

**145-O-17**

**AN ORDINANCE**

**Amending Subsection 3-4-6-(A) Regarding Food Definition**

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

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

A	Restaurant/ Beer and Wine Shop	Liquor	Beer, Wine	\$5,000	\$5,000	0	None	10 a.m. — 9 p.m. (Mon-Thurs); 10 a.m. — 10 p.m. (Fri-Sat); 12 p.m. — 9 p.m. (Sun)
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(A) CLASS A licenses, which shall authorize the retail sale of wine, refrigerated beer, and/or unrefrigerated beer, in original packages, for consumption off the premises that is incidental and complementary to the retail sale of pizzas, salads, fine cheeses, deli and gourmet food products, and related accessories. Each Class A license shall be issued subject to the following conditions:

1. Class A licenses shall authorize the retail sale only of wine, imported beer, and American craft beer, and of no other alcoholic liquors, for consumption off the premises.
2. Not more than twenty (20) percent of total gross square foot area of the licensed premises may be designated for the sale of wine, refrigerated beer, and/or unrefrigerated beer. No tobacco product of any kind shall be sold or offered for sale on the licensed premises.
3. Class A licensees must have at least one (1) BASSET-certified site Manager on-premises at all times.
4. The sale of wine, and/or beer shall be limited to the hours of 10:00 a.m. until 9:00 p.m. Monday through Thursday; 10:00 a.m. until 10:00 p.m. Friday through Saturday; 12:00 noon until 9:00 p.m. on Sunday.

The applicant for the renewal only of such licenses may elect to pay the amount herein semiannually. 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 five thousand dollars (\$5,000.00).

The total fee required hereunder for renewal applicants electing to make semiannual payments, payable according to the provisions of Section 3-4-7 of this Chapter, shall be five thousand one hundred sixty dollars (\$5,160.00).

No more than zero (0) such licenses shall be in force at any one (1) time.

**SECTION 2:** All ordinances or parts of ordinances in conflict herewith are hereby repealed. This ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

**SECTION 3:** 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 4:** 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: November 27, 2017


Adopted: December 11, 2017

Approved:

December 20, 2017

  
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Stephen H. Hagerty, Mayor

Attest:

  
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Devon Reid, City Clerk

Approved as to form:

  
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W. Grant Farrar, Corporation Counsel