

APR 16 2018

CITY OF COLUMBIA, ILLINOIS
ORDINANCE NO. 3401

Dale Stapp
City Clerk

AN ORDINANCE AMENDING CHAPTER 5.20 OF THE CITY OF COLUMBIA
LIQUOR CODE

WHEREAS, the City Council of the City of Columbia ("City Council") previously adopted Chapter 5.20 of the City of Columbia Municipal Code ("Liquor Code"); and

WHEREAS, the City Council believes it is in the best interest of the City of Columbia ("City") to amend Sections 5.20.030 and 5.20.080 to clarify that limited liability companies are eligible to receive a liquor license.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Columbia, Illinois, as follows:

Section 1. That the preceding recitations in the upper part of this Ordinance are realleged, restated and adopted as paragraph one ("1") of this Ordinance.

Section 2. That Section 5.20.030 of the Liquor Code shall be amended to read as follows:

Section 5.20.030 Application for license.

Applications for a retail liquor license shall be made to the city clerk in writing, in form to be furnished by the city clerk to the applicant. The application may be made by an individual or by a duly authorized agent. If made by a club, limited liability company, or corporation, the application must be verified by oath or affidavit, and shall contain the following information and statements:

A. The name, age and address of the applicant, in the case of an individual, and in the case of a co-partnership, the persons entitled to share in the profits thereof, and in the case of a limited liability company or corporation for profit, or a club, the date of incorporation or organization, the names and addresses of the officers and directors or members, and if a majority in interest of the stock of such corporation or club is owned by one person or his nominee, the name and address of such person;

B. The citizenship of the applicant, his place of birth, and if a naturalized citizen, the time and place of his naturalization;

C. The character of business of the applicant; and in case of a limited liability company or corporation, the objects for which it was formed;

D. The length of time that the applicant has been engaged in the business of that character, or in the case of a corporation or limited liability company, the date on which its charter was issued or company was formed;

E. The location and description of the premises or place of business which is to be operated under such license;

F. Whether applicant has made similar application for a similar other license on premises other than described in the application and the disposition of such application;

G. That applicant has never been convicted of a felony and is not disqualified to receive a license by reason of any matter or thing contained in the aforesaid Act of the general assembly or in this code or resolution, and amendments thereto;

H. Whether a previous license issued to the applicant by any state or subdivision thereof, or by the federal government has been revoked, and the reasons therefor;

I. That he will not violate any of the laws of the state of Illinois or of the United States, or any of the provisions of this code or resolution and amendments thereto, in the conduct of his place of business.

In case of a partnership, corporation, or limited liability company, the information and statements required by this section shall be furnished as to each partner, and as to the president and secretary of the corporation with the location of the principal office of the corporation or members of the limited liability company.

If the application is made in behalf of a partnership, firm, association, club, corporation, or limited liability company, then the same shall be signed and sworn to by at least two members of such partnership, firm, association or club, or by the president and secretary of such corporation or by the managing member of the limited liability company.

One copy of the application shall be retained by the local liquor control commissioner, one copy given to the chief of police; the chief of police shall endorse on the copies his approval or disapproval of the application and may make further comments regarding that application. The copies shall be returned to the local liquor control commissioner and the endorsement and comment of the chief of police shall be considered by him as an aid in deciding whether the license should be issued or refused.

The local liquor control commissioner shall have the right to examine or cause to be examined, under oath, any applicant for a local license or for renewal thereof, or any licensee upon whom notice of revocation or suspension has been served, and to examine or cause to be examined, the books and records of any such applicant or licensee; to hear testimony and take proof for his information in the performance of his duties, and for such purpose, to issue subpoenas which shall be effective in any part of this state. For the purpose of obtaining any of the information desired by the local liquor control commissioner under this section, he may authorize his agent to act on his behalf. (Prior code § 21-2-2)

Section 3. That the first paragraph of Section 5.20.080 of the Liquor Code shall be amended to read as follows:

Section 5.20.080 Classification of licenses—Fees.

Every person, firm, limited liability company, or corporation engaged in the retail sale of alcoholic liquor in the city shall pay an annual license fee. Such licenses shall be divided into the following classes:"

Section 4. That the remaining paragraphs in Section 5.20.080 shall remain the same.

Section 5. This Ordinance shall be in full force and effect immediately upon passage as provided by law.

YEAS: Aldermen Ebersohl, Agne, Niemietz, Roessler, Huch, Reis, Holtkamp, and Martens.

NAYS: None.

ABSTENTIONS: None.

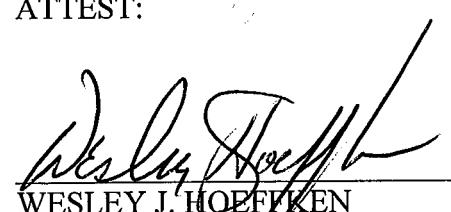
ABSENT: None.

PASSED by the City Council and APPROVED by the Mayor this 16th day of April, 2018.



KEVIN B. HUTCHINSON
Mayor
City of Columbia

ATTEST:



WESLEY J. HOEFKEN
City Clerk
City of Columbia