

STATE OF ILLINOIS)
) SS
COUNTY OF DU PAGE)

I, Lynn Curiale, City Clerk of Wood Dale, Illinois DO HEREBY CERTIFY that as such City Clerk and keeper of the records, that the foregoing is a true and correct copy of Ordinance **#O-20-013 AN ORDINANCE AMENDING CHAPTER 5, SECTION 5.304 A.2 OF THE MUNICIPAL CODE OF THE CITY OF WOOD DALE OF 1993 TO PROVIDE FOR THE CREATION OF A CLASS COVID TEMPORARY LIQUOR LICENSE** Passed by The City Of Wood Dale, Du Page County, Illinois, IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the seal of the City of Wood Dale, this 28TH day of May, 2020



Lynn Curiale, City Clerk



Ordinance #O-20-013

**AN ORDINANCE AMENDING CHAPTER 5, SECTION 5.304 A.2 OF THE
MUNICIPAL CODE OF THE CITY OF WOOD DALE OF 1993 TO PROVIDE FOR
THE CREATION OF A CLASS COVID TEMPORARY LIQUOR LICENSE**

Passed: May 28, 2020
Published in Pamphlet Form: May 29, 2020

I, Lynn Curiale, as the City Clerk for the City of Wood Dale, hereby certify that the attached Ordinance is a true and correct copy of **#O-20-013**

**AN ORDINANCE AMENDING CHAPTER 5, SECTION 5.304 A.2 OF THE
MUNICIPAL CODE OF THE CITY OF WOOD DALE OF 1993 TO PROVIDE FOR
THE CREATION OF A CLASS COVID TEMPORARY LIQUOR LICENSE**

Passed and approved by the City Council of the City of Wood Dale on May 28, 2020 and hereby published in pamphlet on May 29, 2020



Lynn Curiale, City Clerk



ORDINANCE NO. O-20-013

AN ORDINANCE AMENDING CHAPTER 5, SECTION 5.304 A.2 OF
THE MUNICIPAL CODE OF THE CITY OF WOOD DALE OF 1993 TO
PROVIDE FOR THE CREATION OF A CLASS COVID
TEMPORARY LIQUOR LICENSE

WHEREAS, the City of Wood Dale (hereinafter referred to as the “City”) is a body politic and corporate, organized and existing pursuant to the Illinois Municipal Code, 65 ILCS 5/1-1-1 *et seq.*; and

WHEREAS, the City possesses the authority, pursuant to the Illinois Municipal Code, 65 ILCS 5/1-1-1 *et seq.*, to adopt ordinances pertaining to the public health, safety and welfare; and

WHEREAS, the City Council of the City (hereinafter referred to as the “City Council”) is the corporate authority for the City and is authorized by law to exercise all powers and to control the affairs of the City; and

WHEREAS, the City Council possesses full power and authority to approve and pass all necessary ordinances, resolutions, rules and regulations necessary for carrying into effect the objects for which the City was formed, in accordance with the Illinois Municipal Code; and

WHEREAS, due to the unprecedented COVID-19 Pandemic, in accordance with the Center for Disease Control (CDC) and the Illinois Department of Public Health (IDPH), Governor Pritzker entered certain Executive Orders under the Illinois Emergency Management Act, all non-essential businesses were shut down; and

WHEREAS, on March 16, 2020, in accordance with the Emergency Management Agency Act, 20 ILCS 3305/1 *et seq.* (ACT), the Mayor declared a local disaster emergency in the City due to the COVID-19 Pandemic; and

WHEREAS, the City Council, on March 19, 2020, consented to the Mayoral Declaration of a Local Disaster Emergency in the City of Wood Dale, due to the COVID-19 Pandemic, Resolution No. R-20-11; and

WHEREAS, the Governor established, in conjunction with the IDPH and in accordance with CDC Guidelines, a *Restore Illinois Plan*, designed to reopen Illinois, including businesses, in a Phased schedule,

WHEREAS, Bars and Restaurants were closed in accordance with said Executive Order(s); and

WHEREAS, On May 20, 2020, Governor Pritzker announced an update to Phase 3 of the *Restore Illinois Plan*, which allows for Bars and Restaurants to reopen, for outdoor seating only, utilizing social distancing and other restrictions; and

WHEREAS, the City recognizes the financial toll taken on its businesses as a result of the COVID-19 shutdown and determined that it is in the best interest of the City

to foster the reopening of those businesses, in accordance with the Governor's *Restore Illinois Plan*; and

WHEREAS, the current City Codes do not contemplate the unprecedented restrictions imposed as a result of this COVID-19 Pandemic shut-down; and

WHEREAS, the City has determined that amending its Liquor Code to accommodate the restrictions imposed on Bars and Restaurants limiting service to outdoor seating, will allow the Restaurants and Bars in the City limits to reopen and remain in compliance with the current restrictions; and

WHEREAS, the City has determined that it is appropriate to amend Chapter 5, Section 5.304 A.2, of the City Code, as set forth below, to provide for the creation of a Class COVID Temporary liquor license for retail sale of alcoholic beverages for consumption on the premises and the parking lot and adjacent area to the premises where sold.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Wood Dale, DuPage County, Illinois, at a special meeting duly assembled, as follows:

SECTION ONE: The recitals set forth above are incorporated herein and made a part hereof.

SECTION TWO: Chapter 5, Section 5.304.A.2, of the Municipal Code of the City of Wood Dale of 1993, as amended, be and hereby is restated and amended to add a CLASS COVID Temporary license, as follows to the itemization of License Classes:

CLASS COVID TEMPORARY: Authorizing current Liquor License Holders, in good standing, during the COVID Pandemic condition, to sell and offer for retail sale alcoholic beverages, as defined in the Liquor Control Act of 1934, to be sold and consumed on the premises, including the parking lot and area adjacent thereto, where alcoholic beverages are sold. Said License is subject to any and all other restrictions on the property on which the Licensed Premises is located, including those imposed by the property owner, landlord, condominium association or any such other restrictions encumbering the premises. Further, the License Holder must maintain all existing handicapped parking, unless suitable arrangements are made to relocate said handicapped parking to accommodate the outdoor use, said handicapped parking must be in accordance with Americans with Disabilities Guidelines.

It is the responsibility of the Licensee to fully comply with all Center for Disease Control (CDC) Recommendations, all Illinois Department of Public Health (IDPH) Rules and must obtain approval from the DuPage County Health Department.

Further, the License Holder shall segregate, by partition or otherwise, the area utilized for seating and its patrons from any and all vehicular traffic. Any music or other activities on the premises shall be conducted in

accordance with the City's current sound regulations and all music must cease by 9:00 p.m.

Such Temporary License shall be valid for a period of ninety (90) days and will thereafter terminate without further notice. The City reserves the right to expand, restrict or eliminate the conditions set forth herein in accordance with all Federal, State and Local regulations or mandates. The conditions and restrictions provided for in the current Liquor License, to the extent not otherwise modified herein, remain in full force and effect. Upon the expiration of this COVID Temporary License, the License Holder's operation shall resume under the terms and conditions of their existing Liquor License.

The City has determined, in light of the hardship experienced by the business establishments in the City from the COVID-19 Pandemic, to waive the License Fee for the COVID Temporary License. Any current Liquor License Holder, in good standing, is eligible for the COVID Temporary Liquor License, upon submitting an Application to the City.

Nothing herein shall prevent the City from otherwise exercising its general police powers to ensure the health, safety and welfare of the residents and City.

SECTION THREE: All other ordinances and resolutions, or parts thereof, in conflict with the provisions of this Ordinance, are, to the extent of such conflict, expressly repealed.

SECTION FOUR: That the City Clerk of the City of Wood Dale be and is directed hereby to publish this Ordinance in pamphlet form, pursuant to the statutes of the State of Illinois.

SECTION FIVE: That this Ordinance shall be in full force and effect after its passage, approval, and publication in the manner provided by law.

PASSED this 28th day of May 2020.

AYES: Alderman Sorrentino, Catalano, Jakab, Messina, Susmarski, Woods, E. Wesley

NAYS: None

ABSENT: R. Wesley

APPROVED this 28th day of May 2020.

Annunziato Pulice

Annunziato Pulice, Mayor

ATTEST:

Lynn Curiale

Lynn Curiale, City Clerk

Published in pamphlet form May 29, 2020.

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