



CITY OF AURORA, ILLINOIS

ORDINANCE NO. 021-034
DATE OF PASSAGE July 13, 2021

An Ordinance amending the Aurora Liquor Control Ordinance pertaining to E-Commerce Delivery Stores.

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, the City Council finds that it is appropriate and in the best interest of the City to amend Sec. 6-2 and Sec. 6-8 of the Aurora Liquor Control Ordinance to define E-Commerce Delivery Stores and provide an appropriate license classification for these type of stores.

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

Section One: That the Aurora Liquor Control Ordinance shall be and hereby is amended as set forth in said "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Section Three: That all Ordinances or part of Ordinances in conflict herewith are hereby repealed insofar as any conflict exists.

Section Four: That any section, phrase or paragraph of this Ordinance that is construed to be invalid, void or unconstitutional shall not affect the remaining sections, phrases, or paragraphs of this Ordinance which shall remain in full force and effect.

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

ORDINANCE NO. 021-034

PASSED AND APPROVED ON July 13, 2021

AYES 11 NAYS 0 NOT VOTING 0 ABSENT 1

ALDERMAN	Vote
Alderman Llamas, Ward 1	yes
Alderwoman Garza, Ward 2	absent
Alderman Mesiacos, Ward 3	yes
Alderman Donnell, Ward 4	yes
Alderman Franco, Ward 5	yes
Alderman Saville, Ward 6	yes
Alderwoman Hart-Burns, Ward 7	yes
Alderwoman Smith, Ward 8	yes
Alderman Bugg, Ward 9	yes
Alderwoman Baid, Ward 10	yes
Alderman Woerman, At Large	yes
Alderman Jenkins, At Large	yes

ATTEST:


City Clerk


Mayor

21-0436

RECOMMENDATION

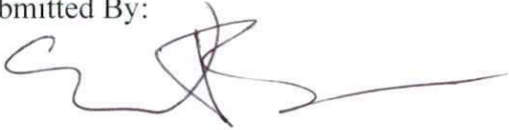
TO: THE COMMITTEE OF THE WHOLE

FROM: THE RULES, ADMINISTRATION AND PROCEDURES COMMITTEE

The Rules, Administration and Procedures Committee at the regular scheduled meeting on Tuesday, June 15, 2021 recommended APPROVAL of an Ordinance amending the Aurora Liquor Control Ordinance pertaining to E-Commerce Delivery Stores.

VOTE: ⁴/₅₋₀

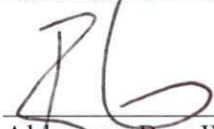
Submitted By:



Alderman Edward Bugg, Chairperson

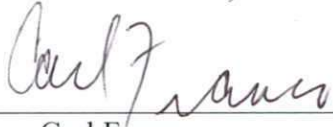


Alderman William Donnell



Alderman Ron Woerman, Vice Chairperson

Alderman Emmanuel Llamas



Alderman Carl Franco

Dated this 15th day of June, 2021

1 **Sec 6-2 Definitions**

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3 **E-Commerce Delivery Store** means a retail store with sales completed via delivery only. No on-site sales
4 shall be conducted. E-Commerce delivery stores may sell beer, wine and other alcoholic liquor. E-
5 Commerce delivery stores must carry a limited selection of basic items, such as packaged foods and
6 drugstore items, and is open long hours for the convenience of shoppers. Requires at least five thousand
7 (5,000) square feet of space for storage of products for retail sale. The space dedicated to storage of
8 products for retail cannot include space used in part or in whole as an office, restroom (either private or
9 public) or utility room/closet. Convenience goods means food, beverages, medications, household
10 products, cosmetic items and reading materials. The establishment must on a regular basis sell at least
11 five (5) of the seven (7) following categories of non-expired convenience goods: dairy, baked goods, frozen
12 goods, groceries, snack foods, prepared foods, health and beauty aids. Dairy includes refrigerated milk,
13 yogurt, ice cream, cheese and butter products. Baked goods includes breads, cakes, pastries, and cookies
14 both pre-packaged and fresh. Frozen goods require storage in freezers. Groceries include fresh, boxed,
15 canned, and bagged foods. Snack foods may include candy, gum, chips, or single size servings of food
16 items. Prepared foods includes foods prepared by the manufacturer or vendor to be served or used with
17 minimal further preparation such as sandwiches, salads, or soup. Health and beauty aids includes items
18 such as medications, bandages, cosmetics, grooming, and skin care products. This definition does not
19 include discount or dollar stores. Video gaming on the premises is not permitted.
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22 **E-Commerce Delivery** allows for the delivery of alcoholic liquor along with other convenience items as
23 required in conjunction with an E-Commerce Delivery Store as defined herein, from a licensed business in
24 original containers to a specific address. Alcoholic liquor delivered to any premises which does not hold a
25 valid liquor license is subject to the following restrictions: Alcoholic liquor must be delivered by an
26 individual of at least twenty-one (21) years of age or older; Deliveries of alcoholic liquor ~~must not be~~ are
27 ~~allowed~~ between the hours of ~~11:00 p.m. and 9:00 a.m. on weekdays~~ 6:00 a.m. to 1:00 a.m. Monday
28 through Thursday, 6:00 a.m. to 2:00 a.m. Friday and Saturday, and 9:00 a.m. to 1:00 a.m. on Sunday;
29 Payments may not be accepted nor orders placed at the delivery location; ~~The E-Commerce Delivery Store~~
30 ~~must obtain and maintain a record of the driver's license/state identification number from each person~~
31 ~~placing an order for alcoholic liquor~~; The express carrier, common carrier or contract carrier or agent of a
32 liquor license holder that carries or transports alcoholic liquor into or within the city shall not deliver or
33 leave such deliveries without requiring signature of ~~the an~~ individual ~~being~~ twenty-one (21) years of age
34 or older ~~who placed the order and submitted payment to the E-Commerce Delivery Store~~; ~~Adequate~~
35 ~~evidence a driver's license/state identification number identifying the person receiving the delivery as the~~
36 ~~person who placed the order, and along with proof of age that the recipient is twenty-one (21) years of~~
37 ~~age or older~~ shall be produced to the delivery agent in all instances of delivery; A record shall be kept by
38 the express company, common carrier or contract carrier or agent of a liquor license holder who delivers
39 alcoholic liquor into or within the city indicating the purchaser's name, address, driver's license/state
40 identification number, time, date and place of delivery, ~~the recipient of the delivery,~~ and the individual's
41 deliverer's identity.
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44 **Sec 6-8 Classification Of Licenses**45 1. *Classification of liquor licenses.* There shall be the following classification of licenses:

46 1. Class A - Packaged Sales.

47 1. Authorizes the licensee to sell to the general public who are twenty-one (21) and
48 above alcohol in its original packages for consumption off the premises where sold.
49 Nothing in this subsection shall be construed as prohibiting the sale of packages
50 containing six (6) single containers of beer, including such packages consisting of
51 various single containers of beer chosen by the customer.52 2. E-Commerce delivery store, ~~C~~onvenience store, farmer's market, florist, gas
53 station, grocery store, hotel, liquor store, package sales beer/wine only, package
54 sales gas station, and specialty basket as herein defined in section 6-2 shall have a
55 Class A - Packaged sales license.56 3. Each licensee shall follow any restrictions set forth in section 6-2 for the type of
57 license they have.

58 4. No establishments which sell gasoline may sell liquor, only beer and wine.

59 5. Available endorsements for some Class A - Package Sales license holders are: gas
60 station, delivery, drive-thru and farmer's market.

61 6. Video gaming on the premises is not permitted.