

Effective Date: June 25, 2014

5/22/2014  
4/22/2014  
4/15/2014

**39-O-14**

**AN ORDINANCE**

**Amending City Code Sections 3-4-1 and 3-4-6 By Creating the New  
Class O Liquor License Allowing the Sale of Beer at  
Automobile Service Stations Which Have  
More Than 3000 Feet of Interior Floor Space**

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

SECTION 1: That Section 3-4-1 of the Evanston City Code of 2012, as amended, which defines terms as used in Chapter 4: Liquor Control Regulations, is hereby further amended to include the following:

<i>AUTOMOBILE SERVICE STATION (GAS STATION).</i>	A building, property, or structure the principal use of which dispenses or offers for retail sale of automotive fuels or oils and incidental convenience goods; having pumps and storage tanks thereon, and where battery, tire and other similar services, are rendered, but only if rendered wholly within lot lines. "Automobile service stations" shall not include an automotive body repair establishment or a car wash.
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SECTION 2: That Subsection 3-4-6 of the Evanston City Code of 2012, as amended, is hereby further amended by the enactment of a new Subsection (O) thereof, "Class O Liquor License", to read as follows:

- (O) CLASS O licenses, which shall authorize the retail sale of beer in automobile service stations as defined in Section 3-4-1 of this Chapter, and in original packages to persons of at least twenty-one (21) years of age for consumption off the premises. The applicant for such license shall pay an initial fee of \$2,000.00 and thereafter an annual fee of \$2,000.00.

1. It shall be unlawful for a Class O licensee to sell a single container of beer unless the volume of the container is greater than forty (40) ounces or 1.18 liters. It shall be unlawful for a licensee to bundle, tape, package, or otherwise manipulate single containers of beer for sale as a set. Any such manipulation of packaging shall be a violation of this subsection.
2. The retail sale of beer pursuant to the Class O license may begin after 8:00 a.m., Monday through Sunday. Beer shall not be sold after the hour of 12:00 midnight on any day. The retail sale of beer area on the premises shall occupy no more than four hundred (400') square feet of floor space.
3. No sale of beer shall be allowed to any patron who is occupying a motor vehicle at the time of sale. Retail sale of beer pursuant to this license class shall only be allowed in a licensed premise which has more than three thousand (3000') square feet of interior floor space.
4. No sale of beer shall be allowed from a drive-in window or other similar opening in the licensed premises to any patron. All employees who sell beer to patrons shall have BASSET training.

The total number of Class O licenses in effect at any one (1) time shall not exceed zero (0).

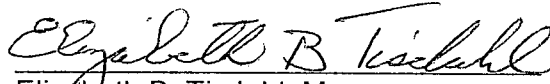
**SECTION 3:** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**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.

**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.

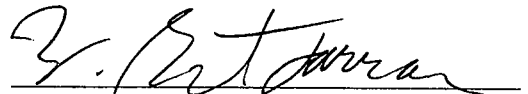
Introduced: June 9, 2014      Approved: \_\_\_\_\_  
Adopted: June 23, 2014      June 25, 2014

  
Elizabeth B. Tisdahl, Mayor

Attest:

  
Rodney Greene, City Clerk

Approved as to form:

  
W. Grant Farrar, Corporation Counsel

