

# CITY OF BATAVIA

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**DATE:** March 11, 2013  
**TO:** Government Services Committee  
**FROM:** Bill McGrath, City Administrator  
**SUBJECT:** Ordinance 13-14, Authorizing Sale and Use of Alcohol on Certain City Property

As part of the liquor Code redraft, it is advisable to document those City properties upon which the City Council can allow the sale and/or consumption of alcohol, all pursuant to the terms of any temporary license issued in relation to the particular event.

Attached is Ordinance 13-14 which sets out a list of City-owned properties which we feel would be appropriate to cover in such an ordinance at this time. It has been reviewed by Attorney Drendel. It can be changed from time to time as the Council deems fit.

Staff recommends Approval of Ordinance 13-14.

This will be on the March 25, 2013 Government Services agenda.

Please call with any questions. Thank you.

Attachments: Ord 13-14

C: City Council  
Department Heads

**CITY OF BATAVIA, ILLINOIS  
ORDINANCE 13-14**

**AUTHORIZING ALCOHOL SALES AND CONSUMPTION ON CERTAIN CITY  
PROPERTY AT CERTAIN TIMES IN CONJUNCTION WITH AUTHORIZED AND  
ISSUED LIQUOR LICENSES PURSUANT TO TITLE 3 CHAPTER 3 OF THE BATAVIA  
MUNICIPAL CODE**

**ADOPTED BY THE  
MAYOR AND CITY COUNCIL  
\_\_\_\_\_ DAY OF \_\_\_\_\_, 2013**

Published in pamphlet form  
by authority of the Mayor  
and City Council of the City of Batavia,  
Kane & DuPage Counties, Illinois,  
This \_\_\_ day of \_\_\_\_\_, 2013

Prepared by:  
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City of Batavia  
100 N. Island Ave.  
Batavia, IL 60510

**CITY OF BATAVIA, ILLINOIS  
ORDINANCE 13-14**

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BATAVIA MUNICIPAL CODE**

**WHEREAS**, the Mayor and the City Council have determined that it is in the best interests of the City to encourage and provide for community events; and,

**WHEREAS**, the City has the authority to authorize the sale and consumption of alcoholic liquor on certain City owned property in keeping with the State Liquor Code and the City Liquor Code for events allowed by the City; and,

**WHEREAS**, the Mayor and the City Council further find that the best interests of the City and the community shall be advanced conditioning and controlling the sale and consumption of alcoholic liquor on City property in order to allow traditional and other community events while also protecting public health, safety and welfare.

**NOW THEREFORE, BE IT HEREBY ORDAINED** by the Mayor and City Council of the City of Batavia, Kane and DuPage Counties, Illinois, as follows:

**SECTION 1.** No alcoholic liquor shall be sold or consumed and no open containers of alcoholic liquor shall be possessed on any property owned by the City except as provided in Title 3 Chapter 3 of the Batavia City Code (Liquor) and in keeping with this Ordinance.

**SECTION 2.** As of the effective date of this Ordinance, the only City owned property on which alcoholic liquor may be sold or consumed and open containers of alcoholic liquor may be possessed are as follows (hereinafter “City Event Properties”):

- A. City-owned portions of what is commonly known as the Batavia Riverwalk property;
- B. City Hall (outside);
- C. Baptist Church property (outside);
- D. River Street (from Wilson Street north to Spring Street);
- E. City parking lots on State Street and River, upper and lower levels; and
- F. Sidewalks on which an approved adjunct outdoor license has been issued

**SECTION 3.** No alcoholic liquor may be sold, consumed or possessed inside any City buildings at any time for any reason.

**SECTION 4.** Alcoholic liquor may be sold and consumed and open containers of alcoholic liquor may be possessed on City Event Properties only as follows:

- A. Pursuant to the terms and conditions of validly issued temporary liquor license(s);

CITY OF BATAVIA, ILLINOIS ORDINANCE 13-\_\_\_\_

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- B. During events that are sponsored or co-sponsored or otherwise authorized by the City to take place on City Event Property;
- C. On the specific City Event Property and in the specifically designated area(s) on the specific City Event Property that is identified in the liquor license(s) issued;
- D. During the hours for which the temporary liquor license(s) is/are issued.

**SECTION 5.** This Ordinance shall be in full force and effect upon its presentation, passage and publication according to law.

**PRESENTED** to and **PASSED** by the City Council of the City of Batavia, Illinois, this \_\_\_\_ day of \_\_\_\_\_, 2013.

**APPROVED** by me as Mayor of said City of Batavia, Illinois, this \_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
Jeffery D. Schielke, Mayor

Ward	Aldermen	Ayes	Nays	Absent	Abstain	Aldermen	Ayes	Nays	Absent	Abstain
1	O'Brien					Sparks				
2	Dietz					Wolff				
3	Jungels					Chanzit				
4	Volk					Stark				
5	Frydendall					Thelin Atac				
6	Liva					Clark				
7	Tenuta					Brown				
Mayor Schielke										
<b>VOTE:</b>		Ayes	Nays	0 Absent	0 Abstentions					
Total holding office: Mayor and 14 aldermen										

ATTEST:

\_\_\_\_\_  
Heidi Wetzell, City Clerk