

~~(35.55) On North Kimball Avenue, from West Grace Street to West Addison Street.~~

(Omitted text is unaffected by this ordinance.)

SECTION 2. This ordinance shall be in force and effect upon passage and publication.

AMENDMENT OF CHAPTER 4-60 OF MUNICIPAL CODE BY MODIFYING SUBSECTIONS 4-60-022(2.200) AND 4-60-023(2.191) TO DISALLOW ISSUANCE OF ADDITIONAL ALCOHOLIC LIQUOR AND PACKAGE GOODS LICENSES ON PORTION OF W. CHICAGO AVE.

[O2017-8596]

The Committee on License and Consumer Protection submitted the following report:

CHICAGO, January 17, 2018.

To the President and Members of the City Council:

Your Committee on License and Consumer Protection, having under consideration an ordinance introduced by Aldermen Hopkins and Moreno (which was referred on December 13, 2017) to amend Sections 4-60-022 and 4-60-023 of the Municipal Code of Chicago to disallow the issuance of additional alcoholic liquor licenses and package goods licenses in portions of the 2nd Ward, begs leave to recommend that Your Honorable Body *Pass* the ordinance which is transmitted herewith.

This recommendation was concurred in by a viva voce vote of the members of the committee on January 10, 2018.

Respectfully submitted,

(Signed) EMMA MITTS,
Chairman.

On motion of Alderman Mitts, the said proposed ordinance transmitted with the foregoing committee report was *Passed* by yeas and nays as follows:

Yeas -- Aldermen Moreno, Hopkins, Dowell, King, Hairston, Sawyer, Mitchell, Harris, Beale, Sadlowski Garza, Thompson, Cárdenas, Quinn, Burke, Lopez, Foulkes, D. Moore, Curtis, O'Shea, Cochran, Brookins, Muñoz, Zalewski, Scott, Solis, Maldonado, Burnett, Ervin, Taliaferro, Reboyras, Santiago, Waguespack, Mell, Austin, Ramirez-Rosa, Villegas, Mitts, Sposato, Laurino, O'Connor, Napolitano, Reilly, Smith, Tunney, Arena, Cappleman, Pawar, Osterman, J. Moore, Silverstein -- 50.

Nays -- None.

Alderman Beale moved to reconsider the foregoing vote. The motion was lost.

The following is said ordinance as passed:

Be It Ordained by the City Council of the City Of Chicago:

WHEREAS, On November 8, 2017, the City Council passed Ordinance O2017-7094 (the "Ordinance"), which amended Sections 4-60-022 and -023 of the Municipal Code ("Code") by creating several liquor moratoria in the Second Ward; and

WHEREAS, Two of the moratoria created by the Ordinance, 4-60-022 (2.200) and 4-60-023 (2.191), cover Chicago Avenue between Leavitt Street and Damen Avenue. The north side of Chicago Avenue is in the Second Ward, while the south side of Chicago Avenue is in the First Ward; and

WHEREAS, Subsection (b)(4)(b) of Section 4-60-021 of the Code provides that "if a street that is a boundary of the [moratorium] area is also a boundary of wards of the city, the middle of that street will be the boundary of the area". Thus, in the present case, even though the Ordinance on its face purports to cover both sides of Chicago Avenue, the moratorium actually covers only the north side of Chicago Avenue; and

WHEREAS, To promote effective regulation and eliminate potential confusion in future application of the Ordinance, it is useful and appropriate to make this Code-mandated limitation explicit in the moratoria created by the Ordinance; now, therefore,

Be It Ordained by the City Council of the City Of Chicago:

SECTION 1. Section 4-60-022 of the Municipal Code of Chicago is hereby amended by inserting the underscored language, as follows:

4-60-022 Restrictions On Additional Licenses.

Subject to the provisions of subsection 4-60-021(c), no additional license shall be issued for the sale of alcoholic liquor, for consumption on the premises within the following areas:

(Omitted text is unaffected by this ordinance.)

(2.200) On the north side only of Chicago Avenue, from Leavitt Street to Damen Avenue.

(Omitted text is unaffected by this ordinance.)

SECTION 2. Section 4-60-023 of the Municipal Code of Chicago is hereby amended inserting the underscored language, as follows:

4-60-023 Restrictions On Additional Licenses.

Subject to the provisions of subsection 4-60-021(c), no additional package goods license shall be issued for any premises located within the following areas:

(Omitted text is unaffected by this ordinance.)

(2.191) On the north side only of Chicago Avenue, from Leavitt Street to Damen Avenue.

(Omitted text is unaffected by this ordinance.)

SECTION 3. This ordinance shall be in full force and effect from and after its passage and publication and shall be deemed to apply retroactively to the effective date of the Ordinance.

AMENDMENT OF CHAPTER 4-60 OF MUNICIPAL CODE BY ADDING NEW SUBSECTIONS 4-60-022 (8.58) AND 4-60-023 (8.61) TO DISALLOW ISSUANCE OF ADDITIONAL ALCOHOLIC LIQUOR AND PACKAGE GOODS LICENSES ON PORTION OF S. WOODLAWN AVE.

[O2017-8591]

The Committee on License and Consumer Protection submitted the following report: