

4/29/2014  
3/20/2014

**42-O-14**

**AN ORDINANCE**

**Amending Subsection 3-4-6-(P-1) and Creating Subsection 3-4-6(P-2)  
Regarding Food Service and Product Consumption  
in Craft Brewery Taprooms**

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 to read as follows:

**(P-1)** CRAFT BREWERY license shall authorize the on-site production and storage of craft beer in quantities not to exceed nine hundred thirty thousand (930,000) gallons (or 30,000 barrels) per year and the sale of such beer for consumption off-premises. It also authorizes on-site sampling consumption of such beer by persons of at least twenty-one (21) years of age. 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 container of beer for off-premises consumption unless the volume of the container is equal to or greater than thirty-two (32) ounces or 0.94 liters.
2. Class P-1 licensees may during authorized hours of business, offer for on-site consumption samples of beer permitted to be produced and sold pursuant to this classification. Licensees who limit activity to sampling only, as specified herein, shall provide limited food service such as cheese, crackers, snack food or other similar deli-style items to customers who are sampling craft beer.
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. All persons who sell, open, pour, dispense or serve craft beer shall be BASSETT certified. Class P-1 licensees must provide food service whenever beer is available for on-site consumption, in accordance with the specifications applicable to sampling for on-site consumption. The

licensee is strictly liable for complying with all provisions regarding food service. Craft beer product samples for on-site consumption shall be dispensed only in containers provided by the licensee. No alcoholic liquor shall be brought onto the licensed premises or consumed on the licensed premises other than the craft beer offered for sampling.- 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.

4. It shall be unlawful for the holder of a Class P-1 license to provide a sample of or sell any beer between the hours of 12:00 a.m. and 10:00 a.m. on any Monday, Tuesday, Wednesday, Thursday or Friday; between the hours of 1:00 a.m. and 10:00 a.m. on any Saturday; and between the hours of 1:00 a.m. and 12:00 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. Every licensee shall maintain accurate records as to the total gallonage of beer manufactured on the premises and the total gallonage of beer manufactured on the premises and sold for consumption off-premises. Licensee shall produce said records to the City upon request.
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 one (1) such license shall be in force at any one (1) time.

**SECTION 2:** The Evanston City Code of 2012, as amended, is hereby further amended to include the new Subsection 3-4-6(P-2), to read as follows:

- (P-2)** CRAFT BREWERY license shall authorize the on-site production and storage of craft beer in quantities not to exceed nine hundred thirty thousand (930,000) gallons (or 30,000 barrels) per year and the sale of such beer for consumption

off-premises. It also authorizes on-site sampling and retail sale for consumption of such beer by persons of at least twenty-one (21) years of age. Such craft brewery licenses shall be issued subject to the following conditions:

1. It shall be unlawful for a Class P-2 licensee to sell a container of beer for off-premises consumption unless the volume of the container is equal to or greater than thirty-two (32) ounces or 0.94 liters.
2. Class P-2 licensees may during authorized hours of business offer for on-site consumption samples of beer, or beer for retail sale, the beer permitted to be produced and sold pursuant to this classification.

Licensees who offer servings of beer for retail sale shall provide expanded food service which includes such items as sandwiches, flatbreads, empanadas, hot dogs, salads, or other similar a la carte items to customers who are purchasing a craft beer serving(s). Licensees may arrange for the presence and operation of a mobile food vehicle on or adjacent to the licensed premises during authorized hours of business to serve food to customers. Only mobile food vehicle vendors licensed pursuant to Title 8, Chapter 23 of the City Code shall be allowed to be present and operate. Licensees required to provide expanded food service shall comply with all applicable requirements of Title 8, Chapter 6 of the City Code.

3. Class P-2 licensees must have at least one (1) BASSET-certified site manager on-premises whenever beer is available for on-site consumption. All persons who sell, open, pour, dispense or serve craft beer shall be BASSETT certified. Class P-2 licensees must provide food service whenever beer is available for on-site consumption, in accordance with the specifications applicable to retail sale for on-site consumption. The licensee is strictly liable for complying with all provisions regarding food service. Craft beer for product sampling or retail sale for on-site consumption shall be sold and dispensed only in containers provided by the licensee. Craft beer servings for consumption on premises shall be dispensed in containers no larger than sixteen (16) ounces. Craft beer sold within the licensed premises for consumption on the premises shall not be removed from the licensed premises. No alcoholic liquor shall be brought onto the licensed premises or consumed on the licensed premises other than the craft beer sold at retail or offered for sampling.

4. It shall be unlawful for the holder of a Class P-2 license to provide a sample of or sell any beer between the hours of 12:00 a.m. and 10:00 a.m. on any Monday, Tuesday, Wednesday, Thursday or Friday; between the hours of 1:00 a.m. and 10:00 a.m. on any Saturday; and between the hours of 1:00 a.m. and 12:00 p.m. on any Sunday.
5. Every Class P-2 licensee must have a valid Class 3 Brewer's License from the State of Illinois. Every licensee shall maintain accurate records as to the total gallonage of beer manufactured on the premises and the total gallonage of beer manufactured on the premises and sold for consumption off-premises. Licensee shall produce said records to the City upon request.
6. Every employee of a Class P-2 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 \$4,000.00.

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 \$4,090.00.

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

**SECTION 3:** All ordinances or parts of ordinances in conflict herewith are hereby repealed. This ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

**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: May 12, 2014

Adopted: May 27, 2014

Approved:

May 29, 2014

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

