

122-O-12

AN ORDINANCE

**Amending City Code Subsection 3-4-6-(Y) to Increase the Number of
Class Y Liquor Licenses from Two to Three
(The Wine Goddess, LLC, 702 Main Street)**

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

SECTION 1: Section 3-4-6-(Y) of the Evanston City Code of 2012, as amended ("City Code"), is hereby further amended by increasing the number of Class Y liquor licenses from two (2) to three (3), to read as follows:

- (Y) Class Y licenses, which shall authorize the retail sale of wine and unrefrigerated beer only in original packages to persons of at least twenty-one (21) years of age for consumption off the premises.
1. It shall be unlawful for a class Y licensee to sell a single container of wine unless the container is greater than or equal to sixteen (16) fluid ounces or four hundred seventy-three thousandths liter (0.473 l).
 2. The sale of alcoholic liquor at retail pursuant to the class Y license may begin after 8:00 a.m. Monday through Sunday. Alcoholic liquor shall not be sold after the hour of 12:00 midnight on any day.
 3. Wine tasting of only the wines permitted to be sold under this classification for consumption off-premises shall be permitted during authorized hours of business. Licensees shall not provide more than three (3) free samples, each of which shall not exceed one (1) fluid ounce, to any person in a day. Licensees may sell samples, but the volume of any sample sold shall not exceed four (4) fluid ounces and the total volume of all samples sold to a person in a day shall not exceed ten (10) fluid ounces. Licensees shall not provide and/or sell more than ten (10) fluid ounces of samples to any person in a day. Licensees must have at least one (1) BASSET-certified site Manager on-premises whenever offering wine for tasting. Licensees must provide food service when offering wine for tasting.

4. The licensed premises shall not exceed a gross area of five thousand (5,000) square feet total.
5. Not less than twenty (20) percent of total gross square foot area of the licensed premises shall be designated for the sale of food.
6. Not more than ten (10) percent of total gross square foot area of the licensed premises may be designated for the sale of unrefrigerated beer.

The applicant for the renewal only of such licenses may elect to pay the amount herein semiannually. 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 \$5,000.00

The total fee required hereunder for renewal applicants electing to make semiannual payments, payable according to the provisions of Section 3-4-7 of this Chapter, shall be \$5,160.00

No more than three (3) such licenses shall be in force at any one (1) time.

SECTION 2: Issuance of a Class Y liquor license to The Wine Goddess, LLC, ("the Applicant"), pursuant to adoption of this Ordinance is made contingent on the Applicant submitting to the City of Evanston proof of BASSET Training certification and proof of surety bond.

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

SECTION 4: 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 5: 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 6: This Ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

Introduced: October 22, 2012

Approved:

Adopted: November 12, 2012

November 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