

**127-O-14**

**AN ORDINANCE**

**Amending Subsection 3-4-6-(O) of the City Code  
to Increase the Number of Class O Liquor Licenses  
from Zero to One  
(Dil Foods, Inc., d/b/a "Shell Gas Station", 2494 Oakton Street)**

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

**SECTION 1:** Subsection 3-4-6-(O) of the Evanston City Code of 2012, as amended, is hereby further amended by increasing the number of Class O liquor licenses from zero (0) to one (1), 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 five hundred (500') 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.
  4. No sale of beer shall be allowed from a drive-in window or other similar opening in the licensed premises to any patron.

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

**SECTION 2:** 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**SECTION 3:** All ordinances or parts of ordinances in conflict herewith are hereby repealed.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:** 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 27, 2014

Approved:

Adopted: October 27, 2014

October 29, 2014

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