

13-O-12

AN ORDINANCE

Amending City Code Section 3-5-6-(P), "Classification & License Fees"

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

SECTION 1: Subsection 3-5-6-(P) of the Evanston City Code of 1979, as amended, is hereby further amended to read as follows:

- (P)** CRAFT DISTILLERY licenses, which shall authorize the on-site production and storage of alcohol in quantities not to exceed fifteen thousand (15,000) gallons per year, the sale of such alcohol to persons of at least twenty-one (21) years of age for consumption off-premises, and on-site sampling of such alcohol. Sales of alcohol manufactured outside the facility are prohibited. Such craft distillery licenses shall be issued subject to the following conditions:
1. It shall be unlawful for a class P licensee to sell a container of alcohol for off-premises consumption unless the container is greater than or equal to three hundred seventy-five milliliters (375 ml) in volume.
 2. Class P licensees may, during authorized hours of business, offer samples of the alcohol permitted to be produced and sold pursuant to this classification. Licensees shall not provide more than three (3) free samples, each of which shall not exceed one-quarter fluid ounce (0.25 fl.oz.), to any person in a day. Licensees may sell samples, but the volume of any sample sold shall not exceed one fluid ounce (1 fl.oz.) and the total volume of all samples sold to a person in a day shall not exceed two and one-half fluid ounces (2.5 fluid oz.). Licensees shall not provide and/or sell more than two and one-half fluid ounces (2.5 fluid oz.) of samples to any person in a day. Class P licensees must have at least one (1) BASSET-certified site manager on premises whenever offering samples of alcohol. Class P licensees must provide food service when offering samples of alcohol.
 3. It shall be unlawful for the holder of a class P license to provide a sample of or sell any alcohol before the hour of ten o'clock (10:00) A.M. or after the hour of ten o'clock (10:00) P.M. on any Monday, Tuesday, Wednesday, or 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.

4. Every class P licensee must have a valid craft distiller license from the state of Illinois.
5. Every employee of a class P licensee who participates in the production of alcohol, pursuant to this license class, must be BASSET-certified.

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 semiannual payments, payable pursuant to the provisions of Section 3-5-7 of this Chapter, shall be \$1,890.00.

No more than one (1) such licenses shall be in force at any one time.

SECTION 2: This Ordinance 13-O-12 shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

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

SECTION 4: If any provision of this Ordinance 13-O-12 or application thereof to any person or circumstance is ruled unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this Ordinance is severable.

SECTION 5: The findings and recitals herein are declared to be prima facie evidence of the law of the City and shall be received in evidence as provided by the Illinois Compiled Statutes and the courts of the State of Illinois.

Introduced: February 13, 2012

Approved:

Adopted: February 27, 2012

February 29, 2012

Elizabeth B. Tisdahl
Elizabeth B. Tisdahl, Mayor

Attest:

Approved as to form:

Rodney Greene
Rodney Greene, City Clerk

W. Grant Farrar
W. Grant Farrar, Corporation Counsel