

81-O-12

AN ORDINANCE

**Amending City Code Subsection 3-5-6-(C)
to Decrease the Number of Class C Liquor Licenses
from Thirty to Twenty-Nine
(Closure of Austin's Tacos, 622 Davis St.)**

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

SECTION 1: Section 3-5-6-(C) of the Evanston City Code of 1979, as amended, is hereby further amended by decreasing the number of Class C liquor licenses from thirty (30) to twenty-nine (29), to read as follows:

(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 semiannually 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 twenty-nine (29) such licenses shall be in force at any one time.

SECTION 2: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3: If any provision of this Ordinance or application thereof to any person or circumstance is held 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 application of this Ordinance is severable.

SECTION 4: The findings and recitals contained 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 5: This Ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

Introduced: August 13, 2012

Approved:

Adopted: August 13, 2012

August 23, 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