

**56-O-19**

**AN ORDINANCE**

**Amending Various Portions of the City of Evanston Zoning Ordinance  
Creating Brew Pubs and Craft Alcohol Production Facilities**

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

**SECTION 1:** Section 3-4-1, "Definitions," of the Evanston City Code of 2012, as amended, is hereby amended to include the following definitions:

Manufacture (Alcohol)	To distill, ferment, brew, make, mix, concoct, process, blend, bottle or fill an original package with an alcoholic liquor, whether for oneself or for another, and includes blending but does not include the mixing or other preparation of drinks for serving by those persons authorized and permitted in the Illinois Liquor Control Act to serve drinks for consumption on the premises where sold.
Manufacturer	A brewer, fermenter, distiller, rectifier, wine maker, blender, processor, bottler or person who fills or refills an original package, whether for himself or for another, and others engaged in brewing, fermenting, distilling, rectifying or bottling alcoholic liquors as defined in the Illinois Liquor Control Act.

**SECTION 2:** Table 1 of Section 3-4-6 of the Evanston City Code of 2012, as amended, is hereby further amended and revised to add the following:

P-5	Alcohol Manufacturer	Liquor or beer – As permitted by state law	Liquor or beer– As permitted by state law	\$3,000	\$3,000	0	None	10 a.m. — 10 p.m. (Mon- Thurs) 10 a.m. — 11 p.m. (Fri-Sat) 12 p.m. — 10 p.m. (Sun) *The hour
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									limitation in this section only applies when a P-5 License holder is open to the public and serving or selling alcohol directly to consumers.
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**SECTION 3:** Subsection 3-4-6 of the Evanston City Code of 2012, as amended, is hereby further amended by the enactment of a new Subsection (P-5) thereof, “Class P-5 Liquor License”, to create a new license with the following special conditions and restrictions to read as follows:

(P-5) CLASS P-5 Manufacturer license shall authorize the manufacture, importation in bulk, storage, distribution and sale of alcoholic liquor to persons without the State, as may be permitted by State and Federal Law and to licensees in this State:

1. Manufacturers of alcohol, not including wine or beer, may make sales and deliveries of alcoholic liquor to distillers, rectifiers, importing distributors, distributors and non-beverage users and to no other licensees.
2. Manufacturers of beer may make sales and deliveries of beer to importing distributors and distributors and may make sales as authorized under the Illinois Liquor Control Act.
3. All business or entities that manufacture alcoholic beverages must obtain a Manufacturer (P-5) license, unless the business or entity qualifies for another license in Section 3-4-6(P) of the Evanston City Code
4. If retail sales for off-site consumption are permitted by State law, it shall be unlawful for a Class P-5 licensee to sell a container of alcohol for off-premises consumption unless the container is greater than or equal to two hundred (200) milliliters in volume.
5. If permitted by State Law, Class P-5 licensees may, during authorized hours of business, offer samples of the alcohol permitted to be produced and sold

pursuant to this classification. Licensees shall not provide more than three (3) free samples, each of which shall not exceed one-quarter (0.25) fluid ounce, to any person in a day. Licensees may sell samples, but the volume of any sample sold shall not exceed one (1) fluid ounce and the total volume of all samples sold to a person in a day shall not exceed two and one-half (2.5) fluid ounces. Licensees shall not provide and/or sell more than two and one-half (2.5) fluid ounces of samples to any person in a day. Class P licensees must have at least one (1) BASSET-certified site manager on premises whenever offering samples of alcohol. Class P licensees must provide food service when offering samples of alcohol. It shall be unlawful for the holder of a Class P-5 license to provide a sample of or sell any alcohol before the hour of 10:00 a.m. or after the hour of 10:00 p.m. on any Monday, Tuesday, Wednesday, or Thursday; before the hour of 10:00 a.m. or after the hour of 11:00 p.m. Friday and Saturday; and before the hour of 12:00 noon and after the hour of 10:00 p.m. on Sunday.

6. Every Class P-5 licensee must have an alcohol manufacture license from the State of Illinois.

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 three thousand dollars (\$3,000.00).

The total fee required hereunder for renewal applicants electing to make semiannual payments, payable pursuant to the provisions of Section 3-4-7 of this Chapter, shall be three thousand one hundred fifty dollars (\$3,150.00).

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

**SECTION 4:** The findings and recitals contained herein are declared to be prima facie evidence of the law of the City and must be received in evidence as provided by the Illinois Compiled Statutes and the courts of the State of Illinois.

**SECTION 5:** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

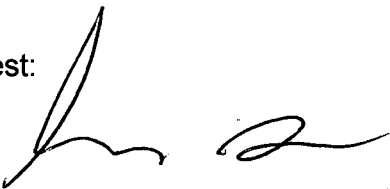
**SECTION 6:** This ordinance must be in full force and effect after its passage, approval, and publication in the manner provided by law.

**SECTION 7:** If any provision of this ordinance or application thereof to any person or circumstance is ruled unconstitutional or otherwise invalid, such invalidity must 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.

Introduced: June 10, 2019

Adopted: June 24, 2019

Attest:



~~Devon Reid, City Clerk~~

Eduardo Gomez, Deputy City Clerk

Approved:

July 10, 2019

  
Stephen H. Hagerty, Mayor

Approved as to form:



Michelle L. Masoncup, Corporation Counsel