

20-O-01

**AN ORDINANCE**

**Amending Sections 3-5-6 (G), 3-5-6 (H),  
3-5-6 (N), 3-5-6 (O), and 3-5-6 (S), of the  
City Code Regarding Hours of Permitted  
Alcoholic Liquor Sales and License Fees**

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

**SECTION 1:** That Section 3-5-6 (G) of the Evanston City Code of 1979, as  
amended, be and it hereby is further amended, to read as follows:

**Section 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 three thousand three hundred dollars (\$3,300.00). 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. The sale of alcoholic liquor at retail pursuant to the Class G license may begin after eight o'clock (8:00) a.m., Monday through Sunday. Alcoholic liquor shall not be sold after the hour of twelve midnight on any day.

The total number of Class G licenses in force at any one time shall not exceed one (1).

**SECTION 2:** That Section 3-5-6 (H) of the Evanston City code of 1979, as amended, be and it hereby is further amended, to read as follows:

**Section 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 four thousand one hundred dollars (\$4,100.00). 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 of 1.18 liters.
2. It shall be unlawful for a Class H licensee to sell a single container of wine above, 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 subsections 1 and 2, above, unless the container is greater than sixteen (16) fluid ounces or 0.473 liters.
4. The sale of alcoholic liquor at retail pursuant to the Class H license may begin after eight o'clock (8:00) a.m., Monday through Sunday. Alcoholic liquor shall not be sold after the hour of twelve midnight on any day.

The total number of Class H licenses in force at any one time shall not exceed two (2).

**SECTION 3:** That Section 3-5-6 (N), of the City code, as amended, be and it hereby is amended, to read as follows:

**Section 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 (\$35,000.00) and thereafter an annual fee of eleven thousand five hundred dollars (\$11,500.00).

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 above, unless the container is greater than sixteen (16) fluid ounces or 0.473 liters.
4. The sale of alcoholic liquor at retail pursuant to the Class N license may begin after eight o'clock (8:00) a.m., Monday through Sunday. Alcoholic liquor shall not be sold after the hour of twelve midnight on any day.
5. 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. (Ord. 28-O-99)

The total number of Class N licenses in effect at any one time shall not exceed one (2).

**SECTION 4:** That Section 3-5-6 (O) of the City Code, as amended, be, and it hereby is, further amended, to read as follows:

**Section 3-5-6 (O):**

CLASS O licenses, which shall authorize the retail sale of beer and wine in grocery 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 twenty thousand dollars (\$20,000.00). The annual renewal fee for renewal of a Class O license is four thousand one hundred dollars (\$4,100.00).

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) fluid 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 alcoholic liquor at retail pursuant to the Class O license may begin after eight o'clock (8:00) a.m., Monday through Sunday. Alcoholic liquor shall not be sold after the hour of twelve midnight on any day.
4. 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 total number of Class O licenses in force at any one time shall not exceed six (6). (Ord. 3-O-00)

**SECTION 5:** That Section 3-5-6 (S) of the Evanston City Code, as amended, be, and it hereby is, further amended, to read as follows:

**Section 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 ten percent (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 container 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 S 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 of this Chapter.

9. The sale of alcoholic liquor at retail pursuant to the Class S license may begin after eight o'clock (8:00) a.m., Monday through Sunday. Alcoholic liquor shall not be sold after the hour of twelve midnight on any day.

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. (Ord. 28-O-99)

**SECTION 6:** That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SECTION 7:** 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 12, 2001

Adopted: February 26, 2001

Approved:

February 27, 2001

Lorraine A. Norton  
Mayor

ATTEST:

Mary P. Morris  
City Clerk

Approved as to form:

[Signature]  
Corporation Counsel

