

**43-O-18**

**AN ORDINANCE**

**Amending City Code Section 3-4-6-(C) to Decrease the Number of Class C Liquor Licenses from Twenty-Six to Twenty-Five (A Bite of China, Inc., d/b/a Lao Sze Chuan, 1633 Orrington)**

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

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

C	Hotel Restaurant	or	Liquor	None	\$4,300	\$4,300	25	Core	11 a.m.— 1 a.m. (Mon- Wed); 11 a.m. — 2 a.m. (Thurs – Sat); 11 a.m. – 1 a.m. (Sun); 11 a.m. – 2 a.m. on New Year's Day, Memorial Day, Fourth of July, Labor Day and Thanksgiving
---	---------------------	----	--------	------	---------	---------	----	------	---

**SECTION 2:** Subsection 3-4-6-(C) of the Evanston City Code of 2012, as amended, is further amended by decreasing the number of Class C liquor licenses from twenty-six (26) to twenty-five (25) to read as follows:

**(C)** CLASS C licenses, which shall authorize the sale on the premises specified of alcoholic liquor only for consumption on the premises while food is available. Such licenses may be issued only to hotels or restaurants in the core area. Establishments holding Class C licenses must have some food service available when alcoholic liquor is being sold. The meanings of "hotel," "restaurant," and "core area" shall be as defined in 3-4-1 of this Chapter.

1. The sale of alcoholic liquor shall not take place between the hours of 1:00 a.m. and 11:00 a.m., except that sales may be made up to 2:00 a.m. on

Friday, Saturday, Sunday mornings and up to 2:00 a.m. on the mornings of January 1, Memorial Day, July 4, Labor Day and Thanksgiving; however, no such sales shall be made between 2:00 a.m. and 11:00 a.m. on Sunday.

2. A licensee operating a licensed restaurant which leases space in a hotel, may sell alcoholic liquor to registered guests of that hotel. Any alcoholic liquor sold must be consumed on the premises of the hotel, and be sold while food service is available in the restaurant or hotel.

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 four thousand three hundred dollars (\$4,300.00).

The total fee required hereunder for renewal applicants electing to make semiannual payments, payable pursuant to the provisions of 3-4-7 of this Chapter, shall be four thousand five hundred fifteen dollars (\$4,515.00).

No more than twenty-five (25) 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: April 9, 2018

Adopted: April 9, 2018

Approved:

April 24, 2018


  
Stephen H. Hagerty, Mayor

Attest:



Devon Reid, City Clerk

Approved as to form:

  
Michelle L. Masoncup, Interim Corporation  
Counsel