

**68-O-13**

**AN ORDINANCE**

**Amending Subsection 3-4-6-(P1)  
to Increase Craft Brewery Production Limits to 930,000 gallons**

**WHEREAS**, the City of Evanston's ("City") Class P-1 liquor license permits craft breweries to produce and store on-site 465,000 gallons of alcohol annually; and

**WHEREAS**, the 98<sup>th</sup> Illinois General Assembly passed HB 1573, which amends the Liquor Control Act of 1934, including production limits for craft brewers; and

**WHEREAS**, if and when HB 3450 is signed into law, the amount of craft beer that individual Illinois craft breweries may lawfully produce and store on-site will increase from 465,000 gallons annually, to 930,000 gallons.

**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-1) of the Evanston City Code of 2012, as amended, is hereby further amended by increasing the production limit, to read as follows:

**(P-1)** CRAFT BREWERY license, shall authorize the on-site production and storage of beer in quantities not to exceed nine hundred thirty thousand (930,000) gallons (or 30,000 barrels) per year, the sale of such beer for consumption off-premises and on-site sampling and consumption of such beer by persons of at least twenty-one (21) years of age. Sale of beer manufactured outside the facility is prohibited. Such craft brewery licenses shall be issued subject to the following conditions:

1. It shall be unlawful for a Class P-1 licensee to sell a single container of beer for off-premises consumption unless the volume of the container is greater than forty (40) ounces or 1.18 liters.

2. During authorized hours of business, Class P-1 licensees may offer for on-site consumption samples of beer 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 two (2) fluid ounces, to any person in a day. Licensees may sell for on-site consumption samples of the beer permitted to be produced and sold pursuant to this classification, provided the total quantity of the sampling package, regardless of the number of containers in which the beer is being served, does not exceed sixteen (16) fluid ounces.
3. Class P-1 licensees must have at least one (1) BASSET-certified site manager on-premises whenever beer is available for on-site consumption. Class P-1 licensees must provide food service whenever beer is available for on-site consumption.
4. It shall be unlawful for the holder of a Class P-1 license to provide a sample of or sell any beer before the hours of 10:00 a.m. or after the hour of 10:00 p.m. on any Monday, Tuesday, Wednesday or Thursday; before the hour or 10:00 a.m. or after the hour of 11:00 p.m. on any Friday or Saturday; and before the hour of 12:00 p.m. and after the hour of 10:00 p.m. on any Sunday.
5. Every Class P-1 licensee must have a valid Class 3 Brewer's License from the State of Illinois.
6. Every employee of a Class P-1 licensee who participates in the production and sale of beer, 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 zero (0) such licenses shall be in force at any one (1) 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 1573, and the amendments therein, as adopted by the 98<sup>th</sup> Illinois General Assembly becomes law in the state of Illinois.

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

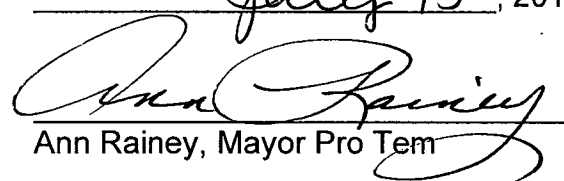
**SECTION 4:** If any provision of this ordinance or application thereof to any person or circumstance is ruled unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this ordinance that can be given effect without the invalid application or provision,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

**SECTION 5:** The findings and recitals 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.

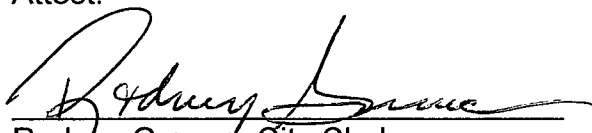
Introduced: June 24, 2013

Approved:

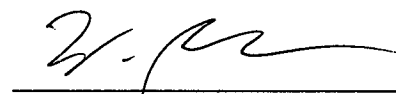
Adopted: July 8, 2013

July 15, 2013  
  
Ann Rainey, Mayor Pro Tem

Attest:

  
Rodney Greene, City Clerk

Approved as to form:

  
W. Grant Farrar, Corporation Counsel

