

ORDINANCE NO. _____

**AN ORDINANCE EXTENDING THE MORATORIUM
ON THE ISSUANCE OF NEW LIQUOR LICENSES
IN THE CITY OF COLLINSVILLE, ILLINOIS**

WHEREAS, on September 12, 2016, the City Council did pass City Ordinance No. 16-77 entitled “An Ordinance Establishing a Moratorium on the Issuance of New Liquor Licenses in the City of Collinsville, Illinois”, which was set to expire ninety (90) days thereafter;

WHEREAS, the City Council has determined that it needs additional time in which to analyze and update its Liquor Code and as such wishes to extend the Moratorium on the Issuance of New Liquor Licenses until January 31, 2017;

WHEREAS, the City Council finds that the subject matter of this ordinance is urgent, and that this ordinance shall be effective immediately upon its passage pursuant to Section 1-2-4 of the Illinois Municipal Code (65 ILCS 5/1-2-4);

WHEREAS, the City’s existing Municipal Code allows for the issuance of licenses permitting the sale of alcohol within the Collinsville corporate limits;

WHEREAS, the City Council finds that the approval and issuance of new liquor licenses would be detrimental to the public health, safety and welfare of the City and its citizens;

WHEREAS, the City Council finds that it is necessary to protect the public health, safety and welfare of the people of Collinsville, to provide amendments to the existing City Liquor Code so as to provide a more comprehensive treatment for liquor license applications, approval, issuance, and enforcement;

WHEREAS, aforesaid amendments to the City's Liquor Code require in depth analysis, calculation, and subsequent procedures before the City Council;

WHEREAS, the City Council finds that in order to protect the public health, safety and welfare of the City, it is necessary to pass an ordinance extending the prohibition of the approval and issuance of new liquor licenses during the period that amendments to the City's Liquor Code is being evaluated and prepared.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLLINSVILLE, as follows:

Section 1: With the exception as provided for in Section 3 of this Ordinance, no new liquor licenses shall be approved and issued by the Mayor and/or the City until January 31, 2017, earlier if so determined by vote of the City Council;

Section 2: That Section 1 of this Ordinance supersedes any other Ordinances or codes of the City regulating the approval and issuance of liquor licenses for the period that this Ordinance is in effect.

Section 3: That upon application to the City, applications may be accepted, approved, and liquor licenses issued it is determined by the City Council that the license applied for in is an area or of the type in which the City's public health, safety, and welfare are not at risk pending the updating of its liquor code.

Section 4: That this Ordinance shall not be effective against the renewal of existing licenses so long as the license holders are in full compliance with the City's Ordinances and liquor code.

Section 5: That any violation of this Ordinance shall subject the offender to the applicable penalty provisions of the Collinsville Municipal Code, and each day upon which a violation occurs shall be considered a separate and independent violation.

Section 6: If any part of this Ordinance is found to be unconstitutional, invalid or unenforceable by a court of competent jurisdiction, such invalidity shall not affect the validity or effectiveness of the remaining provisions of this Ordinance and said Ordinance shall be read as if said invalid provision was struck therefrom and the context thereof changed accordingly with the remainder of the Ordinance to be and remain in full force and effect.

Section 7: This Ordinance is effective immediately upon its passage and recording in the City Clerk's office pursuant to Section 1-2-4 of the Illinois Municipal Code (65 ILCS 5/1-2-4).

PASSED by two-thirds (2/3) majority vote of the City Council on December 12, 2016.

AYES:

NAYS:

ABSENT:

APPROVED: _____, 2016

MAYOR

ATTEST: _____
CITY CLERK

RECORDED: _____, 2016

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CERTIFICATE OF PUBLICATION

State of Illinois)
) SS
County of Madison)

I, Kim Wasser, certify that I am the duly appointed and acting Municipal Clerk of the City of Collinsville, Illinois.

I further certify that on the 12th day of December, 2016, the Corporate Authorities of the City of Collinsville, Illinois, passed and approved Ordinance No. _____, entitled:

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which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. _____, including the ordinance and a cover sheet thereof, was prepared and a copy of such ordinance will be posted in the Collinsville City Hall, commencing on the 13th day of December, 2016, and continuing for at least ten (10) days thereafter. Copies of such ordinance were also available for public inspection upon request at the office of the City Clerk.

Dated at Collinsville, Illinois, this 13th day of December, 2016.

Kim Wasser, City Clerk

(SEAL)