

104-O-13

AN ORDINANCE

**Amending City Code Title 3, Chapter 4 to Permit Issuance
of a Class B Liquor License to Coffee House Holdings, Inc.
("Starbucks," 1734 Sherman Avenue)**

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

SECTION 1: Subsection 3-4-6-(B) of the Evanston City Code of 2012, as amended ("City Code"), is hereby further amended by increasing the number of Class B liquor licenses from eighteen (18) to nineteen (19), to read as follows:

(B) CLASS B licenses, which shall authorize the sale on the premises specified of alcoholic liquor only for consumption on the premises while food is available. Such licenses may be issued only to hotels or restaurants in the core area. Establishments holding Class B licenses must have some food service available when alcoholic liquor is being sold. The meanings of "hotel," "restaurant," and "core area" shall be as defined in Section 3-4-1 of this Chapter. 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 four thousand, three hundred dollars (\$4,300.00).

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 four thousand, five hundred fifteen dollars (\$4,515.00).

No more than nineteen (19) such licenses shall be in force at any one time.

SECTION 2: The definition of "Restaurant" in City Code Section 3-4-1 is hereby amended to read as follows:

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| RESTAURANT. | Any public place kept, used, maintained, advertised and held out to the public as a place where meals are served, which offers patrons complete meals, including dinner and/or luncheon menu at which the |
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| | service of alcoholic beverages is incidental and complementary to the service of such meals. Limited food service such as provided by lounges, luncheonettes, diners, drive-ins, etc., does not satisfy the requirements of this definition. |
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SECTION 3: The sale of alcoholic liquor may begin only after four o'clock (4:00) p.m. at the licensed premises located at 1734 Sherman Avenue. The restriction on the time of sale in this Section 3 shall not apply to any other holder of a Class B liquor license.

SECTION 4: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 5: 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 6: 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 7: 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 14, 2013

Approved:

Adopted: October 28, 2013

October 30, 2013

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

