

**150-O-14**

**AN ORDINANCE**

**Amending and Revising Portions of City Code Title 3, Chapter 4  
“Liquor Control Regulations”**

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

**SECTION 1:** Section 3-4-1 of the Evanston City Code of 2012, as amended, is hereby further amended to include the following definition:

ALCOHOL SERVER	Any person who sells or serves open containers of alcoholic beverages at retail and anyone whose job description entails the checking of identification for the purchase of open containers of alcoholic beverages at retail or for entry into the licensed premises. This definition does not include (i) a distributor or importing distributor conducting product sampling or a registered tasting representative; (ii) a volunteer serving alcoholic beverages at a charitable function; or (iii) an instructor engaged in training or educating on the proper technique for using a system that dispenses alcoholic beverages.
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**SECTION 2:** Section 3-4-3(A) of the Evanston City Code of 2012, as amended, is hereby further amended and revised to read as follows:

- (A) License Required.
1. It shall be unlawful to sell, manufacture, bottle, blend, possess on the premises, or offer for sale in the City any alcoholic liquor without having a liquor dealer's license, or in violation of the terms of such license.
  2. Each license shall terminate one (1) year from the date of issuance;
  3. Any licensee may renew his/her license at the expiration thereof, provided:
    - a. that he/she is then qualified to receive a license;
    - b. is a current State of Illinois liquor license holder;
    - c. the premises for which such renewal license is sought are suitable for such purpose; and
    - d. if a corporation, furnishes proof satisfactory to the City that it is a corporation in good standing at the time of renewal.

This renewal privilege shall not be construed as a vested right or will prevent the City Council from decreasing the number of licenses to be issued within its jurisdiction.

**SECTION 3:** Section 3-4-4 of the Evanston City Code of 2012, as amended, is hereby further amended and revised to read as follows:

**3-4-4. – APPLICATION FOR LICENSES.**

Written applications for licenses shall be made to the local liquor control commissioner and signed by the applicant, or by a duly authorized agent thereof. All applications shall be verified by oath or affidavit and contain the following statements and information.

- (A) The name, age and address of the applicant in the case of an individual; in the case of a copartnership, the persons entitled to share in the profits thereof; and in the case of a corporation, the date of incorporation, the objects for which it was organized, a summary of its activities during the past year, and the names and addresses of the officers, directors, all persons owning directly or beneficially more than five percent (5%) of the stock of such corporation and the person operating as manager of the premises.
- (B) The citizenship of the applicant, the place of his/her birth, and if a naturalized citizen, the time and place of his/her naturalization.
- (C) The character of business of the applicant; and in the case of a corporation, the objects for which it was formed.
- (D) The length of time said applicant has been in business of that character, or in the case of a corporation, the date when its charter was issued.
- (E) The amount of goods, wares and merchandise on hand at the time application is made.
- (F) The location and description of the premises or place of business which is to be operated under such license.
- (G) A statement whether applicant has made application for a similar or other license on premises other than that described in the application, and the disposition of such application.
- (H) A statement that applicant is not disqualified to receive a license by reason of any matter or thing contained in this Chapter, laws of this state, or the ordinances of the City, and a statement as to whether applicant has ever been convicted of a felony.
- (I) A statement that applicant does not owe any debt or unpaid tax to the City of any kind.
- (J) Whether a previous license by any state or subdivision thereof, or by the federal government has been revoked or suspended, and the reasons thereof.
- (K) A statement that the applicant understands and shall not violate any of the laws of the state of Illinois, or of the United States, or any ordinances of the City in the conduct of his/her place of business. This statement will also recite that all

applicants acknowledge that they shall read this Chapter and that they agree and understand that they are bound by it.

- (L) Before any license shall be issued on such application, the applicant shall furnish a bond with a corporate surety, such corporate surety to be a surety company regularly authorized to act as surety and to be approved by the local liquor control commissioner. Such bond shall provide against any violation by the principal, his/her agents or employees of any of the terms of this Chapter or any Chapter, rules and regulations now in force or which may hereafter be in force in the City affecting the operation of such business. The penalty of such bond shall be two thousand five hundred dollars (\$2,500.00).

In lieu of such corporate surety, such applicant may furnish a bond to the City with two (2) sureties who shall be residents of the City and each of whom shall be able to schedule real estate owned by him/her in the City of a market value of twice the penalty of such bond over and above any encumbrances, taxes, assessments, homestead rights and liens of any character. Such proposed surety shall file with the local liquor control commissioner a schedule setting forth the street address, as well as the legal description of the real estate owned by him; the names of all persons interested therein, whether or not the same is improved; if improved, the nature of the improvements thereon; whether or not the same is encumbered and if encumbered, the amount and nature of the encumbrance; whether or not the same is subject to homestead rights, listing any unpaid taxes except current taxes and unpaid special assessments, and any other liens, if any; the approximate estimated value of such property over and above encumbrances, and such other information as the local liquor control commissioner may request to aid him/her in determining the sufficiency of the bond. Such schedule shall be sworn to by the proposed surety.

- (M) Before any liquor license shall be issued on such liquor license application and renewal, the applicant shall furnish a valid certificate of liquor liability (dram shop) insurance to the local liquor control commissioner. Such insurance policy shall cover the applicant, be issued by a responsible insurance company authorized and licensed to do business in the state of Illinois, and specifically name the City of Evanston as an additional insured in the aggregate amount of one million dollars (\$1,000,000.00). The insurance policy required by this Subsection shall be in effect prior to the issuance of any liquor license and be for a term of at least twelve (12) months, and shall coincide with the period the liquor license is in effect.

**SECTION 4:** Section 3-4-5 of the Evanston City Code of 2012, as amended, is hereby further amended and revised to read as follows:

**3-4-5. – RESTRICTIONS ON LICENSES.**

No such license shall be issued to:-

- (A) A person who is not a resident of the City;
- (B) A person who is not of good character and reputation in the community in which he/she resides;
- (C) A person who is not a citizen of the United States;
- (D) A person convicted of a felony under any federal or state law if the local liquor control commissioner determines, after investigation, that such person is not sufficiently rehabilitated to warrant the public trust;
- (E) A person convicted of being the keeper of or is keeping a house of ill fame;
- (F) A person convicted of pandering or other crime or misdemeanor opposed to public decency and morality;
- (G) A person whose license under this Chapter was revoked;
- (H) A person who, at the time of application for renewal of any license issued hereunder, would not be eligible for such license under a first application;
- (I) A copartnership, unless all of the members of such copartnership shall be qualified to obtain a license;
- (J) A corporation, if any officer, manager or director thereof, or any stockholder or stockholders owning directly or beneficially in the aggregate more than five percent (5%) of the stock of such corporation, would not be eligible to receive a license hereunder for any reason other than citizenship and residence within the political subdivision;
- (K) A corporation unless it is incorporated in Illinois and is in good standing with the Illinois Secretary of State;
- (L) Is a foreign corporation which is qualified under the Business Corporation Act, 805 ILCS 6-5/1.01 et seq., to transact business in Illinois;
- (M) A person whose place of business is conducted by a manager or agent unless said manager or agent possesses the same qualifications required of the licensee;
- (N) A person convicted of a violation of any federal or state law concerning the manufacture, possession or sale of alcoholic liquor, or who shall have forfeited his/her bond to appear in court to answer charges for any such violation;
- (O) A person who does not own the premises for which a license is sought, or does not have a lease thereon for the full period for which the license is issued;
- (P) Any elected public official; or an employee of the City or an appointee to any board or commission of the City, which employee or appointee is charged with the responsibility of administering or enforcing this Chapter;
- (Q) Any applicant who shall fail to be eligible for and receive a license to sell alcoholic liquor from the state of Illinois, except where such applicant fails to be eligible due to the location requirements of the state;
- (R) A person who is not a beneficial owner of the business to be operated by the licensee;
- (S) A person convicted of gambling pursuant to the Illinois Criminal Code, 720 ILCS 5/28-1, 28-3, as amended;
- (T) A person who owes any debt or unpaid tax to the City;
- (U) Any person to whom issuance of a liquor license is prohibited by the Illinois Liquor Control Act of 1934, as amended, 235 ILCS 5/1 et seq.

**SECTION 5:** Section 3-4-6 of the Evanston City Code of 2012, as amended, is hereby further amended and revised to read as follows:

**3-4-6. - CLASSIFICATION AND LICENSE FEES.**

Licenses issued hereunder shall be divided into the classes provided for in this Section.

**Table 1**

Class	Type	Consume On Site	Consume Off Site	Initial Fees	Renew Fee	Licenses	Location Limit	Permitted Hours
A	Restaurant/ Beer and Wine Shop	Liquor	Beer, Wine	\$5,000	\$5,000	0	None	10a.m.—9 p.m. (Mon- Thurs); 10 a.m. – 10 p.m. (Fri-Sat); 12 p.m.— 9 p.m. (Sun)
B	Movie Theater	Liquor	None	\$5,000	\$5,000	1	Core	11 a.m.— 1 a.m.
C	Hotel or Restaurant	Liquor	None	\$4,300	\$4,300	22	Core	11 a.m.— 1 a.m. (Mon- Thurs); 11 a.m. – 2 a.m. (Fri – Sat); 12 p.m. – 1 a.m. (Sun)
C1	Hotel or Restaurant	Liquor	None	\$8,000	\$8,000	6	Core	11 a.m.— 2 a.m. (Sun – Wed); 11 a.m. – 3 a.m. (Thurs-Sat)
D	Restaurant	Liquor	None	\$2,800	\$2,800	50	None	11 a.m.— 1 a.m. (Mon- Thurs); 11 a.m. – 2 a.m. (Fri-Sat); 12 p.m. – 1 a.m. (Sun)
E	Package Store	None	Liquor	\$25,000	\$4,100	2	None	8 a.m.— Midnight
F	Grocery	None	Liquor	\$35,000	\$11,500	8	Store over 12,000 sq. ft. (product display)	8 a.m.— Midnight
G	Grocery	None	Beer/Wine	\$20,000	\$4,100	1	Store over 12,000 sq. ft. (product display)	8 a.m.— Midnight
H	Restaurant	Liquor	None	\$2,800	\$2,800	1	None	11 a.m.—

Class	Type	Consume On Site	Consume Off Site	Initial Fees	Renew Fee	Licenses	Location Limit	Permitted Hours
								10 p.m. (Mon—Sat); 12 p.m.—10 p.m. (Sun)
I	Restaurant/ Package Store	Liquor	Liquor	\$7,500	\$7,500	1	None	12 p.m. – 10 p.m. (Sun-Thurs); 12 p.m. – 11 p.m. (Fri-Sat)
J	Brewpub	Liquor	Beer	\$7,500	\$7,500	2	Core	11 a.m. – 1 a.m. (Mon-Thurs); 11 a.m. – 2 a.m. (Fri-Sat); 12 p.m. – 1 a.m. (Sun)
K	Wine, Beer, and Spirits Shop	Tasting	Wine, Beer, and Spirits	\$5,000	\$5,000	3	Store under 5,000 sq. ft.	8 a.m.—Midnight
L	Grocery	None	Liquor	\$5,000	\$5,000	1	Store between 5,000 and 7,000 sq. ft. (product display)	8 a.m.—Midnight
M	Wine Sale—Retail Delivery	None	Wine	\$5,000	\$5,000	1	None	8 a.m.—Midnight
N	Beer-Making Classes, Etc.	Beer Sampling	Beer	\$1,500	\$1,575	0		10 a.m.—10 p.m. (Thurs); 10 a.m.—11 p.m. (Sat); 12 p.m.—10 p.m. (Sun)
O	Auto Service Station	No	Beer	\$2,000	\$2,000	1	None	8 a.m. - midnight
P	Craft Distillery	Sampling	Liquor	\$1,800	\$1,800	1	None	10 a.m.—10 p.m. (Mon-Thurs); 10 a.m. – 11 p.m. (Fri – Sat); 12:00 p.m. – 10 p.m. (Sun)
P-1	Craft Brewery	Beer Sampling	Beer	\$1,800	\$1,800	1	None	10 a.m.—12 p.m. (Mon-Thurs); 10 a.m. – 1 a.m. (Fri-Sat); 12 p.m. – 12 a.m.

Class	Type	Consume On Site	Consume Off Site	Initial Fees	Renew Fee	Licenses	Location Limit	Permitted Hours
								(Sun)
P-2	Craft Brewery	Beer	Beer	\$4,000	\$4,000	1	None	10 a.m.—12 p.m. (Mon—Thu); 10 a.m.—1:00 a.m. (Fri—Sat); 12:00 p.m.—12:00 a.m. (Sun)
Q	Retirement Facility	Liquor	None	\$1,800	\$1,800	3	None	11 a.m.—12 a.m. (2 a.m. on special holidays)
R	University	Liquor	None	\$4,300	\$4,300	2	University Area	11 a.m.—1 a.m. (Mon—Thurs); 11 a.m.—2 a.m. (Fri—Sat); 12 p.m.—1 a.m. (Sun)
S	Veterans Groups	Liquor	None	\$500	\$500	1	None	9 a.m.—2 a.m.
S-1	Non-Profit Organizations	Liquor	None	\$500	\$500	0	None	11 a.m.—1 a.m. (Mon—Thu); 11 a.m.—2 a.m. (Fri—Sat); 12 p.m.—1 a.m. (Sun)
T	Catering	Beer, Wine	None	\$1,800	\$1,800	2	None	10 a.m.—1 a.m. (Mon—Fri); 10 a.m.—2 a.m. (Sat—Sun)
U	Theater	Beer, Wine	None	\$500	\$500	01	Not in Public Buildings	1 hour before performance and at intermission
V	Live Music Venues	Liquor	None	\$8,000	\$8,000	0	Core	4 p.m.—2 a.m. (Mon—Thurs); 4 p.m.—3 a.m. (Fri—Sun)
X, Y	Reserved							
Z1—Z4	One-Day Licenses	Varies	None	Varies			Varies	10 a.m.—10:30 p.m. (Sun—Thurs); 10 a.m.—2 a.m. (Fri—Sun)

- (A) CLASS A licenses, which shall authorize the retail sale of wine, refrigerated beer, and/or unrefrigerated beer, in original packages, for consumption off the premises that is incidental and complementary to the retail sale of bake at home pizzas, salads, fine cheeses, deli and gourmet food products, and related accessories. Each Class A license shall be issued subject to the following conditions:
1. Class A licenses shall authorize the retail sale only of wine, imported beer, and American craft beer, and of no other alcoholic liquors, for consumption off the premises.
  2. Not more than twenty (20) percent of total gross square foot area of the licensed premises may be designated for the sale of wine, refrigerated beer, and/or unrefrigerated beer. No tobacco product of any kind shall be sold or offered for sale on the licensed premises.
  3. Class A licensees must have at least one (1) BASSET-certified site Manager on-premises at all times.
  4. The sale of wine, and/or beer shall be limited to the hours of 10:00 a.m. until 9:00 p.m. Monday through Thursday; 10:00 a.m. until 10:00 p.m. Friday through Saturday; 12:00 noon until 9:00 p.m. on Sunday.

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 five thousand dollars (\$5,000.00).

The total fee required hereunder for renewal applicants electing to make semiannual payments, payable according to the provisions of Section 3-4-7 of this Chapter, shall be five thousand one hundred sixty dollars (\$5,160.00).

No more than zero (0) such license(s) shall be in force at any one (1) time.

- (B) Class B licenses, which shall authorize the sale, as described herein, of alcoholic liquor, for consumption on the premises of a cinema, having a minimum seating capacity of eight hundred (800) and located in the Core District, while food service is available. Establishments holding Class B licenses must have some food service available and at least one (1) BASSET-certified site manager on the premises when alcoholic liquor is being sold. Each Class B license shall be subject to the following conditions:
1. Sale, Possession and Consumption: Sale of alcoholic liquor shall be restricted to the café and temporary bar area only. Possession and consumption of alcoholic liquor shall be permitted in the café area and in viewing auditoriums pursuant to Section 3-4-6(B)2.
  2. Restrictions on Alcohol in Auditoriums: A Class B licensee may permit patrons to exit the café and temporary bar area while possessing or



consuming alcoholic liquor if the licensee first verifies that every such patron:

- a. Is at least twenty-one (21) years of age;
  - b. Is wearing a wristband, issued by a BASSET-certified employee of the licensee, that indicates the patron is at least twenty-one (21) years of age;
  - c. Has in his/her possession no more than one (1) alcoholic beverage served in an open plastic container of a different color, size and design than those in which non-alcoholic beverages are served;
  - d. Is viewing a motion picture rated PG-13 or R by the Motion Picture Association of America, or attending a special event approved by the local liquor commissioner pursuant to Section 3-4-6(B)3.
3. Special Event: Upon approval by the local liquor commissioner of a request submitted by the licensee for a special event to be held at the arts cinema, the sale and consumption of alcoholic liquor on the premises during a special event shall be permitted pursuant to the terms of Section 3-4-6(B)2.
  4. Special Event Waiver: For a special event, the restrictions of Section 3-4-6(B)3 may be waived, in writing, by the local liquor commissioner if he/she finds that alternative procedures proposed by the licensee will prevent underage persons from being served alcoholic liquor. Such a waiver may be granted only after a review of the licensee's written proposal of alternate practices. The licensee shall submit any request for a waiver and the accompanying written proposal at the same time he/she seeks the local liquor commissioner's approval for a special event under Section 3-4-6(B)3. If such a waiver is granted, it shall be effective only for the special event as described in the application and shall cease to have effect at the conclusion of said special event.
  5. Hours: The sale of alcoholic liquor shall only take place from 11:00 a.m. to 1:00 a.m. Sunday through Saturday and while the licensed premises is open for the showing of motion pictures or a special event pursuant to Section 3-4-6(B)3. Under no circumstances shall alcoholic liquor be served more than one (1) hour prior to the advertised showing time of the first motion picture to be screened on any day, or any special event.
  6. Restrictions: No licensee shall employ on its premises any person under the age of twenty-one (21) years to attend bar, or to pour, draw, or mix alcoholic liquor on said premises.
  7. Liability: A licensee shall be liable for any alcohol consumption by any person younger than twenty-one (21) years of age on the licensed premises, regardless of whether the alcohol was purchased from the licensee.

The applicant for the renewal only of such licenses may elect to pay the amount required herein semiannually or annually. 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 five thousand dollars (\$5,000.00).

The total fee required hereunder for renewal applicants electing to make semiannual payments, payable according to the provisions of Section 3-4-7 of this Chapter, shall be five thousand two hundred fifty dollars (\$5,250.00).

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

- (C) CLASS C 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 C 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 required semiannually or annually. 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 twenty-two (22) such license(s) shall be in force at any one (1) time.

- (C-1) CLASS C-1 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 C-1 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.

1. The sale of alcoholic liquor shall not take place between the hours of 2:00 a.m. and 11:00 a.m., except that sales may be made up to 3:00 a.m. on Friday, Saturday, Sunday mornings and up to 3:00 a.m. on the mornings of January 1, Memorial Day, July 4, Labor Day and Thanksgiving.

The applicant for the renewal only of such licenses may elect to pay the amount required herein semiannually or annually. 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 eight thousand dollars (\$8,000.00).

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 eight thousand four hundred dollars (\$8,400.00).

No more than six (6) such license(s) shall be in force at any one (1) time.

- (D) CLASS D licenses, which shall authorize the retail sale in restaurants only of alcoholic liquor for consumption on the premises where sold. No such license may be granted to or retained by an establishment in which the facilities for food preparation and service are not primarily those of a "restaurant", as defined in Section 3-4-1 of this Chapter. Alcoholic liquor may be sold in restaurants holding Class D licenses only during the period when their patrons are offered a complete meal.

The applicants for the renewal only of such licenses may elect to pay the amount required herein semiannually or annually. 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 two thousand eight hundred dollars (\$2,800.00).

The total fee required hereunder for renewal applicants electing to make semiannual payments, payable pursuant to the provisions of Section 3-54-7 of this Chapter, shall be two thousand nine hundred forty dollars (\$2,940.00).

No more than fifty (50) such license(s) shall be in force at any one (1) time.

- (E) CLASS E licenses, which shall authorize in the retail package store area the retail sale in package stores of alcoholic liquor in original packages to persons of at least twenty-one (21) years of age for consumption off the premises. Each Class E license shall be subject to the following conditions:

1. It shall be unlawful for a Class E licensee to sell a single container of beer unless the volume of the container is equal to or greater than forty (40) fluid 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. Nothing in this Subsection shall be construed as prohibiting the sale of packages containing six (6) single containers of beer, including

such packages consisting of various single containers of beer chosen by the consumer.

2. It shall be unlawful for a Class E licensee to sell a single container of wine unless the container is greater than sixteen (16) fluid ounces or 0.473 liter.
3. It shall be unlawful for a Class E licensee to sell a single container of alcoholic liquor, except beer and wine which are regulated by Subsections (E)1 and (E)2 of this Section, unless the container is greater than sixteen (16) fluid ounces or 0.473 liter.
4. The sale of alcoholic liquor at retail pursuant to the Class E license may begin after 8:00 a.m., Monday through Sunday. Alcoholic liquor shall not be sold after the hour of 12:00 midnight on any day.

The applicant for a Class E license shall pay a first year license fee of twenty-five thousand dollars (\$25,000.00). Thereafter, the annual fee for a Class E license shall be four thousand one hundred dollars (\$4,100.00).

(F) CLASS F licenses, which shall authorize the retail sale of alcoholic liquor in grocery stores, combination stores as defined in Section 3-4-1 of this Chapter, and wholesale clubs requiring membership in original packages to persons of at least twenty-one (21) years of age for consumption off the premises. Class F licenses shall also authorize the tasting of alcoholic liquor not exceeding the limits set forth herein.

1. It shall be unlawful for a Class F 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. Nothing in this Subsection shall be construed as prohibiting the sale of packages containing six single containers of beer, including such packages consisting of various single containers of beer chosen by the consumer.
2. It shall be unlawful for a Class F licensee to sell a single container of wine unless the container is greater than sixteen (16) fluid ounces or 0.473 liters.
3. It shall be unlawful for a Class F licensee to sell a single container of alcoholic liquor, except beer and wine which are regulated by Subsections (F)1 and (F)2 of this Section, unless the container is greater than sixteen (16) fluid ounces or 0.473 liters.
4. The sale of alcoholic liquor at retail pursuant to the Class F license may begin after 8:00 a.m., Monday through Sunday. Alcoholic liquor shall not be sold after the hour of 12:00 midnight on any day.
5. No such license may be granted to an establishment that is located within five hundred (500) feet of a licensee holding a Class F liquor license.
6. A Class F licensee shall provide a minimum of twelve thousand (12,000) square feet of production, preparation, and display area in which products are prepared and are for sale.

7. Class F licenses shall permit the tasting of samples of the alcoholic liquor permitted to be sold under this classification, on the licensed premises during authorized hours of business. No charge, cost, fee, or other consideration of any kind shall be levied for any such tasting. Licensees shall not provide more than three (3) free tastings, each of which shall not exceed one (1) fluid ounce for wine, two (2) fluid ounces for beer and one-quarter (.25) fluid ounce for distilled alcohol, to any person in a day. Licensees must have at least one (1) BASSET-certified site manager on-premises whenever offering alcoholic liquor for tastings. Licensees must provide food service when offering alcoholic liquor for tastings.

The applicant for a Class F license shall pay a first year license fee of thirty-five thousand dollars (\$35,000.00). Thereafter, the annual fee for a Class F license shall be eleven thousand five hundred dollars (\$11,500.00).

- (G) CLASS G licenses, which shall authorize the retail sale of beer and wine in grocery stores and combination stores 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.

1. It shall be unlawful for a Class G 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. Nothing in this Subsection shall be construed as prohibiting the sale of packages containing six (6) single containers of beer, including such packages consisting of various single containers of beer chosen by the consumer.
2. It shall be unlawful for a Class G licensee to sell a single container of wine unless the container is greater than sixteen (16) fluid ounces or 0.473 liter.
3. The sale of alcoholic liquor at retail pursuant to the Class G license may begin after 8:00 a.m., Monday through Sunday. Alcoholic liquor shall not be sold after the hour of 12:00 midnight on any day.
4. A Class G licensee shall provide a minimum of twelve thousand (12,000) square feet of production, preparation, and display area in which products are prepared and are for sale.

The applicant for a Class G license shall pay a first year license fee of thirty-five thousand dollars (\$35,000.00). Thereafter, the annual fee for a Class G license shall be eleven thousand five hundred dollars (\$11,500.00).

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

- (H) Class H licenses, which shall authorize the sale in restaurants of alcoholic liquor for consumption on the premises where sold. No such license may be granted to or retained by an establishment in which the facilities for food preparation and

service are not primarily those of a "restaurant," as defined in Section 3-4-1 of this Chapter. Alcoholic liquor may be sold in restaurants holding Class H licenses only during the period when patrons are offered a complete meal. The sale of alcoholic liquor shall only take place from 11:00 a.m. to 10:00 p.m., Monday through Saturday and from 12:00 noon to 10:00 p.m. on Sunday. No alcoholic liquor may be consumed on the premises after 10:30 p.m., Sunday through Saturday.

The applicants for the renewal of such licenses may elect to pay the amount herein required semiannually or annually. 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 two thousand eight hundred dollars (\$2,800.00).

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 two thousand nine hundred forty dollars (\$2,940.00).

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

- (l) CLASS I licenses, which shall authorize the retail sale in a restaurant of alcoholic liquor for both consumption on the licensed premises where sold, and for consumption off the premises. No Class I license may be granted to or retained by an establishment in which the facilities for food preparation and service are not primarily those of a "restaurant", as defined in Section 3-4-1 of this Chapter. Each Class I license shall be subject to the following conditions:
1. The Class I license requires the licensee to operate both the restaurant and retail sales area. The licensee shall not assign the privilege to operate the retail sales area. Class I licenses authorize retail sales of alcoholic liquor in original packages to persons of at least twenty-one (21) years of age for consumption off the premises.
  2. It shall be unlawful for a Class I licensee to sell a single container of wine in its original package unless the volume of the container is greater than or equal to 375 milliliters.
  3. It shall be unlawful for a Class I licensee to sell a single container of beer in its original package unless the volume of the container is greater than or equal to ten (10) ounces or 295 milliliters.
  4. It shall be unlawful for a Class I licensee to sell a single container of an alcoholic spirit in its original package unless the volume of the container is greater than or equal to 200 milliliters.

5. A Class I licensee shall sell alcoholic liquor in original packages for off-premises consumption at a cash register designated for the sale of such alcoholic liquor and which is operated by a person of at least twenty-one (21) years of age.
6. Alcoholic liquor may be sold in restaurants holding Class I licenses for consumption on the licensed premises only when their patrons are offered expanded food service during the hours set forth in this Section. An expanded food service shall consist of such items as sandwiches, flatbreads, empanadas, hot dogs, salads, or other similar a la carte items to customers who are purchasing a wine, beer, or alcoholic spirit.
7. The sale of alcoholic liquor for both on premises consumption, and for consumption off the premises, shall begin after twelve (12:00) p.m. Monday through Sunday. Alcoholic liquor shall not be sold after the hour of 10:00 p.m. on any Sunday through Thursday. Alcoholic liquor shall not be sold after the hour of 11:00 p.m. on any given Friday or Saturday.
8. Class I licenses shall permit the tasting of samples of beer, wine, and alcoholic spirits, permitted to be sold under this classification, on the licensed premises during authorized hours of business. No charge, cost, fee, or other consideration of any kind shall be levied for any such tasting. Licensees shall not provide more than three (3) free samples, each of which shall not exceed one (1) fluid ounce for wine, two (2) fluid ounces for beer, and one-quarter (0.25) fluid ounce for alcoholic spirits, to any person in a day. Licensees must have at least one (1) BASSET-certified site Manager on-premises whenever offering wine, beer, or alcoholic spirits for tasting. Licensees must provide food service when offering wine, beer, and/or alcoholic spirits for tasting.
9. Class I license fees are as follows:

The applicant for the renewal only of such licenses may elect to pay the amount herein required semiannually or annually. 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 \$7,500.00.

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 \$7,875.00.

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

- (J) CLASS J licenses, which shall authorize the retail sale of beer in combination brewpub restaurants, which beer is brewed by the licensee at any of its designated premises in a brew pub for consumption on or off the licensed

premises and the sale of alcoholic liquor excluding beer for consumption on the premises where sold. Notwithstanding any of the foregoing, the on-premises consumption of beer and other alcoholic liquor is permitted only in the restaurant area.

No Class J license may be granted to, or retained by, an establishment in which the facilities for food preparation and service are not primarily those of a "restaurant," as defined in Section 3-4-1 of this Chapter. Establishments holding Class J licenses must have some food service available when alcoholic liquor, including beer brewed at any of the licensee's designated locations, is being sold. Class J licenses authorize retail sales of beer for off-premises consumption only in original packages to persons of at least twenty-one (21) years of age, Class J licenses shall be issued only to premises located within the core area.

Each Class J license shall be subject to the following conditions:

1. It shall be unlawful for a Class J licensee to sell a single container of beer for off-premises consumption unless the container is greater than or equal to forty (40) fluid ounces or 1.18 liters.
2. Beer purchased in original packages for consumption off the licensed premises shall not be consumed in the restaurant. All beer sold for consumption off the premises shall be placed in a paper or plastic bag prior to its delivery to the purchaser.
3. During authorized hours of business, Class J licensees may offer for onsite consumption samples of beer brewed by the licensee and permitted to be 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 onsite 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.
4. It shall be unlawful for the holder of a Class J license to offer for sale at retail any beer in original packages for consumption off the premises where sold before the hour of 10:00 a.m., or after the hour of 10:00 p.m., on Monday through Thursday; before the hour of 10:00 a.m., or after the hour of 11:00 p.m., Friday and Saturday; and before the hour of 12:00 noon and after the hour of 10:00 p.m. on Sunday.
5. The combination brewpub restaurant must have a valid brew pub license from the State of Illinois for the brewing of beer.

The applicant for the renewal only of such licenses may elect to pay the amount herein required semiannually or annually. Such election shall be made at the time of application.



The annual fee for such license shall be seven thousand five hundred dollars (\$7,500.00).

The total fee required hereunder for renewal applicants electing to make semiannual payments, payable to the provisions of Section 3-4-7 of this Chapter, shall be seven thousand eight hundred seventy-five dollars (\$7,875.00).

No more than two (2) such license(s) shall be in force at any one (1) time.

- (K) Class K licenses, which shall authorize the retail sale of alcoholic liquor, wine and beer to persons of at least twenty-one (21) years of age as set forth herein.
1. It shall be unlawful for a Class K licensee to sell a single sealed container of wine unless the container is greater than or equal to sixteen (16) fluid ounces or 0.473 liters.
  2. The sale of alcoholic liquor at retail pursuant to the Class K license may begin after 8:00 a.m. Monday through Sunday. Alcoholic liquor shall not be sold after the hour of 12:00 midnight on any day.
  3. Wine tasting shall be permitted during authorized hours of business. Licensees shall not provide more than three (3) free samples, each of which shall not exceed one (1) fluid ounce, to any person in a day. Licensees may sell wine samples, but the volume of any wine sample sold shall not exceed six (6) fluid ounces and the total volume of all samples sold to a person in a day shall not [exceed] twelve (12) fluid ounces. Licensees shall not provide and/or sell more than a total of fifteen (15) fluid ounces of wine samples to any person in a day. Beer tasting of only the beers permitted to be sold under this classification for consumption off-premises shall be permitted during authorized hours of business. 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 beer samples, but the volume of any beer sample sold shall not exceed twelve (12) fluid ounces and the total volume of all samples sold to a person in a day shall not exceed twenty-four (24) fluid ounces. Licensees shall not provide and/or sell more than a total of thirty (30) fluid ounces of beer samples to any person in a day. Licensees must have at least one (1) BASSET-certified site manager on-premises whenever offering wine and beer for tasting. Licensees must provide food service when offering wine and beer for tasting.
  4. The licensed premises shall not exceed a gross area of five thousand (5,000) square feet total.
  5. Not less than ten percent (10%) but not more than twenty percent (20%) of total gross square foot area of the licensed premises shall be designated for the sale of food.
  6. Not more than ten percent (10%) of total gross square foot area of the licensed premises may be designated for the sale of beer.

7. Not more than two percent (2%) of total gross square foot area of the licensed premises may be designated for the sale of alcoholic liquor other than wine and beer.

The applicant for the renewal only of such licenses may elect to pay the amount herein required semiannually or annually. 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 five thousand dollars (\$5,000.00).

The total fee required hereunder for renewal applicants electing to make semiannual payments, payable according to the provisions of Section 3-4-7 of this Chapter, shall be five thousand one hundred sixty dollars (\$5,160.00).

No more than three (3) such license(s) shall be in force at any one (1) time.

(L) CLASS L licenses, which shall authorize the retail sale of alcoholic liquor in a grocery store in original packages to persons of at least twenty-one (21) years of age for consumption off the premises. "Grocery store" is defined in Section 3-4-1 of this Chapter.

1. It shall be unlawful for a Class L licensee to sell a single container of beer unless the volume of the container is equal to or greater than forty (40) fluid ounces or 1.18 liters.
2. It shall be unlawful for a Class L licensee to sell a single container of wine unless the container is greater than or equal to sixteen (16) fluid ounces or 0.473 liters.
3. It shall be unlawful for a Class L licensee to sell a single container of alcoholic liquor, except beer and wine which are regulated by Subsections (L)1 and (L)2 of this Section, unless the volume of the container is greater than sixteen (16) fluid ounces or 0.473 liters.
4. The sale of alcoholic liquor at retail pursuant to the Class L license may begin after 8:00 a.m., Monday through Sunday. Alcoholic liquor shall not be sold after the hour of 12:00 midnight on any day.
5. A Class L licensee shall provide a minimum of five thousand (5,000) square feet to a maximum of seven thousand five hundred (7,500) square feet of production, preparation, and display area in which products are prepared and are for sale.
6. The retail package area shall occupy no more than ten (10) percent of the total floor space (including office, bathroom and kitchen space).

The applicant for the renewal only of such licenses may elect to pay the amount herein required semiannually or annually. Such election shall be made at the time of application.

The annual fee for such license shall be five thousand dollars (\$5,000.00).

The total fee required hereunder for renewal applicants electing to make semiannual payments, payable according to the provisions of Section 3-4-7 of this Chapter, shall be five thousand two hundred fifty dollars (\$5,250.00).

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

(M) CLASS M licenses, which shall authorize the off premises sale, packaging of orders and delivery of original, factory sealed packages of wine for consumption.

1. A licensee under this Class M may deliver wine that is sold to retail customers in this state. All deliveries must be made only to a person which is at least 21 years of age. The deliveries must be made for personal use and not for resale purposes. A licensee may sell and deliver wine to a retail customer in the licensee's licensed premises.
2. It shall be unlawful for a Class M licensee to sell or deliver wine from a premises that is mobile. It shall be unlawful for a Class M licensee to sell a single container of wine unless the container is greater than or equal to sixteen (16) fluid ounces or 0.473 liters.
3. The sale of wine at retail pursuant to the Class M license may begin after 8:00 a.m., Monday through Sunday. Wine shall not be sold after the hour of 12:00 midnight on any day.
4. Any deliveries of wine to a retail customer by the licensee or a carrier used by the licensee shall only be made after verifying by inspecting government issued photo identification that the recipient is at least twenty-one (21) years of age, obtaining the signature of the recipient of the wine upon delivery, and determining that the recipient is not visibly intoxicated at the time of delivery. If a licensee uses a carrier service for delivery, that licensee shall be liable for any violation of this subsection.

The applicant for such license shall pay an initial fee of five thousand dollars (\$5,000.00) and thereafter an annual fee of five thousand one hundred sixty dollars (\$5,160.00).

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

(N) CLASS N licenses, which shall authorize the retail sale of beer as part of brew-it-yourself beer-making classes, parties, events, demonstrations, and similar activities, all of which attended exclusively by persons at least twenty-one (21) years of age, offered to the retail purchasers for a fee, which retail sale may include:

1. Tastings of beer that has been brewed on the premises;
2. Storage on the premises of beer during its fermentation process; and

3. Delivery of finished beer to the purchaser for consumption off the premises.

It shall be unlawful for the holder of a Class N license to provide a sample of or sell any beer before the hour of 10:00 a.m. or after the hour of 10:00 p.m. on any Monday, Tuesday, Wednesday or Thursday; before the hour of 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.

The applicant for the renewal only of such licenses may elect to pay the amount herein required semiannually or annually. Such election shall be made at the time of application.

The annual single payment fee for initial issuance and renewal of such license shall be one thousand five hundred dollars (\$1,500.00).

The total fee required hereunder for renewal applicants electing to make semiannual payments, payable according to the provisions of Section 3-4-7 of this Chapter, shall be one thousand five hundred seventy-five dollars (\$1,575.00).

No more than zero (0) such license(s) shall be in force at any one (1) time.

- (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.

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 annual single payment fee for initial issuance or renewal of such license shall be two thousand dollars (\$2,000.00).

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

(P) CRAFT DISTILLERY licenses, which shall authorize the on-site production and storage of alcohol in quantities not to exceed thirty thousand (30,000) gallons for one (1) year after the effective date of this amendatory ordinance and thirty-five thousand (35,000) gallons thereafter, the sale of such alcohol to persons of at least twenty-one (21) years of age for consumption off-premises, and on-site sampling of such alcohol. Sales of alcohol manufactured outside the facility are prohibited. Such craft distillery licenses shall be issued subject to the following conditions:

1. It shall be unlawful for a Class P licensee to sell a container of alcohol for off-premises consumption unless the container is greater than or equal to 200 milliliters in volume.
2. Class P licensees may, during authorized hours of business, offer samples of the alcohol 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 one-quarter (0.25) fluid ounce, to any person in a day. Licensees may sell samples, but the volume of any sample sold shall not exceed one (1) fluid ounce and the total volume of all samples sold to a person in a day shall not exceed two and one-half (2.5) fluid ounces. Licensees shall not provide and/or sell more than two and one-half (2.5) fluid ounces of samples to any person in a day. Class P licensees must have at least one (1) BASSET-certified site manager on premises whenever offering samples of alcohol. Class P licensees must provide food service when offering samples of alcohol.
3. It shall be unlawful for the holder of a Class P license to provide a sample of or sell any alcohol before the hour of 10:00 a.m. or after the hour of 10:00 p.m. on any Monday, Tuesday, Wednesday, or Thursday; before the hour of 10:00 a.m. or after the hour of 11:00 p.m. Friday and Saturday; and before the hour of 12:00 noon and after the hour of 10:00 p.m. on Sunday.
4. Every Class P licensee must have a valid craft distiller license from the State of Illinois.
5. Every employee of a Class P licensee who participates in the production of alcohol, pursuant to this license class, must be BASSET-certified.

The applicant for the renewal only of such licenses may elect to pay the amount herein required semiannually or annually. 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 one thousand eight hundred dollars (\$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 one thousand eight hundred ninety dollars (\$1,890.00).

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

(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 applicant for the renewal only of such licenses may elect to pay the amount herein required semiannually or annually. 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 \$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(s) shall be in force at any one (1) time.

(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 twenty-two (22) ounces or .65 liters.
2. Class P-2 licensees may during authorized hours of business offer for onsite 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 applicant for the renewal only of such licenses may elect to pay the amount herein required semiannually or annually. 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 dollars (\$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 four thousand ninety dollars (\$4,090.00).

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

- (Q) CLASS Q licenses, which shall authorize the sale on the premises specified of alcoholic liquor only for consumption upon the premises while food service is available. Such licenses shall be issued only to premises owned, operated and maintained by a "retirement community," "retirement home," or "retirement hotel," all as defined in Section 3-4-1 of this Chapter. Establishments holding Class Q licenses must provide meals as part of the price of accommodations. Sales of alcoholic liquor by Class Q licensees shall be to residents of the institution, invited guests and staff of the licensee only.

The sale of alcoholic liquor shall only take place from 11:00 a.m. to 12:00 midnight Monday through Sunday, except that sales may be made up to 2:00 a.m. on the morning of January 1, Memorial Day, Labor Day, and Thanksgiving Day.



The applicant for the renewal only of such license may elect to pay the amount herein required semiannually or annually. 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 one thousand eight hundred dollars (\$1,800.00).

The total fee required hereunder for renewal applicants electing to make semiannual payments, payable according to the provisions of Section 3-4-7 of this Chapter, shall be one thousand eight hundred ninety dollars (\$1,890.00).

No more than three (3) such license(s) shall be in force at any one (1) time.

- (R) CLASS R licenses, which shall authorize the sale on the premises specified of alcoholic liquor only for consumption upon the premises while food service is available. Such licenses shall be issued only to premises owned, operated and maintained by not for profit educational institutions within the designated university areas. Establishments holding Class R licenses must have some food service available when alcoholic liquor is being sold. Sales of alcoholic liquor by Class R licensees shall be to students, faculty, alumni, invited guests and staff of the licensee only. The term "university 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 required semiannually or annually. Such election shall be made at the time of application.

The annual fee for 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 according 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 two (2) such license(s) shall be in force at any one (1) time.

- (S) CLASS S licenses, which shall authorize the sale of alcoholic liquors for consumption only on the premises where sold and limited to members and their guests which may be issued only to nationally chartered veterans' organizations, maintaining permanent club quarters irrespective of the size of their memberships.

It shall be unlawful for the holder of a Class S license to sell or permit to be sold or given away any alcoholic liquor between the hours of 2:00 a.m. and 9:00 a.m. All patrons and customers shall leave the premises not later than ten (10) minutes following the closing hours herein established.

The applicant for the renewal only of such licenses may elect to pay the amount herein required semiannually or annually. 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 five hundred dollars (\$500.00).

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 five hundred twenty-five (\$525.00).

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

(S-1) CLASS S-1 licenses, which shall authorize the sale of alcoholic liquors for consumption only on the premises where sold and limited to their guests, which may be issued only to locally chartered non-profit organizations that are based within the City of Evanston, irrespective of the size of their organization.

The applicants for the renewal only of such licenses may elect to pay the amount required herein semiannually or annually. Such election shall be made at the time of application.

The annual single payment fee for initial issuance and renewal of such license shall be five hundred dollars (\$500.00).

The total fee required hereunder for renewal applicants electing to make semiannual payments, payable according to the provisions of Section 3-4-7 of this Chapter, shall be five hundred twenty five dollars (\$525.00)

No more than zero (0) such license(s) shall be in force at any one (1) time.

(T) CLASS T licenses, which shall authorize the sale of beer and wine for consumption on the premises where served, only to invited guests at private, catered functions. Such licenses shall be issued only to businesses defined as catering establishments under Title 6 of this Code and having a current Evanston business license. Catering establishments holding Class T licenses must have food service available when beer and wine are being served. The service of beer and wine shall be by employees of the licensed catering business. Class T licensees shall serve beer or wine only to invited guests at catered functions. Such licenses shall be issued only for the premises owned, operated, or maintained by the licensed catering business or for the location in which the licensed catering business shall serve food, beer and wine. The service of beer and wine shall only take place from 10:00 a.m. to 1:00 a.m.; except, that service may be made up to 2:00 a.m. on Saturday and Sunday mornings. The sale of

beer and wine shall be deemed to occur at the address of the catering establishment.

The applicant for the renewal only of such licenses may elect to pay the amount herein required semiannually or annually. 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 one thousand eight hundred dollars (\$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 one thousand eight hundred ninety dollars (\$1,890.00).

No more than two (2) such license(s) shall be in force at any one (1) time.

- (U) Class U licenses, which shall authorize the sale of beer and wine for consumption on the premises where served, limited to patrons of a theater presenting live stage performances during a period limited to one (1) hour prior to the start of the performance and during intermission(s); provided, that sales and consumption are restricted to lobby areas. The sale of beer and wine is prohibited in theaters located in public buildings.

The applicant for the renewal only of such licenses may elect to pay the amount herein required semiannually or annually. 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 five hundred dollars (\$500.00).

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 five hundred twenty-five dollars (\$525.00).

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

- (V) Class V licenses, which shall authorize the sale of alcoholic liquor for consumption on the premises where sold, when such premises is operated for the primary purpose of presenting live musical performances, for compensation. Patrons may be served at tables or at a bar installed to accommodate such service. Such licenses may be issued only to establishments located in the core area. The meaning of "core area" and live musical performance shall be as defined in Section 3-4-1 of this Chapter.

1. The sale of alcoholic liquor shall not take place between the hours of 2:00 a.m. and 4:00 p.m., except that sales may be made up to 3:00 a.m., on

Friday, Saturday, Sunday mornings and up to 3:00 a.m., on the mornings of January 1, Memorial Day, July 4, Labor Day, and Thanksgiving.

2. The sale of alcoholic liquor shall not take place more than two (2) hours before a live performance begins, nor more than two (2) hours after the end of a live performance.

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 eight thousand dollars (\$8,000.00).

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 eight thousand four hundred (\$8,400.00).

No more than zero (0) such license(s) shall be in force at any one (1) time.

(X) Class X. Reserved.

(Y) Class Y. Reserved.

(Z-1) Special-one day licenses, which shall authorize the sale on the premises specified of beer and wine only for events conducted by an educational, business, fraternal, political, civic, religious, or not for profit organization. Such special one-day licenses shall be issued subject to the following conditions:

1. No more than twelve (12) special one-day licenses shall be issued to any sales address in any one (1) calendar year.
2. No applicant shall receive more than twelve (12) special one-day licenses within any one (1) calendar year.
3. Only Evanston entities may receive the special one-day license. "Evanston entities" are hereby defined to include individuals residing within the City, including businesses, educational, fraternal, political, civic, religious, and not for profit organizations with a permanent address located within the City.
4. The license shall authorize the consumption of beer and wine only.
5. The sale of beer and wine shall only take place from 10:00 a.m. to 10:30 p.m. (Sunday through Thursday), and from 10:00 a.m. to 2:00 a.m. (Friday through Sunday).
6. The license shall be issued to and valid only for the "sales premises" described on the application.
7. The application shall contain the following information:
  - a. The name of applicant, address and telephone number.
  - b. The "sales premises" for which the license is applicable, a description of the approximate area of the sales premises, whether

- or not it is indoors or outside, and whether the event will be held on public or private property.
- c. Whether or not the event is sponsored by a religious organization.
  - d. The hours of operation of the event, the sale date, the name of the property owner, and a written statement of consent from the property owner (if other than the applicant).
  - e. The person's name, telephone number and address who is responsible for conducting the event, and who will be on the premises during the actual event.
  - f. A statement that:
 

If I (we) am (are) granted this special liquor license, I (we) specifically recognize and agree that the Mayor may revoke this license at any time at the absolute discretion of the Mayor; and upon acceptance of this special liquor license, the holder specifically acknowledges the special privilege of obtaining this type of license and consents to all requirements, including the requirement of immediate forfeiture without reason.
  - g. Signature of applicant.
  - h. A statement that:
 

No person under twenty-one (21) years of age will be allowed to purchase or sell packaged alcoholic liquor at licensed event.
8. A copy of a certificate of liquor liability insurance, naming the City as certificate holder for the period during which beer and wine will be sold.
  9. The fee for a Class Z-1 liquor license shall be one hundred fifty dollars (\$150.00), and shall be deposited with the application.
  10. No special Z-1 license shall be required for the following:
    - a. Gratuitous service of beer and wine on streets, alleys, sidewalks, parkways, public parkways and within public buildings, by neighborhood organizations to which a block party permit has been issued by the City Manager.
    - b. Sale of beer and wine in business districts at licensed special events by holders of current liquor licenses, at locations immediately adjacent to their regularly licensed premises.
  11. No special Z-1 licenses shall be issued in the university districts for sales on property owned by Northwestern University without the written consent of Northwestern University.
  12. Applications for Z-1 licenses shall be submitted to the local liquor control commissioner in accordance with the provisions of this Subsection Z1. The local liquor control commissioner shall have the authority to grant or refuse to grant any license.
  13. No special Z-1 license shall be issued unless the owner/manager/staff of the establishment at which the event will be held has received BASSET training within the previous three (3) years and will be on-site for the duration of the event. Alternatively, the representative of the sponsoring

entity organizing the event must have received BASSET training within the previous three (3) years and will be on-site for the duration of the event.

(Z-2) Special one-day licenses, which shall authorize the sale on the premises specified of alcoholic liquor only for events conducted by an educational, business, fraternal, political, civic, religious, or not-for-profit organization. Such Z-2 licenses shall be issued subject to the following conditions:

1. No more than twelve (12) Z-2 licenses shall be issued to any sales address in any one (1) calendar year.
2. No applicant shall receive more than twelve (12) Z-2 licenses within any one (1) calendar year.
3. Only Evanston entities may receive the Z-2 license, "Evanston entities" are hereby defined to include individuals residing within the City, including businesses, educational, fraternal, political, civic, religious, and not-for-profit organizations with a permanent address located within the City.
4. The sale of alcoholic liquor shall only take place from 10:00 a.m. to 10:30 p.m., Sunday through Thursday, and from 10:00 a.m. to 2:00 a.m., Friday through Sunday.
5. The license shall be issued to and valid only for the "sales premises" described on the application.
6. The application shall contain the following information:
  - a. The name of applicant, address and telephone number.
  - b. The "sales premises" for which the license is applicable, a description of the approximate area of the sales premises, whether or not it is indoors or outside, and whether the event will be held on public or private property.
  - c. Whether or not the event is sponsored by a religious organization.
  - d. The hours of operation of the event, the sale date, the name of the property owner, and a written statement of consent from the property owner (if other than the applicant).
  - e. The person's name, telephone number, and address who is responsible for conducting the event, and who will be on the premises during the actual event.
  - f. A statement that:
 

If I (we) am (are) granted this special liquor license, I (we) specifically recognize and agree that the Mayor may revoke this license at any time at the absolute discretion of the Mayor; and upon acceptance of this special liquor license, the holder specifically acknowledges the special privilege of obtaining this type of license and consents to all requirements, including the requirement of immediate forfeiture without reason.
  - g. Signature of applicant.
  - h. A statement that:
 

No person under twenty-one (21) years of age will be allowed to purchase or sell alcoholic liquor at licensed event.

7. A copy of a certificate of liquor liability insurance, naming the City as certificate holder for the period during which liquor will be sold.
8. The fee for a Class Z-2 liquor license shall be one hundred fifty dollars (\$150.00), and shall be deposited with the application.
9. No special one-day liquor license shall be required for the following:
  - a. Gratuitous service of alcoholic liquor on streets, alleys, sidewalks, parkways, public parkways and within public buildings, by neighborhood organizations to which a block party permit has been issued by the City Manager.
  - b. Sale of alcoholic liquor in business districts at licensed special events by holders of current liquor licenses, at locations immediately adjacent to their licensed premises.
10. No Z-2 liquor licenses shall be issued in the university districts for sales on property owned by Northwestern University without the written consent of Northwestern University.
11. Applications for Z-2 licenses shall be submitted to the local liquor control commissioner in accordance with the provisions of this Subsection Z-2. The local liquor control commissioner shall have the authority to grant or refuse to grant all special one-day licenses. Before issuing any Z-2 liquor license, the Liquor Control Commissioner shall notify the Alderman of the Ward wherein the "sales premises" described on the application is located.
12. No one-day liquor license shall be issued unless the owner/manager/staff of the establishment at which the event will be held has received BASSET training within the previous three (3) years and will be on-site for the duration of the event. Alternatively, the representative of the sponsoring entity organizing the event must have received BASSET training within the previous three (3) years and will be on-site for the duration of the event.

(Z-3) CLASS Z-3 special one-day city owned building liquor licenses, which shall authorize the service of beer and wine only on the premises of the following facilities: Chandler-Newberger Center (1028 Central Street), Robert Crown Community Center/Ice Rink (1701 Main Street), Ecology Center (2024 McCormick Boulevard), Evanston Arts Center (2603 Sheridan Road), Noyes Cultural Arts Center (927 Noyes Avenue), Levy Senior Center (300 Dodge Avenue), the Fleet-wood-Jourdain Community Center (1655 Foster Avenue), and the Evanston Public Library (1703 Orrington Avenue). Such special one-day licenses shall be issued subject to the following conditions:

1. The license shall authorize the consumption of beer and wine only.
2. The service of beer and wine shall only take place from 10:00 a.m. to 10:30 p.m. (Sunday through Thursday) and from 10:00 a.m. to 12:00 midnight (Friday and Saturday), provided also that food is made available during those hours.
3. The license shall be issued to and valid only for the "service premises" described with particularity in the license. A license to use a particular

"service premises" is not a license to use any other portion of the building. Chandler-Newberger Center, Robert Crown Community Center/Ice Rink, and Fleetwood-Jourdain Community Center shall be closed to the general public during the hours of service of beer and wine authorized by a eClass Z-3 liquor license.

4. The application, which shall be submitted no later than twenty-one (21) days prior to the date of the service date sought, shall contain the following information:
    - a. The name of applicant, address and phone number.
    - b. The "service premises" for which the license is applicable, a description of the approximate area of the service premises.
    - c. The hours of operation of the event, the service date, the address, completion of a signed rental agreement, security deposit, and approval of the director of parks/forestry and recreation department or his/her designee.
    - d. The name, telephone number and address of the person who is responsible for conducting the event, and who will be on the premises during the actual event. Such person(s) must be at least twenty-one (21) years of age.
    - e. A statement that the applicant will provide security for the event, if and as required by the City.
    - f. A statement that:
 

If I (we) am (are) granted this special liquor license, I (we) specifically recognize and agree that the Mayor may revoke this license at any time at the absolute discretion of the Mayor; and upon acceptance of this special liquor license, the holder specifically acknowledges the special privilege of obtaining this type of license and consents to all requirements, including the requirement of immediate forfeiture without reason.
    - g. Signature of applicant.
  5. A copy of a certificate of liquor liability insurance, naming the City as additional insured in the amount of one million dollars (\$1,000,000.00) for the period during which liquor will be sold.
  6. The fee for a Class Z-3 liquor license shall be seventy-five dollars (\$75.00) for residents and two hundred sixty-five dollars (\$265.00) for nonresidents, and shall be deposited with the application.
  7. Applications for special one-day Class Z-3 liquor licenses shall be submitted to the liquor control commissioner in accordance with the provisions of this Subsection Z-3. The liquor control commissioner shall have the authority to grant or refuse to grant all special one-day liquor licenses.
  8. No more than one (1) such license shall be granted per any facility, per day.
- (Z-4) CLASS Z-4 special one-day city owned building liquor licenses, which shall authorize the service of alcoholic liquor only on the premises of the following



facilities: Chandler-Newberger Center (1028 Central Street), Robert Crown Community Center/Ice Rink (1701 Main Street), Ecology Center (2024 McCormick Boulevard), Evanston Arts Center (2603 Sheridan Road), Noyes Cultural Arts Center (927 Noyes Avenue), Levy Senior Center (300 Dodge Avenue), the Fleet-wood-Jourdain Community Center (1655 Foster Avenue), and the Evanston Public Library (1703 Orrington Avenue). Such special one-day licenses shall be issued subject to the following conditions:

1. The license shall authorize the consumption of alcoholic liquor.
2. The service of alcoholic liquor shall only take place from 10:00 a.m. to 10:30 p.m. (Sunday through Thursday) and from 10:00 a.m. to 12:00 midnight (Friday and Saturday), provided also that food is made available during those hours.
3. The license shall be issued to and valid only for the "service premises" described with particularity in the license. A license to use a particular "service premises" is not a license to use any other portion of the building. Chandler-Newberger Center, Robert Crown Community Center/Ice Rink, and Fleetwood-Jourdain Community Center shall be closed to the general public during the hours of service of alcoholic liquor authorized by a Class Z-4 liquor license.
4. The application, which shall be submitted no later than twenty-one (21) days prior to the date of the service date sought, shall contain the following information:
  - a. The name of applicant, address and phone number.
  - b. The "service premises" for which the license is applicable, a description of the approximate area of the service premises.
  - c. The hours of operation of the event, the service date, the address, completion of a signed rental agreement, security deposit, and approval of the Director of Parks, Recreation & Community Services or his/her designee.
  - d. The name, telephone number and address of the person who is responsible for conducting the event, and who will be on the premises during the actual event. Such person(s) must be at least twenty-one (21) years of age.
  - e. A statement that the applicant will provide security for the event, if and as required by the City.
  - f. A statement that:
 

If I (we) am (are) granted this special liquor license, I (we) specifically recognize and agree that the Mayor may revoke this license at any time at the absolute discretion of the Mayor; and upon acceptance of this special liquor license, the holder specifically acknowledges the special privilege of obtaining this type of license and consents to all requirements, including the requirement of immediate forfeiture without reason.
  - g. Signature of applicant.

5. A copy of a certificate of liquor liability insurance, naming the City as additional insured in the amount of one million dollars (\$1,000,000.00) for the period during which liquor will be sold.
6. The fee for a Class Z-4 liquor license shall be one hundred fifteen dollars (\$115.00) for residents and three hundred forty dollars (\$340.00) for nonresidents, and shall be deposited with the application.
7. Applications for special one-day Class Z-4 liquor licenses shall be submitted to the liquor control commissioner in accordance with the provisions of this Subsection Z-4. The liquor control commissioner shall have the authority to grant or refuse to grant any Class Z-4 license.
8. No more than one (1) such license shall be granted per any facility, per day.

**SECTION 6:** Section 3-4-8 of the Evanston City Code of 2012, as

amended, is hereby further amended and revised to read as follows:

**3-4-8. - LICENSE CONDITIONS.**

(A) *Transfer of License.* A license shall be purely a personal privilege, good for only one (1) year after issuance unless it is revoked. A license shall not constitute property; nor shall it be subject to attachment, garnishment or execution, nor shall it be alienable or transferable, voluntarily or involuntarily, or subject to being encumbered or hypothecated. Such license shall cease upon the death of the licensee and shall not descend by the laws of testate or intestate devolution; provided, that executors or administrators of the estate of any deceased licensee, and the trustee of any insolvent or bankrupt licensee, when such estate consists in part of alcoholic liquor under the order of the appropriate court, may exercise the privileges of the deceased or insolvent or bankrupt licensee after the death of such decedent, or such insolvency or bankruptcy, until the expiration of such license but not longer than six (6) months after the death, bankruptcy or insolvency of such licensee. A licensee who owes any unpaid debt or tax to the City shall first pay any debt or tax to the City prior to renewal of the license.

(B) *Change in Personnel.*

1. Any changes in partnerships, officers, directors, persons holding directly or beneficially more than five percent (5%) of the stock or ownership interest, or managers of establishments licensed under this Chapter, shall be reported in writing to the local liquor control commissioner within ten (10) days of the change. All new personnel shall meet all the standards of this Chapter and must otherwise qualify to hold a liquor license. All such changes in personnel shall be subject to review by the local liquor control commissioner.
2. When a license has been issued to a partnership and a change of ownership occurs resulting in a partnership interest by one who is not eligible to hold a liquor license, said license shall terminate.

3. When a license has been issued to a corporation and a change takes place in officers, directors, shareholders of more than five (5) percent of the stock or managers resulting in the holding of office or such shares of stock by one (1) who is not eligible for a license, said license shall terminate.
  4. When a license has been issued to an individual who is no longer eligible for a license, said license shall terminate.
  5. When a licensee ceases to operate and closes its business premises, said license shall terminate.
- (C) *Termination or Transfer of License.*
1. When a license terminates as set forth in Subsections (A) and (B) of this Section, the maximum number of licenses in force for the respective license classification pursuant to Section 3-4-6 of this Chapter shall be reduced by one (1) for each license so terminated.
  2. A transfer of license or a change in personnel as set forth in Subsections (A) and (B) of this Section shall be reported in writing to the liquor control commissioner within ten (10) days of the transfer or change.
- (D) *Change of Location.* A liquor license shall permit the sale of alcoholic liquor only on the premises described in the application and license. Such location may be changed only upon a written permission to make such change issued by the liquor control commissioner. No change of location shall be permitted unless the proposed new location is a proper one for the sale of alcoholic liquor under the laws of this state and the ordinances of the City.
- (E) *Peddling.* It shall be unlawful to peddle alcoholic liquor in the City.
- (F) *Sales on Credit.* No person shall sell or furnish alcoholic liquor at retail to any person on credit or in exchange for any goods, wares or merchandise, or in payment for any services rendered. This subsection shall not prohibit any hotel from permitting checks or statements for liquor to be signed by regular guests residing at said hotel and charged to the accounts of said guests. This subsection shall not prohibit payment by credit or debit card for the purchase of liquor in the original package or container for consumption off the premises.
- (G) *Pro Rata License Fee Credit for Change in License Classification.* If during the term of the current license, a licensee applies for a license of a class with a higher fee than their current license, any payments made for the original license will be applied to the new license. The term of the license will remain the same.

**SECTION 7:** Section 3-4-9 of the Evanston City Code of 2012, as amended, is hereby further amended and revised to read as follows:

**3-4-9. - CLOSING HOURS.**

No person licensed hereunder as a seller of alcoholic liquor, unless otherwise stated in Section 3-4-6 shall sell or permit to be sold or given away any alcoholic liquor between the hours of 1:00 a.m. and 11:00 a.m., except that sales may be made up to two o'clock (2:00) a.m., on Saturday and Sunday mornings and on the morning of January 1, Memorial Day, Labor Day and Thanksgiving; however, no such sales shall be made between 2:00 a.m. and 12:00 noon on Sunday.

**SECTION 8:** Section 3-4-12 of the Evanston City Code of 2012, as amended, is hereby further amended and revised to read as follows:

**3-4-12. - EMPLOYMENT OF MINORS.**

- (A) No licensee or, representative, agent or employee of such licensee shall employ on its premises any person under the age of eighteen (18) years to attend bar, or to pour, draw, mix or serve alcoholic liquor on said premises.
- (B) No licensee of a Class E liquor license or any representative, agent or employee of such licensee engaging in the retail sale of packaged alcoholic liquor shall employ on its premises any person under the age of twenty-one (21) years to sell packaged alcoholic liquor.

**SECTION 9:** Section 3-4-14(A) of the Evanston City Code of 2012, as amended, is hereby further amended and revised to read as follows:

- (A) Violation; Hearing. The local liquor control commissioner may revoke or suspend any license issued by him/her if he/she determines the licensee has violated any of the provisions of this Chapter, or any applicable rules or regulations established by the local liquor control commissioner or the ILCC. A licensee who is determined to owe a debt or unpaid tax to the City after being licensed under this Chapter may have his/her license suspended or revoked. No liquor license shall be revoked or suspended except after a public hearing by the local liquor control commissioner with a three (3) day written notice to the licensee affording the licensee an opportunity to appear and defend. All such hearings under this subsection shall be conducted pursuant to the rules of procedure adopted by the local liquor control commissioner on June 18, 2012, as amended. If the local liquor control commissioner has reason to believe that any continued operation of a particular licensed premises will immediately threaten the welfare of the community, he/she may, upon the

issuance of a written order stating the reason for such conclusion and without notice or hearing, order the licensed premises closed for not more than seven (7) days. The licensee shall have an opportunity to be heard during that period. If a licensee is conducting another business or businesses on the licensed premises, such order shall not be applicable to such other business or businesses. Any licensee which has an order of suspension or revocation entered against it shall post the suspension/revocation order, in a form prescribed by the local liquor control commissioner, on all entrance(s) to the licensed premises. If a licensee removes, conceals, defaces, alters such order, or permits any other person to tamper, alter or deface such order, that licensee shall be fined two thousand dollars (\$2,000.00). A licensee shall be held strictly liable for any removal, concealment, defacement, or alteration of such order. If a licensee appeals a suspension or revocation order to the ILCC, the licensee shall first request permission from the local liquor control commissioner to remove the suspension or revocation order from the entrance(s) to the licensed premises.

**SECTION 10:** Section 3-4-17(A) of the Evanston City Code of 2012, as amended, is hereby further amended and revised to read as follows:

- (A) *Acts Of Licensees.* Every act or omission which violates any provision of this Chapter or the Illinois Liquor Control Act 235 ILCS 5/3-1 et seq., by any officer, director, manager, or other agent or employee of the licensee, shall be deemed to be the act of the licensee or employer. The licensee or employer shall be strictly liable in the same manner as if the act or omission has been done or omitted by the licensee personally.

**SECTION 11:** Section 3-4-18 of the Evanston City Code of 2012, as amended, is hereby further amended and revised to read as follows:

- (A) It shall be unlawful for any liquor licensee of any licensed establishment to sell, deliver, serve, prepare, pour, mix or draw alcoholic liquor for consumption on the premises, unless the owner(s), all site manager(s), and all alcohol server(s) have successfully completed a state of Illinois liquor control commission certified beverage alcohol sellers and servers education and training (BASSET) program required by the local liquor control commissioner. All persons hired, performing, and working as a site manager must have a BASSET training certificate before a liquor license is issued.
- (B) All original and subsequent renewal applications for all liquor classes of Section 3-4-6 of this Chapter, excluding classes Z3 and Z4, shall be accompanied with proof of completion of a state certified beverage alcohol sellers and servers education and training (BASSET) training program for all owners, all alcohol servers, and all site managers supervising the selling,

delivering, serving, preparing, pouring, mixing or drawing of alcoholic beverages.

- (C) At least one (1) BASSET certified owner or site manager shall be present on premises during times when alcoholic liquor is being served or sold. No alcoholic liquor shall be served or sold without such owner or site manager being present. All licensed premises which offer samples of alcoholic liquor under this Chapter shall ensure that all employees or servers providing such samples have completed the alcohol awareness training program in accordance with this Section.
- (D) Any person successfully completing the alcohol awareness training program shall keep on file with the licensee proof of current qualifications, the certificate of course completion and picture identification of participant. A certificate of training belongs to the server, and a server may transfer a certificate of training to a different employer, but shall not transfer a certificate of training to another server. Proof of completion shall be presented to the local liquor control commissioner or to any law enforcement officer upon request.
- (E) It shall be the responsibility of the owner(s) and/or site manager(s) who have successfully completed the alcohol awareness training program to ensure all alcohol servers obtained and completed training in basic responsible alcohol service as required in 235 ILCS 5/6-27.1, as amended. The owner(s) and site manager(s) shall ensure compliance with all applicable provisions of this Chapter by all employees of the licensed premises concerning the service and sale of alcoholic liquor.

**SECTION 12:** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SECTION 13:** 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 provision or invalid application of this ordinance is severable.

**SECTION 14:** This ordinance shall be in full force and effect from and after its passage, approval and publication in the manner provided by law.


**SECTION 15:** 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: February 9, 2015

Approved:

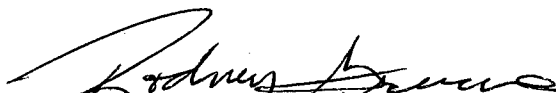
Adopted: February 23, 2015

February 27, 2015

  
Elizabeth B. Tisdahl, Mayor

Attest:

Approved as to form:

  
Rodney Greene, City Clerk

  
W. Grant Farrar, Corporation Counsel