

40-O-12

AN ORDINANCE

**Amending Various Subsections of Title 3, Chapter 5, of the City Code
Regarding Special One Day Liquor Licenses**

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

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

(F) SPECIAL-ONE DAY licenses, which shall authorize the sale on the premises specified of beer and wine only for events conducted by an educational, business, fraternal, political, civic, religious, or not for profit organization. Such special one-day licenses shall be issued subject to the following conditions:

1. No more than twelve (12) special one-day licenses shall be issued to any sales address in any one (1) calendar year.
2. No applicant shall receive more than twelve (12) special one-day licenses within any one (1) 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, including businesses, educational, fraternal, political, civic, religious, and not for profit organizations with a permanent address 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 10:00 a.m. to 10:30 p.m. (Sunday through Thursday), and from 10:00 a.m. to 2:00 a.m. (Friday through Sunday).
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 and telephone 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, telephone 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 consents to all requirements, including the requirement of immediate forfeiture without reason.

- g. Signature of applicant.

- h. A statement that:

No person under twenty-one (21) years of age will be allowed to purchase or sell packaged alcoholic liquor at licensed event.

- 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 and fifty dollars (\$150.00), 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 which a block party permit has been issued by the City Manager.
 - 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. Applications for special one-day liquor licenses shall be submitted to the Liquor Control Commissioner in accordance with the provisions of this Subsection

(F). The Liquor Control Commissioner shall have the authority to grant or refuse to grant all special one-day liquor licenses.

13. No special one-day liquor license shall be issued unless the owner/manager/staff of the establishment at which the event will be held has received BASSET training within the previous three (3) years and will be on-site for the duration of the event. Alternatively, the representative of the sponsoring entity organizing the event must have received BASSET training within the previous three (3) years and will be on-site for the duration of the event.

SECTION 2: Subsection 3-5-6-(F1) of the Evanston City Code of 1979, as amended, is hereby further amended to read as follows:

(F1) SPECIAL ONE-DAY licenses, which shall authorize the sale on the premises specified of alcoholic liquor only for events conducted by an educational, business, fraternal, political, civic, religious, or not-for-profit organization. Such special one-day licenses shall be issued subject to the following conditions:

1. No more than twelve (12) special one-day licenses shall be issued to any sales address in any one (1) calendar year.
2. No applicant shall receive more than twelve (12) special one-day licenses within any one (1) 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, including businesses, educational, fraternal, political, civic, religious, and not-for-profit organizations with a permanent address located within the City.
4. The sale of alcoholic liquor shall only take place from 10:00 a.m. to 10:30 p.m., Sunday through Thursday, and from 10:00 a.m. to 2:00 a.m., Friday through Sunday.
5. The license shall be issued to and valid only for the "sales premises" described on the application.
6. The application shall contain the following information:
 - a. The name of applicant, address and telephone 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, telephone 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 consents to all requirements, including the requirement of immediate forfeiture without reason.

g. Signature of applicant.

h. A statement that:

No person under twenty-one (21) years of age will be allowed to purchase or sell alcoholic liquor at licensed event.

7. A copy of a certificate of liquor liability insurance, naming the City as certificate holder for the period during which liquor will be sold.

8. The fee for a Class F1 liquor license shall be one hundred and fifty dollars (\$150.00), and shall be deposited with the application.

9. 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 which a block party permit has been issued by the City Manager.

b. Sale of alcoholic liquor in business districts at licensed special events by holders of current liquor licenses, at locations immediately adjacent to their licensed premises.

10. 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.

11. Applications for special one-day liquor licenses shall be submitted to the Liquor Control Commissioner in accordance with the provisions of this Subsection (F1). The Liquor Control Commissioner shall have the authority to grant or refuse to grant all special one-day licenses. Before issuing any F1 liquor license, the Liquor Control Commissioner shall notify the Alderman of the Ward wherein the "sales premises" described on the application is located.

12. No one-day liquor license shall be issued unless the owner/manager/staff of the establishment at which the event will be held has received BASSET training within the previous three (3) years and will be on-site for the duration of the event. Alternatively, the representative of the sponsoring entity organizing the event must have received BASSET training within the previous three (3) years and will be on-site for the duration of the event.

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

(X) CLASS X special one-day city owned building liquor licenses, which shall authorize the service of beer and wine only on the premises of the following facilities: Chandler-Newberger Center (1028 Central Street), Robert Crown Community Center/Ice Rink (1701 Main Street), Ecology Center (2024 McCormick Boulevard), Evanston Arts Center (2603 Sheridan Road), Noyes Cultural Arts Center (927 Noyes Avenue), Levy Senior Center (300 Dodge Avenue), the Fleet-wood-Jourdain Community Center (1655 Foster Avenue), and the Evanston Public Library (1703 Orrington Avenue). Such special one-day licenses shall be issued subject to the following conditions:

1. The license shall authorize the consumption of beer and wine only.
2. The service 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.
3. The license shall be issued to and valid only for the "service premises" described with particularity in the license. A license to use a particular "service premises" is not a license to use any other portion of the building. Chandler-Newberger Center, Robert Crown Community Center/Ice Rink, and Fleetwood-Jourdain Community Center shall be closed to the general public during the hours of service of beer and wine authorized by a class X liquor license.
4. The application, which shall be submitted no later than twenty-one (21) days prior to the date of the service date sought, shall contain the following information:
 - a. The name of applicant, address and phone number.
 - b. The "service premises" for which the license is applicable, a description of the approximate area of the service premises.
 - c. The hours of operation of the event, the service date, the address, completion of a signed rental agreement, security deposit, and approval of the director of parks/forestry and recreation department or his/her designee.
 - d. The name, telephone number and address of the person who is responsible for conducting the event, and who will be on the premises during

the actual event. Such person(s) must be at least twenty-one (21) years of age.

e. A statement that the applicant will provide security for the event, if and as required by the City.

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 consents to all requirements, including the requirement of immediate forfeiture without reason.

g. Signature of applicant.

5. A copy of a certificate of liquor liability insurance, naming the City as additional insured in the amount of three million dollars (\$3,000,000.00) for the period during which liquor will be sold.

6. The fee for a class X liquor license shall be seventy-five dollars (\$75.00) for residents and two hundred and sixty-five dollars (\$265.00) for nonresidents, and shall be deposited with the application.

7. Applications for special one-day class X liquor licenses shall be submitted to the liquor control commissioner in accordance with the provisions of this Subsection (X). The liquor control commissioner shall have the authority to grant or refuse to grant all special one-day liquor licenses.

8. No more than one (1) such license shall be granted per any facility, per day.

SECTION 4: Subsection 3-5-6-(X1) of the Evanston City Code of 1979,

as amended, is hereby further amended to read as follows:

(X1) CLASS X1 special one-day city owned building liquor licenses, which shall authorize the service of alcoholic liquor only on the premises of the following facilities: Chandler-Newberger Center (1028 Central Street), Robert Crown Community Center/Ice Rink (1701 Main Street), Ecology Center (2024 McCormick Boulevard), Evanston Arts Center (2603 Sheridan Road), Noyes Cultural Arts Center (927 Noyes Avenue), Levy Senior Center (300 Dodge Avenue), the Fleet-wood-Jourdain Community Center (1655 Foster Avenue), and the Evanston Public Library (1703 Orrington Avenue). Such special one-day licenses shall be issued subject to the following conditions:

1. The license shall authorize the consumption of alcoholic liquor.

2. The service of alcoholic liquor 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.
3. The license shall be issued to and valid only for the "service premises" described with particularity in the license. A license to use a particular "service premises" is not a license to use any other portion of the building. Chandler-Newberger Center, Robert Crown Community Center/Ice Rink, and Fleetwood-Jourdain Community Center shall be closed to the general public during the hours of service of alcoholic liquor authorized by a class X1 liquor license.
4. The application, which shall be submitted no later than twenty-one (21) days prior to the date of the service date sought, shall contain the following information:
 - a. The name of applicant, address and phone number.
 - b. The "service premises" for which the license is applicable, a description of the approximate area of the service premises.
 - c. The hours of operation of the event, the service date, the address, completion of a signed rental agreement, security deposit, and approval of the Director of Parks/Forestry and Recreation Department or his/her designee.
 - d. The name, telephone number and address of the person who is responsible for conducting the event, and who will be on the premises during the actual event. Such person(s) must be at least twenty-one (21) years of age.
 - e. A statement that the applicant will provide security for the event, if and as required by the City.
 - 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 consents to all requirements, including the requirement of immediate forfeiture without reason.
 - g. Signature of applicant.
5. A copy of a certificate of liquor liability insurance, naming the City as additional insured in the amount of three million dollars (\$3,000,000.00) for the period during which liquor will be sold.
6. The fee for a class X1 liquor license shall be one hundred and fifteen dollars

(\$115.00) for residents and three hundred and forty dollars (\$340.00) for nonresidents, and shall be deposited with the application.

7. Applications for special one-day class X1 liquor licenses shall be submitted to the liquor control commissioner in accordance with the provisions of this Subsection (X1). The liquor control commissioner shall have the authority to grant or refuse to grant all special one-day liquor licenses.

8. No more than one (1) such license shall be granted per any facility, per day.

SECTION 5: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 6: If any provision of this Ordinance 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 7: 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.

SECTION 8: This Ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

Introduced: April 23, 2012

Approved:

Adopted: May 14, 2012

May 16, 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