

**22-O-17**

**AN ORDINANCE**

**Amending City Code Section 3-4-2-(C)(2), "Powers and Duties," to  
Limit the Time When A Law Enforcement Agency May Enter A  
Licensee's Property**

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

**SECTION 1:** Section 3-4-2(C)(2) of the Evanston City Code of 2012, as amended, "Powers and Duties," is hereby further amended and revised as follows:

- (C) *Powers and Duties.* The local liquor control commissioner shall have the following powers, functions and duties with respect to licenses:
1. To grant, suspend for not more than thirty (30) days, or revoke any local licenses issued to persons for premises within the City;
  2. To enter or to authorize any law enforcement officer to enter at any reasonable time, including but not limited to: during normal business hours; during hours of operation of the business; any time the business is found to be operating; or any time when a customer is in the business, including before or after the hours of operation of such business, upon any premises licensed under this Chapter to determine whether any of the provisions of this Chapter or any rules or regulations adopted by him/her or by the ILCC have been or are being violated, and at such time to examine said premises of said licensee in connection therewith;
  3. To receive complaints from any person pertaining to any of the provisions of this Chapter, or any rules or regulations adopted pursuant hereto, and to act upon such complaints as necessary;
  4. To receive liquor license fees;
  5. In the event that an application is rejected by the local liquor control commissioner, the Council may overrule him/her within thirty (30) days of the rejection. An ordinance specifically providing that the order of the commissioner be reversed and an additional license of the class applied for be created shall be adopted by the vote of two-thirds (2/3) of all the aldermen then holding office. When such an ordinance is adopted, the commissioner shall issue such license to the applicant. An ordinance adopted under this subsection by a two-thirds (2/3) vote is not subject to a Mayoral veto;
  6. The Mayor, as local liquor control commissioner, shall keep a complete record of all such liquor licenses issued by him/her;

- 7. He/she may revoke any liquor license for any violation of any provision of this Chapter, or for any violation of any State law pertaining to the sale of alcoholic liquor.

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

**SECTION 3:** If any provision of this ordinance or application thereof to any person or circumstance is ruled unconstitutional or otherwise invalid, such invalidity will 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 4:** The findings and recitals contained herein are declared to be prima facie evidence of the law of the City and will be received in evidence as provided by the Illinois Compiled Statutes and the courts of the State of Illinois.

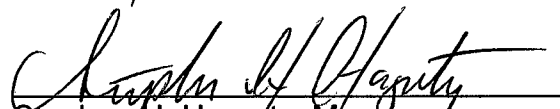
**SECTION 5:** This ordinance will be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

Introduced: June 26th, 2017

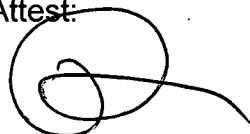
Approved:

Adopted: July 10th, 2017

July 25, 2017

  
Stephen H. Hagerty, Mayor

Attest:

  
\_\_\_\_\_  
Devon Reid, City Clerk

Approved as to form:

  
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W. Grant Farrar, Corporation Counsel