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AN ORDINANCE

Amending Section 3-5-6 of the Evanston City Code
Authorizing the Sale of Warm Beer and Wine
in Grocery Stores a Minimum of 12,000 Square Feet

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

SECTION 1: That Section 3-5-6 of the Code of the
City of Evanston, 1979, as amended, be
further amended by adding thereto Section 3-5-6(0) which reads as
follows:

3-5-6(0): Class (0) Licenses, which shall authorize
the retail sale of warm beer and wine in grocery
stores, in original packages to persons of at least 21
years of age for consumption off the premises. The
applicant for such license shall pay an initial fee of
\$15,000 for the first 15,000 square feet of space and
\$5,000 for each additional 5,000 square feet, to a
maximum fee of \$20,000. No more than five (5) such
licenses shall be in force at any one time. Such Class
(0) license shall be subject to the following
conditions:

1. It shall be unlawful for a Class (0) licensee to sell a
single container of beer unless the volume of the
container is equal to or greater than 32 ounces or .946
liters.
2. It shall be unlawful for a Class (0) licensee to sell a
single container of wine unless the container is greater
than or equal to 16 fluid ounces or .473 liters.
3. The sale of wine and beer shall be confined to an area
which is separated by a full enclosure or full partition
with a controlled access to and from all other retail
sales activity at the grocery store.

4. It shall be unlawful for a Class (0) licensee to consummate the sale of warm beer and wine except solely within the area set forth in subsection (3) supra and with a cash register designated as for the sale of warm beer and wine and which cash register is operated by a person of at least 21 years of age.
5. It shall be unlawful for the holder of a Class (0) license to offer for sale at grocery stores warm beer and wine in original packages for consumption off the premises where sold before the hour of 11:00 a.m. or after the hour of 10:00 p.m. on Monday through Saturday; and before the hour of 12:00 noon and after the hour of 10:00 p.m. on Sunday.
6. A Class (0) licensee shall provide a minimum of 12,000 square feet of production, preparation and display area in which products are prepared and are for sale. The sale of products other than warm beer and wine shall be the primary use within the area. No more than 10% of the area shall be utilized for the sale of warm beer and wine.

SECTION 2: Should any section, paragraph, sentence, clause, phrase or word of the amendment be declared invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity of any of the remaining words, phrases, clauses, sentences, paragraphs or sections of this amendment.

SECTION 3: That ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4: That this ordinance shall be in full force and effect from and after its passage,

approval and publication in the manner provided by law.

Introduced: February 8, 1993

Adopted: February 22, 1993

Approved: February 26, 1993

James W. Barr
Mayor

ATTEST:

Hester Shaw
City Clerk

Approved as to form:

[Signature]
Corporation Counsel