

3/3/99
3/9/99

28-0-99

AN ORDINANCE

Amending Title 3, Chapter 5
to Increase Fees For Certain
Alcoholic Liquor Licenses

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

SECTION 1: That section 3-5-6(A) of the Evanston City Code of 1979, as amended,
is hereby further amended by increasing the fees for the within-described license, to read
as follows:

3-5-6(A) CLASS A licenses, which shall authorize the sale of alcoholic liquors for
consumption only on the premises where sold and limited to members and
their guests which may be issued only to "clubs", as defined in this Chapter,
maintaining permanent club quarters irrespective of the size of their
membership. The applicants for the renewal only of such licenses may elect
to pay the amount required herein semi-annually. Such election shall be
made at the time of application.

The annual single-payment fee for initial
issuance of renewal of such license shall be \$1,800.00

The total fee required hereunder for renewal
applicants electing to make semi-annual payments,
payable pursuant to the provisions of Section
3-5-7 of this Chapter, shall be \$1,890.00

No more than zero such licenses shall be in force at any one time.
(Ord. 43-0-88)

SECTION 2: That section 3-5-6(B) is hereby amended to increase the fee for the
within described license, to read as follows:

3-5-6(B) CLASS B licenses, which shall authorize the sale on the premises specified of alcoholic liquor only for consumption on the premises while food is available. Such licenses may be issued only to hotels or restaurants in the Core Area. Establishments holding Class B licenses must have some food service available when alcoholic liquor is being sold. The meanings of "hotel", "restaurant" and "Core Area" shall be as defined in Section 3-5-1 of this Chapter. The applicant for the renewal only of such licenses may elect to pay the amount herein semi-annually. Such election shall be made at the time of application.

The annual single-payment fee for initial issuance or renewal of such license shall be \$4,300.00

The total fee required hereunder for renewal applicants electing to make semiannual payments, payable pursuant to the provisions of Section 3-5-7 of this Chapter, shall be\$4,515.00

No more than thirteen (13) such licenses shall be in force at any one time. (Ord. 11-0-98)

SECTION 3: That Section 3-5-6(C) is hereby amended to increase the fee for the within-described license, to read as follows:

3-5-6(C) CLASS C licenses, which shall authorize the retail sale in restaurants only of alcoholic liquor for consumption on the premises where sold. No such license may be granted to or retained by an establishment in which the facilities for food preparation and service are not primarily those of a "restaurant", as defined in Section 3-5-1 of this Chapter. It shall be unlawful for any person licensed hereunder to sell "alcoholic liquor" at a "bar", as defined in Section 3-5-1 of this Chapter, except to persons attending a reception or party not open to the public. Alcoholic liquor may be sold in restaurants holding Class C licenses only during the period when their patrons are offered a complete meal. The applicants for the renewal of such licenses may elect to pay the amount required herein semi-annually or annually. Such election shall be made at the time of application.

The annual single-payment fee for initial issuance or renewal of such license shall be\$2,800.00

The total fee required hereunder for renewal applicants electing to make semiannual payments,

payable pursuant to the provisions of Section 3-5-7 of this Chapter, shall be\$2,940.00

No more than seventeen (17) such licenses shall be in force at any one time. (Ord. 66-0-98)

SECTION 4: That section 3-5-6(D) is hereby amended to increase the fee for the within-described license, to read as follows:

3-5-6(D) CLASS D licenses, which shall duplicate Class C licenses in all regards except that beer and/or wine only shall be served. It shall be unlawful for any person licensed hereunder to sell alcoholic liquor at a "bar", as defined in Section 3-5-1 of this Chapter, except to persons attending a reception or party not open to the public. The applicants for the renewal only of such licenses may elect to pay the amount required herein semi-annually or annually. Such election shall be made at the time of application.

The annual single payment fee for initial issuance or renewal of such licenses shall be \$1,800.00

The total fee required hereunder for renewal applicants electing to make semi-annual payments, payable pursuant to the provisions of Section 3-5-7 hereof, shall be \$1,890.00

No more than twenty one (21) such licenses shall be in force at any one time. (Ord. 67-0-98)

SECTION 5: That Section 3-5-6(E) is hereby amended to increase the fee for the within-described license, to read as follows:

3-5-6(E) CLASS E licenses, which shall authorize the sale on the premises specified of alcoholic liquor only for consumption upon the premises while food service is available. Such licenses shall be issued only to premises owned, operated and maintained by not-for-profit educational institutions within the designated university areas. Establishments holding Class E licenses, must have some food service available when alcoholic liquor is being sold. Sales of alcoholic liquor by Class E licensees shall be to students, faculty, alumni, invited guests and staff of the licensee only. The term "university area" shall be as defined in Section 3-5-1 of this Chapter.

The annual fee for such license shall be \$4,300.00

The total fee required hereunder for renewal applicants electing to make semi-annual payments, payable according to the provisions of Section 3-5-7 of this Chapter, shall be \$4,515.00

No more than two (2) such licenses shall be in force at any said time.

SECTION 6: That section 3-5-6(F) is hereby amended to increase the fee for the within-described license, to read as follows:

3-5-6(F) SPECIAL ONE DAY Licenses, which shall authorize the sale on the premises specified of beer and wine only in any university, business, commercial or manufacturing district (as classified in the Zoning Ordinance of the City). Such special one day licenses shall be issued subject to the following conditions:

1. No more than four (4) special one day licenses shall be issued to any sales address in any one calendar year.
2. No application shall receive more than two (2) special one day licenses within any calendar year.
3. Only Evanston entities may receive the special one day license. "Evanston entities" are hereby defined to include individuals residing within the City, businesses with a permanent address in the City, and not-for-profit organizations located within the City.
4. The license shall authorize the consumption of beer and wine only.
5. The sale of beer and wine shall only take place from ten o'clock (10:00) A.M. to ten thirty o'clock (10:30) P.M. (Sunday through Thursday) and from ten o'clock (10:00) A.M. to twelve o'clock (12:00) midnight (Friday and Saturday) provided also that food is made available during those hours.
6. The license shall be issued to and valid only for the "sales premises" described on the application.
7. The application shall contain the following information:
 - a. The name of applicant, address or phone number.

- b. The "sales premises" for which the license is applicable, a description of the approximate area of the sales premises, whether or not it is indoors or outside, and whether the event will be held on public or private property.
- c. Whether or not the event is sponsored by a religious organization.
- d. The hours of operation of the event, the sale date, the name of the property owner and a written statement of consent from the property owner (if other than the applicant).
- e. The person's name, phone number and address who is responsible for conducting the event, and who will be on the premises during the actual event.
- f. A statement that,

If I (we) am (are) granted this special liquor license, I (we) specifically recognize and agree that the Mayor or the City Council may revoke this license at any time at the absolute discretion of the Mayor and City Council; and upon acceptance of this special liquor license, the holder specifically acknowledges the special privilege of obtaining this type of license and consent to all requirements, including the requirement of immediate forfeiture without reason.

- g. Signature of a applicant,
8. A copy of a certificate of liquor liability insurance, naming the City as certificate holder for the period during which liquor will be sold.
9. The fee for a Class F liquor license shall be one hundred dollars (\$100.00) and shall be deposited with the application.
10. No special one day liquor license shall be required for the following:
- a. Gratuitous service of alcoholic beverages on streets, alleys, sidewalks, parkways, public parkways and within public buildings, by neighborhood organizations to whom a block party permit has been issued by the City Manager. (Ord. 14-0-82)

- b. Sale of beer and wine in business districts at licensed special events by holders of current liquor licenses, at locations immediately adjacent to their regularly licensed premises.

11. No special one day liquor licenses shall be issued in the university districts for sales on property owned by Northwestern University without the written consent of Northwestern University.

12. Religious organizations are exempt from the provisions of subsection (F)9 of this Section pertaining to the fee for a special one day liquor license.

13. Applications for special one day liquor licenses shall be submitted to the Liquor Control Commissioner in accordance with the provisions of subsection (F) of this section. The Liquor Control Commissioner shall have the authority to grant or refuse to grant all special one day liquor licenses. (Ord. 64-0-80)

SECTION 7: That section 3-5-6(G) is hereby amended to increase the fee for the within-described license and to substitute "Retail Package Store Area" for B4 and B5

Zoning Districts to read as follows:

3-5-6(G) CLASS G licenses, which shall authorize in the Retail Package Store Area, as defined in section 3-5-1 of this Chapter, the retail sale in package stores of beer and wine in original packages to persons of at least twenty one (21) years of age for consumption off the premises. The applicant for a Class G license shall pay a first-year license fee of twenty thousand dollars (\$20,000.00). Thereafter, the annual fee for a Class G license shall be two thousand five hundred (\$2,500.00). Each Class G license shall be subject to the following conditions:

1. It shall be unlawful for a Class G 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 G licensee to sell a single container of wine unless the container is greater than sixteen (16) fluid ounces or 0.473 liters.
3. It shall be unlawful for the holder of a Class G license to offer for sale at retail any alcoholic liquor in original packages for consumption off the premises where sold before the hour of ten o'clock (10:00) A.M. or after the

hour of ten o'clock (10:00) P.M. Monday through Thursday; before the hour of ten o'clock (10:00) A.M. or after the hour of eleven o'clock (11:00) P.M. Friday and Saturday; and before the hour of twelve o'clock (12:00) noon or after the hour of ten o'clock (10:00) P.M. on Sunday.

The total number of Class G and Class H licenses in force at any one time shall not exceed two (2). Ord. 73-0-94).

SECTION 8: That section 3-5-6(H) is hereby amended to increase the fee for the within-described license, to read as follows:

3-5-6(H) CLASS H licenses, which shall authorize in the retail package store area the retail sale in package stores of alcoholic liquor in original packages to persons of at least twenty one (21) years of age for consumption off the premises. The applicant for a Class H license shall pay a first-year license fee of twenty five thousand dollars (\$25,000.00). Thereafter, the annual fee for a Class H license shall be Three thousand one hundred dollars (\$3100.00) . Each Class H license shall be subject to the following conditions:

1. It shall be unlawful for a Class H 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 H licensee to sell a single container of wine unless the container is greater than sixteen (16) fluid ounces or 0.473 liters.
3. It shall be unlawful for a Class H licensee to sell a single container of alcoholic liquor, except beer and wine which are regulated by supra 1 and 2, unless the container is greater than sixteen (16) fluid ounces or 0.473 liters.
4. It shall be unlawful for the holder of a Class H license to offer for sale at retail any alcoholic liquor in original packages for consumption off the premises where sold before the hour of ten o'clock (10:00) A.M. or after the hour of ten o'clock (10:00) P.M. on Monday through Thursday; before the hour of ten o'clock (10:00) A.M. or after the hour of eleven o'clock (11:00) P.M. Friday and 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. (Ord. 68-0-97).
5. Licensees affiliated with, and under the same roof as, a drugstore, must assure that all items available for sale in the package store are paid for in the

package store. (Ord. 134-0-96).

The total number of Class G and Class H licenses in force at any one time shall not exceed two (2). (Ord. 68-0-97)

SECTION 9: That section 3-5-6(J) is hereby amended to increase the fee for the within-described license, to read as follows:

3-5-6(J) CLASS J licenses, which shall authorize the sale of alcoholic liquors for consumption on the premises where served and limited to invited guests at private catered functions. Such licenses shall be issued only to businesses defined as "caterers" under Section 6-18-3 of the Zoning Ordinance and having a current Evanston business license. Caterers holding Class J licenses must have food service available when alcoholic liquor is being served. The service of alcoholic liquor shall be by employees of the licensed catering business. Such licenses shall be issued only for the premises owned, operated or maintained by the licensed catering business or for the location in which the licensed catering business shall serve food and alcoholic liquor. The service of alcoholic liquor shall only take place from ten o'clock (10:00) A.M. to one o'clock (1:00) A.M. except that service may be made up to two o'clock (2:00) A.M. on Saturday and Sunday mornings. The sale of alcoholic liquor shall be deemed to occur at the address of the caterer.

The annual single-payment fee for initial issuance or renewal of such license shall be\$2,800.00

The total fee required hereunder for renewal applicants electing to make semi-annual payments, payable pursuant to the provisions of Section 3-5-7 of this Chapter, shall be \$2,940.00

No more than one (1) such licenses shall be in force at any one time (Ord. 75-0-98)

SECTION 10: That section 3-5-6(K) is hereby amended to increase the fee for the within-described license, to read as follows:

3-5-6(K) That section 3-5-6(K) is hereby amended to increase the fee for the within-described license, to read as follows:

CLASS K licenses, which shall authorize the sale of beer and wine for consumption on the premises where served, only to invited guests at private, catered functions. Such licenses shall be issued only to businesses defined as catering establishments under Section 6-18-3 of the Zoning Ordinance and having a current Evanston business license. Catering establishments holding Class K licenses must have food service available when beer and wine are being served. The service of beer and wine shall be by employees of the licensed catering business. Class K licensees shall serve beer or wine only to invited guests at catered functions. Such licenses shall be issued only for the premises owned, operated, or maintained by the licensed catering business or for the location in which the licensed catering business shall serve food, beer and wine. The service of beer and wine shall only take place from ten o'clock (10:00) A.M. to one o'clock (1:00) A.M.; except, that service may be made up to two o'clock (2:00) A.M. on Saturday and Sunday mornings. The sale of beer and wine shall be deemed to occur at the address of the catering establishment.

The annual single-payment fee for initial issuance
or renewal of such license shall be \$1,800.00

The total fee required hereunder for renewal
applicants electing to make semi-annual
payments, payable pursuant to the provisions
of Section 3-5-7 of this Chapter, shall be \$1,890.00

No more than zero such licenses shall be in force at any one time. (Ord.
115-0-89)

SECTION 11 That section 3-5-6(L) is hereby amended to increase the fee for the
within-described license, to read as follows:

3-5-6(L) CLASS L licenses, which shall authorize the sale of beer and wine for consumption on the premises where served, limited to patrons of a theater presenting live stage performances during a period limited to one hour prior to the start of the performance and during intermission(s); provided, that sales and consumption are restricted to lobby areas.

The annual single-payment fee for initial issuance
or renewal of such license shall be \$1,300.00

The total fee required hereunder for renewal
applicants electing to make semi-annual

payments, payable pursuant to the provisions
of Section 3-5-7 of this Chapter, shall be..... \$1,365.00

No more than zero (0) such licenses shall be in force at any one time.

The sale of beer and wine is prohibited in theaters located in public
buildings. (Ord. 108-0-94)

SECTION 12: That section 3-5-6(M) is hereby amended to increase the fee for the
within-described license, to read as follows:

3-5-6(M) CLASS M licenses, which shall authorize the sale of alcoholic liquors for
consumption on the premises where served, limited to patrons of a theater
presenting live stage performances during a period limited to one hour prior
to the start of the performances during a period limited to one hour prior to
the start of the performance and during intermission(s); provided, that sales
and consumption are restricted to lobby areas.

The annual single-payment fee for initial issuance
or renewal of such license shall be \$2,500.00

The total fee required hereunder for renewal
applicants electing to make semi-annual
payments, payable pursuant to the provisions
of Section 3-5-7 of this Chapter, shall be \$2,625.00

No more than zero such licenses shall be in force at any one time.

The sale of alcoholic liquors is prohibited in theaters located in public
buildings. (Ord. 112-0-90)

SECTION 13: That section 3-5-6(N) is hereby amended to increase the fee for the
within-described license, to read as follows:

3-5-6-(N) CLASS N Licenses, which shall authorize the retail sale of alcoholic liquor in
grocery stores, combination stores as defined in Section 3-5-1 of this
Chapter, and wholesale clubs requiring membership 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 thirty five
thousand dollars (\$35,000.00) and thereafter an annual fee of eight thousand
eight hundred dollars (\$8,800.00). No more than two (2) such licenses shall

be in force at any one time. Once license is created hereby, making a total of one in force. Such Class N license shall be subject to the following conditions:

1. It shall be unlawful for a Class N licensee to sell a single container of beer unless the volume of the container is greater than forty (40) ounces or 1.18 liters.
2. It shall be unlawful for a Class N licensee to sell a single container of wine unless the container is greater than sixteen (16) fluid ounces or 0.473 liters.
3. It shall be unlawful for a Class N licensee to sell a single container of alcoholic liquor, except beer and wine which are regulated by subsections 1 and 2 supra, unless the container is greater than sixteen (16) fluid ounces or 0.473 liters.
4. The sale of alcoholic liquor shall be confined to an areas 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 or wholesale club.
5. It shall be unlawful for a Class N licensee to consummate the sale of alcoholic liquor except solely within the area set forth in subsection 4 supra and with a cash register designated as for the sale of alcoholic liquor and which cash register is operated by a person of at least twenty one (21) years of age.
6. It shall be unlawful for the holder of a Class N license to offer for sale at the licensed premises requiring membership alcoholic liquor 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.
7. A Class N licensee shall provide a minimum of sixty thousand (60,000) square feet of production, preparation, and display area in which products are prepared and are for sale. The sale of products other than alcoholic liquor shall be the primary use within the area. No more than ten percent (10%) of the area shall be utilized for the sale of alcoholic liquor.
8. No such license may be granted to an establishment that is located within five hundred feet (500') of a licensee holding a Class N liquor license.

SECTION 14: That section 3-5-6(O) is hereby amended to increase the fee for the within-described license, to read as follows:

3-5-6(O) CLASS O licenses, which shall authorize the retail sale of warm beer and wine in grocery stores and combination stores and combination stores, as defined in Section 3-5-1 of this Chapter, 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 three thousand one hundred (\$3100.00) No more than five (5) such licenses shall be in force at any one time.

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 forty (40) ounces or 1.18 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 0.473 liters.
3. The sale of warm beer and wine 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 or wholesale club.
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 license to offer for sale at the licensed premises 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.

(P) CLASS P licenses, Ordinance 7-0-93 Class P Liquor Licenses not adopted.

SECTION 15: That section 3-5-6(Q) is hereby amended to increase the fee for the within-described license, to read as follows:

3-5-6(Q) CLASS Q licenses, which shall authorize the sale in restaurants of alcoholic liquor for consumption on the premises where sold. No such license may be granted to or retained by an establishment in which the facilities for food preparation and service are not primarily those of a "restaurant", as defined in Section 3-5-1 of this Chapter. It shall be unlawful for any person licensed hereunder to sell alcoholic liquor at a "bar", as defined in Section 3-5-1 of this Chapter, except to persons attending a reception or party not open to the public. Alcoholic liquor may be sold in restaurants holding Class Q licenses only during the period when patrons are offered a complete meal. The sale of alcoholic liquor shall only take place from eleven o'clock (11:00) A.M. to ten o'clock (10:00) P.M. Monday through Saturday and from twelve o'clock (12:00) noon to ten o'clock (10:00) P.M. on Sunday. No alcoholic liquor may be consumed on the premises after ten thirty o'clock (10:30) P.M. Sunday through Saturday. The applicants for the renewal of such licenses may elect to pay the amount required herein semi-annually or annually. Such election shall be made at the time of application.

The annual single-payment fee for initial issuance or renewal of such licenses shall be \$2,800.00

The total fee required hereunder for renewal applicants electing to make semi-annual payments, payable pursuant to the provisions of Section 3-5-7 of this Chapter, shall be \$2,940.00

No more than zero (0) such licenses shall be in force at any one time.
(Ord. 107-0-92)

SECTION 16: That section 3-5-6(R) is hereby amended to increase the fee for the within-described license, to read as follows:

3-5-7(R) CLASS R licenses, which shall authorize the sale in restaurants only of beer

and/or wine only, for consumption on the premises where sold. No such license may be granted to or retained by an establishment in which the facilities for food preparation and service are not primarily those of a restaurant, as defined in Section 3-5-1 hereof. It shall be unlawful for any person licensed hereunder to sell beer and wine at a bar, as defined in Section 3-5-1 hereof, except to persons attending a reception or party not open to the public. Beer and wine may be sold in restaurants holding Class R licenses only during the period when patrons are offered a complete meal. The sale of beer and wine shall only take place from eleven o'clock (11:00) A.M. to ten o'clock (10:00) P.M. Monday through Saturday and from twelve o'clock (12:00) noon to ten o'clock (10:00) P.M. on Sunday. No beer or wine may be consumed on the premises after ten thirty o'clock (10:30) P.M. Sunday through Saturday. The applicants for the renewal of such licenses, may elect to pay the amount required herein semi-annually or annually. Such election shall be made at the time of application.

The annual single-payment fee for initial issuance or renewal of such licenses shall be \$1,800.00

The total fee required hereunder for renewal applicants electing to make semi-annual payments, payable pursuant to the provisions of Section 3-5-7 of this Chapter, shall be \$1,890.00

No more than one such license shall be in force at any one time.
(Ord. 16-0-93)

SECTION 17: That Section 3-5-6(S) of the Evanston City Code of 1979, as amended is hereby further amended to increase the fee for the within-described license, to read as follows:

3-5-6-(S) Class S Licenses, which shall authorize the retail sale in combination restaurant/package stores of alcoholic liquor in the restaurant area and wine only in the package store area. Sales of alcoholic liquor in the restaurant area of the licensed premises shall be for consumption on the premises where sold. No Class S License may be granted to or retained by an establishment in which the facilities for food preparation and service are not primarily those of a "restaurant", as defined in Section 3-5-1 of this Chapter. It shall be unlawful for any person licensed hereunder to sell "alcoholic liquor" at a "bar", as defined in Section 3-5-1 of this Chapter, except to persons attending a reception or party not open to the public. Alcoholic

liquor may be sold in restaurants holding Class S Licenses only during the period when their patrons are offered a complete meal. Class S Licenses authorize retail sales of wine only in original packages to persons of at least twenty-one (21) years of age in the retail package store area of the licensed premises, for consumption off the premises. Each Class S License shall be subject to the following conditions:

1. The Class S licensee must sell alcoholic liquor in the restaurant area and wine in original packages in the package store area in accordance with the Class S License provisions and restrictions. The Class S License requires the licensee to operate both the restaurant and retail package areas.
2. The sale of wine in its original package shall be confined to an area which is separated by a full enclosure or full partition with a controlled access to and from the restaurant area. The retail package area shall be accessed only through the restaurant.
3. The retail package area shall occupy no more than 10% of the total floor space (including office, bathroom and kitchen space).
4. It shall be unlawful for a Class S licensee to sell a single container of wine unless the contained is greater than sixteen (16) fluid ounces or 0.473 liters.
5. It shall be unlawful for a Class S licensee to sell a single container of wine in the original package for consumption off the premises unless the container, as originally packaged, is stoppered with a cork. The sale of such wine in containers with twist-off tops is expressly prohibited by a Class S licensee.
6. Items purchased in the retail package area in original packages are not to be consumed in the restaurant area.
7. It shall be unlawful for a Class licensee to consummate the sale of wine in original packages except solely within the area set forth in subsection 2 supra and with a cash register designated as for the sale of such wine, which cash register is operated by a person of at least twenty-one (21) years of age.
8. Class S licensees shall sell alcoholic liquor in the restaurant area only during the hours set forth in Section 3-5-9.
9. It shall be unlawful for the holder of a Class S License to offer for sale at retail any wine in original packages for consumption off the premises where sold before the hour of ten o'clock (10:00 a.m.) or after the hour of ten

o'clock (10:00 p.m.) on Monday through Thursday; before the hour of ten o'clock (10:00 a.m.) or after the hour or eleven o'clock (11:00 p.m.) Friday and 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.

10. Every wine offered for retail sale in original packages must be offered for sale in the restaurant area and listed on the restaurant's preprinted menu.

11. Class S License fees are as follows:

The annual single-payment fee for initial issuance or renewal of such license shall be \$7,500.00

The total fee required hereunder for renewal applicants electing to make semiannual payments, payable pursuant to the provisions of Section 3-5-7 of this Chapter, shall be \$7,875.00

No more than one (1) Class S license shall be in force at any one time.

SECTION 18: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 19: This ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.


Introduced March 22, 1999

Adopted: April 5, 1999

Approved: April 9, 1999

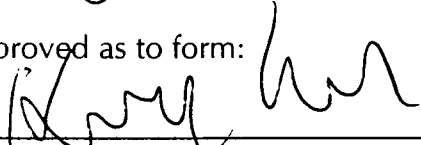
Edmund B. Moran, Jr.
Mayor pro tem

ATTEST:



City Clerk

Approved as to form:



Corporation Counsel

