

85-O-21

AN ORDINANCE

**Amending Section 3-4-6 of the Evanston City Code,
 “Classification and License Fees” to Add Subsection (L-2)
 (Grocery Store Liquor License)**

**NOW BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY
 OF EVANSTON, COOK COUNTY, ILLINOIS:**

SECTION 1: Table 1 of Section 3-4-6 of the Evanston City Code of 2012, as amended, is hereby further amended by adding the following:

L-2	Grocery Store	None	Liquor	\$2,000	\$2,000	0	Store between 0 and 2,000 sq. ft. (product display)	8 a.m. - midnight
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SECTION 2: Section 3-4-6 of the Evanston City Code of 2012, as amended, is hereby further amended by the enactment of a new Subsection (L-2) thereof, “Class L-2 Liquor License” to create a new license with the following conditions and restrictions to read as follows:

(L-2) Class L-2 licenses, which shall authorize the retail sale of alcoholic liquor in a grocery store in original packages to persons of at least twenty-one (21) years of age for consumption off the premises. "Grocery store" is defined in Section 3-4-1 of this Chapter.

1. It shall be unlawful for a Class L-2 licensee to sell a single container of beer unless the volume of the container is equal to or greater than forty (40) fluid ounces or 1.18 liters.

2. It shall be unlawful for a Class L-2 licensee to sell a single container of wine unless the container is greater than or equal to 6.32 fluid ounces or 0.187 liters.
3. It shall be unlawful for a Class L-2 licensee to sell a single container of alcoholic liquor, except beer and wine which are regulated by Subsections (L-2)1. and (L-2)2. of this Section, unless the volume of the container is greater than 6.76 fluid ounces or 0.20 liters.
4. The sale of alcoholic liquor at retail pursuant to the Class L-2 license may begin after 8:00 a.m., Monday through Sunday. Alcoholic liquor shall not be sold after the hour of 12:00 midnight on any day.
5. A Class L-2 licensee shall provide a maximum of two thousand (2,000) square feet of production, preparation, and display area in which products are prepared and are for sale.
6. The retail package area shall occupy no more than ten percent (10%) of the total floor space (including office, bathroom and kitchen space).

The applicant for the renewal only of such licenses may elect to pay the amount herein required semiannually or annually. Such election shall be made at the time of application.

The annual fee for such license shall be two thousand dollars (\$2,000.00).

The total fee required hereunder for renewal applicants electing to make semiannual payments, payable according to the provisions of Section 3-4-7 of this Chapter, shall be two thousand one hundred dollars (\$2,100.00).

SECTION 3: That the findings and recitals contained herein are declared to be prima facie evidence of the law of the City and shall be received in evidence as provided by the Illinois Compiled Statutes and the courts of the State of Illinois.

SECTION 4: That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 5: That this Ordinance 85-O-21 shall be in full force and effect from and after its passage, approval and publication in the manner

provided by law.

SECTION 6: That if any provision of this Ordinance 85-O-21 or application thereof to any person or circumstance is ruled unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this Ordinance 85-O-21 that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this Ordinance 85-O-21 is severable.

Introduced: August 07, 2021

Adopted: September 27, 2021

Approved:

9/29/21, 2021

Daniel Biss

Daniel Biss, Mayor

Attest:

Stephanie Mendoza

Stephanie Mendoza
City Clerk

Approved as to form:

Nicholas E. Cummings

Nicholas E. Cummings
Corporation Counsel