



CITY OF AURORA, ILLINOIS

ORDINANCE NO. 023-013
DATE OF PASSAGE February 28, 2023

An Ordinance amending Chapter 6 Section 6-2 and Section 6-10 of the Code of Ordinances pertaining to the BYOB Endorsement.

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 to amend the code regarding the licensing of businesses to sell alcohol and video gaming establishments.

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

Section One: That Chapter 6 Sec. 6-2 and Sec. 6-10 shall be and hereby are amended as set forth in Exhibit A.

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

Section Three: That all ordinances or parts of ordinances thereof in conflict herewith are hereby repealed to the extent of any such conflict.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 and Corporation Counsel are hereby authorized to make any non-substantive or clerical changes to Chapter 6, Sec. 6-2 and Sec. 6-10 as necessary for purposes of updating the online municipal code.

ORDINANCE NO. 023-013

LEGISTAR NO. 23-0016

PASSED AND APPROVED ON February 28, 2023

AYES 12 NAYS 0 NOT VOTING 0 ABSENT 0

ALDERMAN	Vote
Alderman Llamas, Ward 1	yes
Alderwoman Garza, Ward 2	yes
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

1 **Sec 6-2 Definitions**

2
3 *BYOB (bring your own bottle) Endorsement* shall mean an endorsement allowing businesses holding a
4 current on-site consumption liquor license to permit patrons to bring and consume beer and wine on the
5 licensed premises. A corkage fee may be assessed to the participating patrons. Consumption of BYOB beer
6 and wine shall be limited to those patrons dining in the restaurant. All applicable state and local laws,
7 ordinances, rules and regulations shall apply, including, without limitation, that an on-site consumption
8 licensee must maintain a valid on-site liquor license in good standing. Alcohol may only be sold, given
9 away, dispensed or consumed at a business holding an appropriate and valid city and state liquor license.
10 BYOB is only allowed at licensed businesses with a BYOB endorsement. A bona fide governmental entity,
11 holding a valid local and state liquor license for on-site consumption, may be eligible to obtain a BYOB
12 endorsement to hold government sponsored BYOB events at ~~for~~ locations other than the licensed
13 premises, without the requirement of a restaurant on premises, upon application and approval of the
14 Local Liquor Commissioner. See Sec 6-2 for the definition of *Sale (to sell)*.
15

16 **Sec 6-10 Special Permits**

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18 (b) BYOB (bring your own bottle) Endorsement. Businesses holding a current on-site consumption liquor
19 license are eligible to apply for a BYOB endorsement. A BYOB endorsement is available as an
20 endorsement to an existing on-site consumption liquor license and may be issued by the local liquor
21 commissioner subject to the following conditions:

22 (1) Authorizes the consumption of beer and wine brought onto the premises by a patron over
23 the age of twenty-one (21) for on-site consumption at a location that possesses a City of Aurora
24 On-Site Consumption Liquor License in conjunction with the purchase and consumption of a
25 meal, however, if the applicant is a bona fide governmental entity with a BYOB endorsement for
26 government sponsored BYOB events conducted off of the licensed premises, there is no
27 requirement that a meal be purchased.

28 (2) BYOB shall be limited to no more than one (1) seven hundred fifty (750) milliliter bottle of
29 wine or thirty six (36) ounces of beer per patron.

30 (3) BYOB shall be limited to the licensed premises, unless the applicant is a bona fide
31 governmental entity with a BYOB endorsement for government sponsored BYOB events
32 conducted off of the licensed premises.

33 (4) BYOB Endorsement holders may provide glassware and ice to patrons, and may uncork,
34 pour, serve or otherwise control the consumption of the beer and wine.

35 (5) On-site consumption liquor license holders may submit a written BYOB endorsement
36 application to the city clerk's office. The issuance of the BYOB endorsement will be at the
37 discretion of the local liquor commissioner and will require the submission of a yearly
38 application and endorsement fee during the annual liquor license renewal process.

39 (6) The holder of a BYOB endorsement shall report all events where BYOB will be allowed to the
40 City Clerk's Office in accordance with the entertainment reporting requirements of Sec. 6-15 of
41 this chapter.

1 (7) Governmental entities who are issued a BYOB endorsement for government sponsored
2 events shall insure that BYOB limitations, as identified in Sec 6-10 (b)(1) and (b)(2) herein, are
3 strictly followed by event patrons. Governmental entities must abide by all applicable
4 requirements for a Temporary Liquor Permit as identified in Sec 6-10 (c)(2), (c)(3) and (c)(4)
5 herein. A BYOB endorsement does not allow a licensed governmental entity to offer alcohol for
6 sale or provide alcohol to patrons at locations other than the original on-site consumption
7 licensed premises.

8 (c) All applicable state and local laws, ordinances, rules and regulations shall apply, including, without
9 limitation, the requirements set forth in section 6-23 regarding completion of a state-certified beverage
10 alcohol sellers and service education and training program prior to issuance of permit. Each written
11 application for a temporary permit under this section must include the following documents:

12 (1) Proof of a valid state liquor permit or license for special event (Note: For-profits must apply
13 for a standard retailer's license from the state to hold a special event);

14 (2) Dram shop liability insurance to the required statutory maximum limits set forth in the
15 Liquor Control Act, 235 ILCS 5/1-1, et seq. as amended from time to time, covering the specific
16 date(s) of the special event; and

17 (3) Proof of completion of a state-certified beverage alcohol sellers and service education and
18 training program shall not be required for each person serving or selling alcoholic beverages
19 pursuant to a temporary liquor permit provided any such person is at all times supervised in the
20 serving or selling of alcoholic beverages by not less than two (2) persons present at the alcohol
21 sales or service area on the licensed premises and provided such supervisor has successfully
22 completed said state-certified training.

23 (4) Each application for a temporary liquor permit shall identify each person who will be
24 supervising the serving or selling of alcoholic beverages at the alcohol sales or service area on
25 the licensed premises. Notwithstanding the provisions of subsection (c) of this section, each
26 such designated supervisor shall submit proof of his or her successful completion of a state-
27 certified beverage alcohol sellers and service education and training program at the time of
28 application.

29 Any other documents the local liquor commissioner may request pursuant to state or local liquor control
30 laws, rules and regulations.