

11/14/2016  
11/29/2016

**151-O-16**

**AN ORDINANCE**

**Amending City Code Subsection 3-4-6(W) to Allow the Sale of Beer and Wine Between the Hours of 11:00 a.m. to 12:00 a.m. on Monday through Saturday and 12:00 p.m. to 12:00 a.m. on Sunday, Reducing the Annual Fee to \$2,500, and Removing the Two Beverage Limit**

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

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

W	Commercial Indoor Recreation Facility	Beer/Wine	None	\$2,500	\$ 2,500	0	None	11 a.m. - 12 a.m. (Mon-Sat); 12 p.m. - 12 a.m. (Sun)
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**SECTION 2:** Subsection 3-4-6(W) of the Evanston City Code of 2012, as amended, is hereby further amended by allowing the sale of beer and wine from 11:00 a.m. to 12:00 a.m. on Monday through Saturday and 12:00 p.m. to 12:00 a.m. on Sunday to read as follows:

**(W)** CLASS W licenses, which shall authorize the sale of beer and wine for consumption at a commercial indoor recreation facility, is limited to patrons of at least twenty-one (21) years of age. Such commercial indoor recreation facility liquor licenses shall be issued subject to the following conditions:

1. Licensees who offer servings of beer or wine 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 beer or wine. 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.

2. Each serving must not exceed five (5) fluid ounces for wine and twelve (12) fluid ounces for beer.
3. Class W licensees must have at least one (1) BASSET-certified site manager on-premises whenever beer or wine is available for on-site consumption. All persons who sell, open, pour, dispense or serve beer or wine shall be BASSET certified. Class W licensees must provide food service whenever beer or wine 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. Beer or wine for retail sale for on-site consumption shall be sold and dispensed only in plastic containers provided by the licensee. Beer or wine 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 beer or wine sold at retail.
4. The sale of beer or wine shall only take place from 11:00 a.m. to 12:00 a.m., Monday through Saturday and from 12:00 p.m. to 12:00 a.m. on Sunday. No beer or wine may be consumed on the premises after 12:00 a.m. on any given day.
5. Every employee of a Class W licensee who participates in the sale of beer or wine, 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 two thousand five hundred dollars (\$2,500.00).

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 two thousand six hundred twenty five dollars (\$2,625.00).

No more than zero (0) 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.

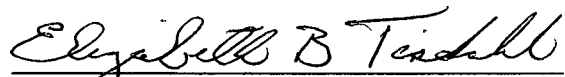
**SECTION 6:** This ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

Introduced: November 28, 2016

Approved:

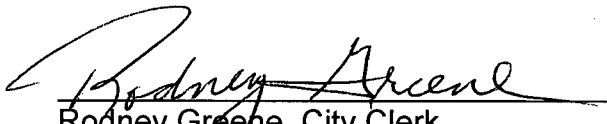
Adopted: December 12, 2016

December 12, 2016

  
Elizabeth B. Tisdahl, Mayor

Attest:

Approved as to form:

  
Rodney Greene, City Clerk

  
W. Grant Farrar, Corporation Counsel