

153-O-18

AN ORDINANCE

Amending City Code Section 3-4-6(E), Amending the Class E Liquor License To Allow Sale of Alcoholic Liquor Greater than 6.76 Fluid Ounces and Wine Greater than 6.32 Fluid Ounces

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

SECTION 1: Section 3-4-6(E) of the Evanston City Code of 2012, as amended, is hereby further amended and revised as follows:

- (E)** Class E licenses, which shall authorize in the retail package store area the retail sale in package stores of alcoholic liquor in original packages to persons of at least twenty-one (21) years of age for consumption off the premises. Each Class E license shall be subject to the following conditions:
1. It shall be unlawful for a Class E licensee to sell a single container of beer unless the volume of the container is equal to or greater than forty (40) fluid ounces or 1.18 liters. It shall be unlawful for a licensee to bundle, tape, package, or otherwise manipulate single containers of beer for sale as a set. Any such manipulation of packaging shall be a violation of this Subsection. Nothing in this Subsection shall be construed as prohibiting the sale of packages containing six (6) single containers of beer, including such packages consisting of various single containers of beer chosen by the consumer.
 2. It shall be unlawful for a Class E licensee to sell a single container of wine unless the container is greater than 6.32 fluid ounces or 0.187 liters.
 3. It shall be unlawful for a Class E licensee to sell a single container of alcoholic liquor, except beer and wine which are regulated by Subsections (E)1 and (E)2 of this Section, unless the container is greater than 6.76 fluid ounces or 0.20 liters.
 4. The sale of alcoholic liquor at retail pursuant to the Class E license may begin after 8:00 a.m., Monday through Sunday. Alcoholic liquor shall not be sold after the hour of 12:00 midnight on any day.

The applicant for a Class E license shall pay a first year license fee of twenty-five

thousand dollars (\$25,000.00). Thereafter, the annual fee for a Class E license shall be four thousand one hundred dollars (\$4,100.00).

SECTION 2: All ordinances or parts of ordinances in conflict herewith are hereby repealed.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

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

Introduced: December 10, 2018

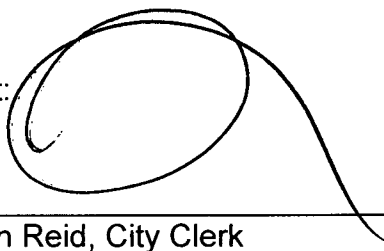
Adopted: December 10, 2018

Approved:

January 8, 2018

Stephen H. Hagerty
Stephen H. Hagerty, Mayor

Attest:



Devon Reid, City Clerk

Approved as to form:

Michelle L. Masoncup
Michelle L. Masoncup, Corporation
Counsel