



CITY OF AURORA, ILLINOIS

ORDINANCE NO. 020-025
DATE OF PASSAGE April 17, 2020

An Ordinance Amending Chapter 6, Section 6 (a)(3) of the City of Aurora Municipal Code.

WHEREAS, the City of Aurora has a population of more than 25,000 persons and is, therefore, a home rule unit under subsection (a) of Section 6 of Article VII of the Illinois Constitution of 1970; and

WHEREAS, subject to said Section, a home rule unit may exercise any power and perform any function pertaining to its government and affairs for the protection of the public health, safety, morals, and welfare; and

WHEREAS, in furtherance of its home rule powers, it is necessary and desirable for the City of Aurora to amend its ordinances regarding Alcoholic Liquor to reflect the State Local Liquor Control Act and allow the Local Liquor Commissioner to make a determination on whether someone has been rehabilitated under Chapter 6, Section 6 (a)(3).

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Aurora, Illinois, as follows:

Section One: That Chapter 6, Section 6(a)(3) of the City of Aurora Code of Ordinances shall be and hereby is amended as set forth in Exhibit A:

Section Two: That this ordinance shall be in full force and effect, and shall be controlling, upon its passage and approval.

Section Three: That all ordinances or parts of ordinances thereof in conflict herewith are hereby repealed to the extent of any such conflict.

Section Four: That any section or provision of this ordinance that is construed to be invalid or void shall not affect the remaining sections or provisions which shall remain in full force and effect thereafter.

Section Five: That the City Clerk shall cause this Ordinance to be published in pamphlet form upon its passage.

Sec. 6-6. - Restrictions on licenses.

- (a) No license required by this chapter shall be issued or renewed to the following:
- (1) A person who is indebted to the city or other governmental entity for payment of any fees, fines, charges, bills, or taxes which he is obligated to pay but have remained unpaid for more than forty-five (45) days.
 - (2) A person who has been convicted of a felony under any federal or state law, irrespective of the nature of the offense, unless the local liquor commissioner determines that such person has been sufficiently rehabilitated to warrant the public trust after considering matters set forth in such person's application and the internal investigation. The burden of proof of sufficient rehabilitation shall be on the applicant.
 - (3) A person who has been convicted of a violation of any federal, state or city law concerning the manufacture, possession, consumption or sale of alcoholic liquor including any misdemeanor and traffic violation relating to the same, or has forfeited his bond to appear in court to answer to any charges for any violation, unless the local liquor commissioner determines that such person has been sufficiently rehabilitated to warrant the public trust after considering matters set forth in such person's application and the internal investigation. The burden of proof of sufficient rehabilitation shall be on the applicant.
 - (4) A person who is not of good character and reputation in the community in which he resides or conducts business. For the purpose of this chapter, any person who within five (5) years of application for any liquor license has been convicted of, plead guilty to, or been placed on supervision for any liquor related offense, including driving under the influence of alcohol, shall be considered not of good character and reputation. There may be additional bases for determining that someone is not of good character or reputation including, without limitation, persons convicted of committing a crime of moral turpitude.
 - (5) A person who has been convicted of keeping a place of prostitution or keeping a place of juvenile prostitution, promoting prostitution that involves keeping a place of prostitution, or promoting juvenile prostitution that involves keeping a place of juvenile prostitution.
 - (6) A corporation, if any officer, manager or director thereof, or any stockholders owning stock of such corporation, would not be eligible to receive a license hereunder for any reason.
 - (7) A corporation or limited liability company, unless it is incorporated or organized in Illinois or unless it is a foreign corporation which is qualified under the Business Corporation Act of 1983 [805 ILCS 5/1.01 et seq.] to transact business in Illinois.
 - (8) A person whose place of business is conducted by a manager or agent unless said manager or agent possesses the same qualifications required of the licensee.
 - (9) A person who does not own the premises for which a license is sought, or does not have a lease thereon for the full period for which the license is issued.
 - (10) A person, firm or corporation not eligible for a state retail liquor dealer's license.
 - (11) Any person who fails to obtain or maintain a state liquor license during the term of the license.
 - (12) Any person who has not posted bond pursuant to the city's food and beverage tax, pursuant to section 44-124 of this Code.
 - (13) Any person who cannot produce proof of dram shop insurance.
 - (14) Any person that has property maintenance, fire, building or other code violations upon the premises for which the establishment is licensed.
 - (15) Any person that has failed to obtain an operational permit to operate a place of assembly above or below grade or with a capacity of six hundred (600) occupants or more, pursuant to chapter 17 of this Code.

- (16) A person whose liquor license has been revoked.
 - (17) A person that knowingly furnishes false or misleading information or withholds any relevant information on any application for any license required by this chapter or knowingly causes or suffers another to furnish or withhold such information on his behalf.
- (b) Any licensee who has been convicted of a felony under any federal or state law, any misdemeanor in which alcoholic liquor was involved or any violation listed in paragraphs (2), (3), (4), and (5) of subsection (a) shall notify the local liquor control commissioner of such conviction. Such notification shall be made within thirty (30) days after the sentencing for the conviction.

(Code 1969, § 6-6; Ord. No. 086-5553, § 2, 9-2-86; Ord. No. 002-158, § 3, 12-10-02; Ord. No. 003-145, § 2, 11-4-03; Ord. No. 008-105, § 1, 11-4-08; Ord. No. 010-030, § 1, 6-8-10; Ord. No. 015-053, 8-25-15; Ord. No. O18-119, § 1(Exh. A), 12-19-18)

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PASSED AND APPROVED ON April 14, 2020

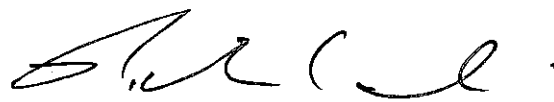
AYES 12 NAYS 0 NOT VOTING 0 ABSENT 0

ALDERMAN	Vote
Alderman Llamas, Ward 1	yes
Alderman Garza, Ward 2	yes
Alderman Mesiacos, Ward 3	yes
Alderman Donnell, Ward 4	yes
Alderman Franco, Ward 5	yes
Alderman Saville, Ward 6	yes
Alderman Hart-Burns, Ward 7	yes
Alderman Smith, Ward 8	yes
Alderman Bugg, Ward 9	yes
Alderman Lofchie, Ward 10	yes
Alderman Jenkins, At Large	yes
Alderman O'Connor, At Large	yes

ATTEST:



City Clerk



Mayor