

Effective Date: November 9, 2015

9/24/2015

**127-O-15**

**AN ORDINANCE**

**Amending City Code Section 3-4-6-(D) to Decrease the Number of Class D Liquor Licenses from Fifty-One to Fifty (Italian Kitchen Ltd., dba "Dave's Italian Kitchen", 1635 Chicago Avenue)**

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

SECTION 1: Class D of Table 1, Section 3-4-6 of the Evanston City Code of 2012, as amended, is hereby further amended and revised as follows:

D	Restaurant	Liquor	None	\$2,800	\$2,800	<del>51</del> 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)
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SECTION 2: Subsection 3-4-6-(D) of the Evanston City Code of 2012, as amended, is hereby further amended by decreasing the number of Class D liquor licenses from fifty-one (51) to fifty (50) to read as follows:

(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 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 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 fifty (50) such license(s) shall be in force at any one (1) time.

**SECTION 3:** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SECTION 4:** If any provision of this ordinance or application thereof to any person or circumstance is ruled unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this ordinance that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this ordinance is severable.

**SECTION 5:** The findings and recitals contained herein are declared to be prima facie evidence of the law of the City and shall be received in evidence as provided by the Illinois Compiled Statutes and the courts of the State of Illinois.

**SECTION 6:** This ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

Introduced: October 12, 2015

Approved:

Adopted: October 26, 2015

October 30, 2015

Elizabeth B. Tisdahl  
Elizabeth B. Tisdahl, Mayor

Attest:

Rodney Greene  
Rodney Greene, City Clerk (UB)

Approved as to form:

W. Grant Farrar  
W. Grant Farrar, Corporation Counsel