

101-0-93

AN ORDINANCE

Amending Section 3-5-6 of the Code of the City of Evanston, 1979, as Amended, Relating to Class O Alcoholic Liquor Licensees

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

SECTION 1: That Section 3-5-6 of Chapter 5 be further amended to read as follows:

(O) CLASS O licenses, which shall authorize the retail sale of warm beer and wine in grocery stores, in original packages to persons of at least twenty-one (21) years of age for consumption off the premises. The applicant for such license shall pay an initial fee of ten thousand dollars (\$10,000.00) for the first fifteen thousand (15,000) square feet of space and five thousand dollars (\$5,000.00) for each additional five thousand (5,000) square feet, to a maximum fee of twenty thousand dollars (\$20,000.00). The annual renewal fee for renewal of a Class O license is twenty-five hundred dollars (\$2,500.00). No more than five (5) such licenses shall be in force at any one time. There is hereby one (1) such license in force. Such Class O license shall be subject to the following conditions:

1. It shall be unlawful for a Class O licensee to sell a single container of beer unless the volume of the container is equal to or greater than thirty two (32) ounces or .946 liters.
2. It shall be unlawful for a Class O licensee to sell a single container of wine unless the container is greater than or equal to sixteen (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 O 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 twenty one (21) years of age.

5. It shall be unlawful for the holder of a Class O licensee 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 eleven o'clock (11:00 A.M. or after the hour of ten o'clock (10:00) P.M. on Monday through Saturday; and before the hour of twelve o'clock (12:00) noon and after the hour of ten o'clock (10:00) P.M. on Sunday.

6. A Class O licensee shall provide a minimum of twelve thousand (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 ten percent (10%) of the area shall be utilized for the sale of warm beer and wine.

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: September 13, 1993

Adopted: September 27, 1993

Approved: September 29, 1993

Lorraine H. Morton
Mayor

ATTEST:

[Signature]
City Clerk

Approved as to form:

[Signature]
Corporation Counsel