

ORDINANCE NO. 2011-06-047

**AN ORDINANCE AMENDING CHAPTER THREE, SECTION 3-43
OF THE URBANA CITY CODE**

(Reducing Number of Class B, Class BB and Class BBB Liquor Licenses)

WHEREAS, the City of Urbana ("City") is a home rule unit of local government pursuant to Article VII, Section 6, of the Illinois Constitution, 1970, and may exercise any power and perform any function pertaining to its government and affairs, including the power to regulate for the protection of the public health, safety, and welfare; and

WHEREAS, the City Council heretofore has adopted Section 3-43 of the Urbana City Code to establish limits on the number of liquor licenses issued in the City; and

WHEREAS, the City Council finds that amending said section will protect the health, safety, and welfare of the public.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, as follows:

Section 1. Urbana City Code Chapter Three, "Alcoholic Liquors," Section 3-43, "Limitations on number issued," subsection (a), is hereby amended and as amended shall read as follows:

(a) Not more than one (1) Class A license shall be issued in any one (1) year for each one thousand five hundred (1,500) population of the city. Not more than one (1) Class AA license shall be issued in any one (1) year for each three thousand seven hundred fifty (3,750) population of the city. Not more than one (1) Class B, Class BB or Class BBB license shall be issued for each two thousand one hundred seventy (2,170) population of the city. Not more than one (1) Class C license shall be issued for each two thousand seven hundred fifty (2,750) population of the city. The population of the city for such purposes shall be determined by the latest motor fuel tax census or by the federal census, whichever is later.

Section 2. Those sections, paragraphs, and provisions of the Urbana City Code that are not expressly amended or repealed by this Ordinance are hereby re-enacted, and it is expressly declared to be the intention of this Ordinance not to repeal or amend any portions of the Urbana City Code other than those expressly set forth as amended or repealed in this Ordinance. The invalidity of any section or provision of this Ordinance hereby passed and approved shall not invalidate other sections or provisions thereof.

Section 3. This Ordinance shall not be construed to affect any suit or proceeding pending in any court, or any rights acquired, or a liability incurred, or any cause or causes of action acquired or existing prior to the effective date of this Ordinance; nor shall any right or remedy of any character be lost, impaired, or affected by this Ordinance.

Section 4. This Ordinance shall be in full force and effect from and after its passage.

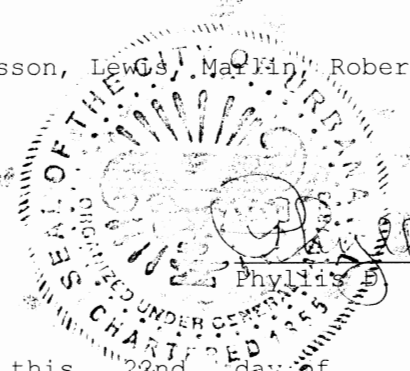
This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called, of a majority of the members of the Council of the City of Urbana, Illinois, at a meeting of said Council.

PASSED by the City Council this 20th day of June, 2011.

AYES: Bowersox, Jakobsson, Lewis, Martin, Roberts, Smyth, Stevenson

NAYS:

ABSTAINS:



Phyllis D. Clark
Phyllis D. Clark, City Clerk

APPROVED by the Mayor this 22nd day of June, 2011.

Laurel Lunt Prussing
Laurel Lunt Prussing, Mayor