

17-O-13

AN ORDINANCE

**Amending City Code Section 3-4-6-(P), "Classification & License Fees"
to Increase Permitted Production & Storage Quantity for
Craft Distilleries**

WHEREAS, the City of Evanston's ("City") Class P liquor license permits craft distillers to produce and store on-site 15,000 gallons of alcohol annually; and

WHEREAS, the 97th Illinois General Assembly passed HB 3450, which amends the terms of the state "Class 9" craft distiller manufacturer's license; and

WHEREAS, if and when HB 3450 is signed into law, the amount of alcohol that individual Illinois craft distillers may lawfully produce and store on-site will increase from 15,000 gallons annually, to 30,000 gallons for one (1) year, and to 35,000 gallons annually in subsequent years.

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

SECTION 1: Subsection 3-4-6-(P) of the Evanston City Code of 2012, 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 thirty thousand (30,000) gallons for one year after the effective date of this amendatory ordinance and thirty-five thousand (35,000) gallons thereafter, 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 3-4-7 of this Chapter, shall be \$1,890.00.

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

SECTION 2: This ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law, but not at any time prior to HB 3450 and the amendments therein becoming law in the state of Illinois.

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 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: January 28, 2013

Adopted: January 11, 2013

Approved:

February 13, 2013

Elizabeth B Tisdahl
Elizabeth B. Tisdahl, Mayor

Attest:

Rodney Greene
Rodney Greene, City Clerk

Approved as to form:

W. Grant Farrar
W. Grant Farrar, Corporation Counsel