

14-O-15

AN ORDINANCE

Amending City Code Section 3-4-6-(P) to Allow for the Retail Sale of Alcohol for On-Site Consumption

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

SECTION 1: Subsection 3-4-6-(P) of the Evanston City Code of 2012, as amended, is hereby further amended and revised to read as follows:

- (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. It also authorizes on-site sampling and retail sale for consumption of such alcohol by persons of at least twenty-one (21) years of age. Sales of alcohol (1) not classified as aperitifs and/or liqueurs; and (2) 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 alcohol, or alcohol for retail sale, 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 alcohol for on-site consumption, but the volume of alcohol per serving sold shall not exceed two (2) fluid ounces and the total volume of all alcohol servings sold to any person in a day shall not exceed ten(10) fluid ounces. Class P licensees must have at least one (1) BASSET-certified site manager on premises whenever alcohol is available for on-site consumption. All persons who sell, open, pour, dispense or serve alcohol shall be BASSETT certified. Class P licensees must provide food service whenever alcohol 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. Alcohol for product sampling or retail sale for on-site consumption shall be sold and dispensed only in containers provided by the licensee. Alcohol sold within the licensed premises for consumption on the premises shall not be removed from the licensed premises.

3. It shall be unlawful for the holder of a class P license to provide a sample of or sell any alcohol for off-site consumption 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. It shall be unlawful for the holder of a class P license to sell any alcohol for on-site consumption before the hour of noon or after the hour of 10:00 p.m. on any Sunday, Monday, Tuesday, Wednesday, or Thursday; and before the hour of noon or after the hour of 11:00 p.m. Friday and Saturday.
5. Every class P licensee must have a valid craft distiller license from the State of Illinois. Every licensee shall maintain accurate records as to (1) the total gallonage of alcohol manufactured on the premises; and (2) the total gallonage of alcohol sold to individuals not holding a State liquor license. Licensee shall produce said records to the City upon request.
6. Every employee of a class P licensee who participates in the production of alcohol, pursuant to this license class, must be BASSET-certified.

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 licenses shall be in force at any one (1) time.

SECTION 6: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 7: 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 8: This ordinance shall be in full force and effect from and after its passage, approval and publication in the manner provided by law.

SECTION 9: 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: January 21, 2015

Adopted: February 9, 2015

Approved:

February 11, 2015

Elizabeth B. Tisdahl

Elizabeth B. Tisdahl, Mayor

Attest:

Approved as to form:

Rodney Greene
Rodney Greene, City Clerk

Michelle Mason / Acting Corporation Counsel.
W. Grant Farrar, Corporation Counsel