

9/16/94

106-O-94

AN ORDINANCE

Amending Section 3-5-3 of the Liquor Control  
Regulations to Provide for the Issuance of  
Conditional Liquor Licenses Pending  
Receipt of Fingerprint Checks

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF  
THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS, as follows:

SECTION 1: That Section 3-5-3 of the Evanston City Code  
of 1979, as amended, be and hereby is, further amended to read as  
follows:

3-5-3: LICENSES:

(A) (1) License Required: It shall be unlawful to sell or  
offer for sale in the City any alcoholic liquor without  
having a liquor dealer's license, or in violation of the  
terms of such license. (Ord. 108-0-71)

(2) Each such license shall terminate one year from the date  
of issuance; however, no license shall be effective prior  
to June 8, 1972. (Ord. 56-0-72)

(3) Any licensee may renew his license at the expiration  
thereof, provided that he is then qualified to receive a  
license and the premises for which such renewal license is  
sought are suitable for such purpose; provided further, that  
the renewal privilege herein provided for shall not be  
construed as a vested right which shall in any case prevent  
the City Council from decreasing the number of licenses to  
be issued within its jurisdiction.

(B) (1) Conditional License: An applicant, upon request, may  
be issued a conditional license. Such a license may be  
issued to an applicant found to be in compliance with all  
licensing requirements of this Chapter, except for  
completion of the fingerprint checks. No fees will be  
returned to a conditional licensee who fails to qualify for  
an annual license.

(2) A conditional license is subject to all provisions of  
this Chapter except as otherwise provided in this subsection  
(B).

(3) The issuance of a conditional license shall not be

construed as creating a vested right or expectation in the issuance of an annual license.

(4) A conditional license shall contain the following language:

"The licensee, by accepting this license, waives any right to a hearing and consents to summary and automatic revocation of the conditional license upon notice by the City that the fingerprint checks render the licensee ineligible under the requirements of this Chapter to hold a liquor license."

(5) An annual license will be issued to the conditional licensee upon receipt of fingerprint information which discloses that the licensee is eligible to receive an annual City liquor license.

SECTION 2: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3: This ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

Introduced: October 10, 1994

Adopted: October 26, 1994

Approved: October 25, 1994

Lorraine H. Norton  
Mayor

ATTEST:

Justin Davis  
City Clerk

Approved as to form:

[Signature]  
Corporation Counsel