *ALCOHOL*; Section 111.031, Paragraph (B) is hereby amended as follows (additions underlined and deletions noted with ~~striketrough~~ text):

**§ 111.031 CLASSES OF LICENSE.**

The Local Liquor Control Commissioner shall issue no class of license or permit other than the following:

[ . . . ]

(A) *Class A License*. A Class A license shall permit the licensee to sell at retail any and all alcoholic liquor by the drink and in package, for consumption on or off the premises where it is sold. Not more than 4 5 licenses may be issued.

(and)

(D) *Class D License*. A Class D license shall permit the licensee to sell at retail any and all alcoholic liquor in the original package and not for consumption on the premises where it is sold. Not more than 4 3 such licenses may be issued, except that 1 additional Class D license may be issued for each additional 2,500 population over 7,500 population by the City of Monticello. The number of Class D licenses that may be issued shall also increase by 1 for each annexation of a business licensed by the Piatt County Liquor Control Commission to engage in

the retail sale of only originally packaged alcoholic liquor, not for consumption on the premises where it is sold, that occurs after August 9, 1999.

SECTION THREE: If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions hereof.

SECTION FOUR: All prior Ordinances and Resolutions in conflict or inconsistent herewith are hereby expressly repealed only to the extent of such conflict or inconsistency.

SECTION FIVE: **Effective Date.** That this Ordinance shall be effective forthwith upon its passage and its approval. The decrease in Class D licenses by 1 shall occur once the petitioner surrenders their existing Class A liquor license. A copy hereof shall be published in pamphlet form by the City Clerk.

Passed by the City Council of the City of Monticello, Piatt County, this 28<sup>th</sup> day of January, 2019, by the following roll-call vote:

AYES:

NAYS:

ABSENT::

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Pamela Harlan, City Clerk  
City of Monticello, Piatt County, Illinois

Approved by the City of Monticello this 28<sup>th</sup> day of January, 2019.

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Larry Stoner, Mayor

ATTEST:

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Pamela Harlan, City Clerk  
City of Monticello, Piatt County, Illinois

CERTIFICATE OF PUBLICATION

I, Pamela Harlan, City Clerk of the City of Monticello, Piatt County, Illinois, do hereby certify that the foregoing and attached AN ORDINANCE CONCERNING LIQUOR LICENSES is a true and correct copy of said Ordinance duly adopted and enacted by the City Council of Monticello, Illinois, at its regular meeting on the 28<sup>th</sup> day of January, 2019, by the following roll-call vote: ayes: ; nays: ; absent: ; and that the same was published by publication in pamphlet form on the 29<sup>th</sup> day of January, 2019.

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Pamela Harlan, City Clerk  
City of Monticello, Piatt County, Illinois