

ORDINANCE NO. 1756

ORDINANCE AMENDING THE NUMBER OF LICENSES ISSUED UNDER CHAPTER  
111 ENTITLED ALCOHOLIC BEVERAGES

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

**SECTION ONE.** Section 111.07 entitled Classifications, is hereby repealed in its entirety  
and shall hereinafter be amended to state in its entirety, as follows:

**“§111.07 CLASSIFICATIONS**

The number, kind and classification of licenses shall be as follows:

- (A) Class "A" licenses, which shall authorize the retail sale on the premises specified of  
alcoholic liquor for consumption either (a) on premises at a bar or lounge that is  
available for customer use, and (b) off premises in package form. All new Class "A"  
license applicants shall be required to submit a business plan to the Liquor Control  
Commissioner and make a presentation to the City Council pursuant to §111.07(L),  
before the Liquor Control Commissioner may issue a Class "A" license to the applicant.  
The hours during which liquor sales may occur for Class "A" licensees shall be limited  
to the following:

|                   |                                                                                                                                  |
|-------------------|----------------------------------------------------------------------------------------------------------------------------------|
| Off-Premise Sales | Monday through Sunday, 6:00 A.M. to 1:45 A.M. on<br>the following day                                                            |
| On-Premise Sales  | Monday through Saturday, 6:00 A.M. to 1:45 AM on<br>the following day<br><br>Sunday, 9:00 A.M. to 1:45 A.M. on the following day |

The annual fees for such Class "A" licenses shall be as follows.

|                         |                                                     |
|-------------------------|-----------------------------------------------------|
| Initial/New Application | \$3,000 for all new applicants                      |
| Renewal Application     | \$2,000 for all existing licensees to renew license |

- (B) Class "A-1" licenses, which shall authorize the retail sale on the premises specified of  
alcoholic liquor for consumption off the premises. The hours during which liquor sales  
may occur for Class "A-1" licensees shall be limited to the following:

|                       |                                         |
|-----------------------|-----------------------------------------|
| Monday through Sunday | 6:00 A.M. to 10:00 P.M. on the same day |
|-----------------------|-----------------------------------------|

The annual fees for such Class "A-1" licenses shall be as follows:

|                         |                                                     |
|-------------------------|-----------------------------------------------------|
| Initial/New Application | \$3,000 for all new applicants                      |
| Renewal Application     | \$2,000 for all existing licensees to renew license |

- (C) Class “B” licenses, which shall authorize the retail sale of beer and/or wine for consumption off premises. The hours during which liquor sales may occur for Class “B” licensees shall be limited to the following:

|                       |                                              |
|-----------------------|----------------------------------------------|
| Monday through Sunday | 6:00 A.M. to 1:45 A.M. on the following day. |
|-----------------------|----------------------------------------------|

The annual fees for such Class “B” licenses shall be as follows:

|                         |                                                     |
|-------------------------|-----------------------------------------------------|
| Initial/New Application | \$1,500 for all new applicants                      |
| Renewal Application     | \$1,250 for all existing licensees to renew license |

- (D) Class “B-1” licensees, which shall authorize the retail sale of beer and/or wine for consumption on the premises. All new Class “B-1” license applicants shall be required to submit a business plan to the Liquor Control Commissioner and make a presentation to the City Council pursuant to §111.07(L), including architectural plans if available, before the Liquor Control Commissioner may issue a Class “B-1” license to the applicant. The hours during which liquor sales may occur for Class “B-1” licensees shall be limited to the following:

|                         |                                             |
|-------------------------|---------------------------------------------|
| Monday through Saturday | 6:00 A.M. to 1:45 A.M. on the following day |
| Sunday                  | 9:00 A.M. to 1:45 P.M. on the following day |

The annual fees for such Class “B-1” licenses shall be as follows:

|                         |                                                     |
|-------------------------|-----------------------------------------------------|
| Initial/New Application | \$1,500 for all new applicants                      |
| Renewal Application     | \$1,250 for all existing licensees to renew license |

- (E) Class “C” licensees, which shall authorize the retail sale of alcoholic liquors for consumption on the premises, but only be issued to licensees who conduct on the premises a restaurant business as defined under §111.01 of this Code and only when at least sixty percent (60%) of the gross receipts (or anticipated gross receipts) of the licensee are generated by the sale of food or nonalcoholic beverages. The hours during which liquor sales may occur for Class “C” licensees shall be limited to the following:

|                       |                                         |
|-----------------------|-----------------------------------------|
| Monday through Sunday | 9:00 A.M. to 10:00 P.M. on the same day |
|-----------------------|-----------------------------------------|

The annual fees for such Class “C” licenses shall be as follows:

|                         |                                                     |
|-------------------------|-----------------------------------------------------|
| Initial/New Application | \$3,000 for all new applicants                      |
| Renewal Application     | \$2,000 for all existing licensees to renew license |

- (F) Class “D” licenses, which shall authorize the consumption of beer and/or wine, but not the retail sale of alcoholic beverages, brought onto the premises of a business operating as a public accommodation by a patron or patrons for their personal consumption while being served food in the establishment of the Class “D” licensee. The hours of consumption of alcohol for a Class “D” license shall be limited to the following:

|                       |                                         |
|-----------------------|-----------------------------------------|
| Monday through Sunday | 9:00 A.M. to 10:00 P.M. on the same day |
|-----------------------|-----------------------------------------|

The annual fees for such Class “D” licensees shall be as follows:

|                         |                                                   |
|-------------------------|---------------------------------------------------|
| Initial/New Application | \$500 for all new applicants                      |
| Renewal Application     | \$500 for all existing licensees to renew license |

(G) *Temporary license.*

- (1) *Purpose.* A temporary liquor license may be issued for a limited period of time for the purpose of allowing the licensee to raise funds for charitable, educational or civic purposes.
- (2) *Licenses.* A temporary license may be issued to not-for-profit corporations or organizations operating under the laws of the state of Illinois for charitable, educational or civic purposes. No license shall be issued unless the applicant has been incorporated or organized for a period of not less than one year prior to making application for such license. Application shall be made with the Liquor Control Commissioner at least forty-five (45) days prior to the date of intended sale of distribution of alcoholic beverages and shall be made in accordance with the provisions of this subchapter.
- (3) *Term of the license.* A temporary license may be issued for a period not to exceed three consecutive calendar days and shall be subject to the provisions of this subchapter regarding time of sale, unless the Liquor Control Commissioner at least forty-five (45) days prior to the date of intended sale or distribution of alcoholic beverages and shall be made in accordance with the provisions of this subchapter.
- (4) *Application.* In addition to the usual requirements, the applicant shall include the following information:
  - (a) The location for which the license is sought;
  - (b) A copy of the written, signed lease or rental agreement or other written authority for the use of the location if the application is not the owner of said location;

- (c) A statement setting forth the purpose for the issuance of said license;
- (d) A statement setting forth the applicant's arrangements for crowd control;
- (e) Certificate of insurance showing evidence of dram shop and liability insurance coverage;
- (f) A request for specific times and dates for the term of said license.

(5) *Fees.* The fee for a temporary license shall be \$50 for one day, \$75 for two days, \$100 for three days, requests which include Sunday shall pay an additional \$25 and shall be paid in full at the time the license is issued.

(H) *Number of Licenses.* The number of licenses which shall be issued and be in full force and effect at any one time shall be as follows:

|             |                          |
|-------------|--------------------------|
| Class "A"   | Limited to 6 license(s)  |
| Class "A-1" | Limited to 3 license(s)  |
| Class "B"   | Limited to 3 license(s)  |
| Class "B-1" | Limited to 1 license(s)  |
| Class "C"   | Limited to 10 license(s) |
| Class "D"   | Limited to 3 license(s)  |

(I) *Video Gaming License Eligibility.* The following liquor license Classes shall be eligible to make application to the City and to the State of Illinois for a video gaming license:

|                                             |                          |
|---------------------------------------------|--------------------------|
| Classes Eligible for Video Gaming Licensure | Class "A"<br>Class "B-1" |
|---------------------------------------------|--------------------------|

All other liquor license Classes are restricted from obtaining a video gaming license.

(J) *Expiration of Applications.* A liquor license application of class where there is no open license available to issue shall expire (1) calendar year from the date of the original application; in which case, the applicant may make a new application.

(K) *Dormant Status of License.* A Class "A" or "B-1" license which is surrendered or revoked shall not be considered open and may not be issued by the Liquor Control

Commissioner until such time as the City Council shall determine by ordinance whether said license shall be made available.

(L) *City Council Presentation.* All applicants for a Class "A" or Class "B-1" must make a written and in-person presentation to the City Council that includes the following:

- (1) a business plan for the proposed business;
- (2) building/architectural plans for any new construction or remodel of an existing building;
- (3) a timeline for the opening of the business;
- (4) projected gross revenues for the business; and
- (5) projected employment opportunities with the business.

An application for a Class "A" or Class "B-1" shall not be considered complete until the presentation to the City Council required under this section shall be made.

**SECTION TWO.** This Ordinance shall be effective immediately upon its passage by the City Council and its publication as provided by law.

PASSED by the Mayor and City Council of the City of Fulton, Whiteside County, Illinois, on the 14 day of April, 2025, and deposited and filed in the office of the City Clerk on that date, pursuant to roll call vote as follows:

Elected Alderman: 8

AYES: 6

NAYES: 0

ABSENT: 2



Keith King, Mayor Pro Tem

Approved by the Mayor of the City of Fulton, Illinois, this 14<sup>th</sup> day of April, 2025.

ATTEST:



City Clerk

Published in pamphlet form this 14<sup>th</sup> day of April, 2025