

144-O-17

AN ORDINANCE

Amending Subsection 3-4-6-(J) of the City Code to Allow for Sale of Alcohol at 11:00 a.m. on Sundays, for On-Site Consumption

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

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

J	Brewpub	Liquor	Beer	\$7,500	\$7,500	2	Core	On-Site Liquor Permitted Hours: 11 a.m. - 1 a.m. (Mon-Thurs); 11 a.m. - 2 a.m. (Fri-Sat); 11 a.m. - 1 a.m. (Sun) Off-Site Beer Permitted Hours: 10 a.m. - 10 p.m. (Mon-Thurs); 10 a.m. - 11 p.m. (Fri-Sat); 11 a.m. - 10 p.m. (Sun)
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SECTION 2: Subsection 3-4-6-(J) of the Evanston City Code of 2012, as amended, is hereby further amended to read as follows:

(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 twenty-two (22) fluid ounces or .65 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. The sale of beer for offsite consumption is limited to the hours of 10:00 a.m. until 10:00 p.m. Monday through Thursday, 10:00 a.m. until 11:00 p.m. Friday through Saturday; 11:00 a.m. until 10:00 p.m. on Sunday. The sale of alcoholic liquor for onsite consumption is limited to the hours of 11:00 a.m. until 1:00 a.m. the following day on any given Sunday through Thursday; 11:00 a.m. until 2:00 a.m. the following day on any given Friday and Saturday.
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.

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: 11/27, 2017

Approved:

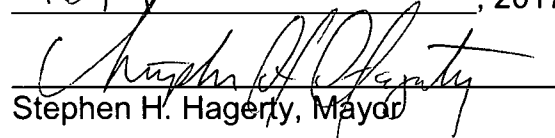
Adopted: 11/27, 2017

12/4, 2017

Attest:

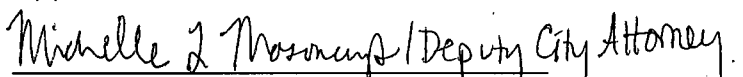


Devon Reid, City Clerk



Stephen H. Hagerly, Mayor

Approved as to form:



Michelle L. Mosonup, Deputy City Attorney
W. Grant Farrar, Corporation Counsel