

**76-O-19****AN ORDINANCE****Amending Various Portions of the City of Evanston Liquor Code**

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

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

COMBINATION RESTAURANT/PACKAGE STORE.	An entity under single ownership and management, containing a restaurant which sells alcoholic liquor and a package store which sells wine, beer or liquor only in original packages for consumption off the premises, operated as a single unit under one (1) roof in the retail package store area.
COMMERCIAL RECREATION FACILITY	A commercial recreation facility is a place, structure, or other facility whose primary business purpose is to provide space for the public to participate in sport, art, or craft activities. Examples of a commercial recreation facility include tennis, ball, racquet or other courts; swimming pools; bowling alleys; golf courses; and arts and crafts studios. A commercial recreation facility does not include any commercial operations where the sale of food or alcohol is the primary purpose of the business as well as theaters; music venues; cultural facilities, such as museums; skateboarding courses; go-cart or motorcycle courses; stadiums; marinas; night club; overnight camping; gun firing ranges; or any other use that is covered by another license in the Code.

University Area	That area of the City east of the east line of Sheridan Road and south of the south line of Lincoln Street, extended to the lake shore and northeasterly of the northeasterly line of that portion of Sheridan Road running in a generally northwesterly and southeasterly direction south and east of the intersection of Sheridan Road at Chicago Avenue, and such line created thereby extended to the lake shore, but excepting therefrom a corridor having a depth of one hundred fifty (150) feet bounded by the north, south and west lines of said described area. Additionally, the University Area includes the property owned by Northwestern University located north of Central Street; south of Isabella Street; east of the alley running north to south between Ashland and Eastwood Avenue and west of Asbury Avenue.
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**SECTION 2:** Class L, V, W, and X of Table 1, Section 3-4-6 of the Evanston City Code of 2012, as amended, is hereby further amended and revised as follows:

Class	Type	Consume on site	Consume off site	Initial Fees	Renew Fees	Licenses	Location Limit	Permitted Hours to sell alcohol
V	Live Music Venues	Liquor	None	\$4,000	\$4,000	0	As permitted by Title 6 of the City Code	4 p.m. — 2 a.m. (Mon-Thurs); 4 p.m. — 3 a.m. (Fri-Sun)

W	Commercial Recreation Facility	Liquor	None	\$2,500	\$2,500	2	Facilities in the University District are not eligible for a Class W License	12 p.m. — 9 p.m. (Mon- Fri); 11:30 a.m. — 10 p.m. (Sat-Sun)
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**SECTION 3:** Subsection 3-4-6-(V) of the Evanston City Code of 2012, as amended, is hereby further amended by reducing the cost of the license to read as follows:

(V) CLASS V licenses, which shall authorize the sale of alcoholic liquor for consumption on the premises where sold, when such premises is operated for the primary purpose of presenting live musical performances, for compensation. Patrons may be served at tables or at a bar installed to accommodate such service.

1. The sale of alcoholic liquor shall not take place between the hours of 2:00 a.m. and 4:00 p.m., except that sales may be made up to 3:00 a.m., on Friday, Saturday, Sunday mornings and up to 3:00 a.m., on the mornings of January 1, Memorial Day, July 4, Labor Day, and Thanksgiving.
2. The sale of alcoholic liquor shall not take place more than two (2) hours before a live performance begins, nor more than two (2) hours after the end of a live performance.

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 four thousand dollars (\$4,000.00).

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 four thousand four hundred (\$4,000.00).

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

**SECTION 4:** Subsection 3-4-6-(W) of the Evanston City Code of 2012, as amended, is hereby further amended by permitting outside commercial recreation facilities to sell alcohol to read as follows:

(W) CLASS W licenses, which shall authorize the sale of beer and wine for consumption at a commercial ~~in~~ recreation facility, is limited to patrons of at least twenty-one (21) years of age. Such commercial recreation facility liquor licenses shall be issued subject to the following conditions:

3. Licensees who offer servings of beer, wine, or liquor for retail sale shall provide expanded food service which includes such items as sandwiches, flatbreads, empanadas, hot dogs, salads, or other similar a la carte items to customers who are purchasing beer or wine. Licensees may arrange for the presence and operation of a mobile food vehicle on or adjacent to the licensed premises during authorized hours of business to serve food to customers. Only mobile food vehicle vendors licensed pursuant to Title 8, Chapter 23 of the City Code shall be allowed to be present and operate. Licensees required to provide expanded food service shall comply with all applicable requirements of Title 8, Chapter 6 of the City Code.
4. Each serving must not exceed five (5) fluid ounces for wine and twelve (12) fluid ounces for beer.
5. Class W licensees must have at least one (1) BASSET-certified site manager on-premises whenever beer or wine is available for on-site consumption. All persons who sell, open, pour, dispense or serve beer or wine shall be BASSET certified. Class W licensees must provide food service whenever beer or wine is available for on-site consumption, in accordance with the specifications applicable to retail sale for on-site consumption. The licensee is strictly liable for complying with all provisions regarding food service. Beer or wine for retail sale for on-site consumption shall be sold and dispensed only in plastic containers provided by the licensee. Beer or wine sold within the licensed premises for consumption on the premises shall not be removed from the licensed premises. No alcoholic liquor shall be brought onto the licensed premises or consumed on the licensed premises other than the beer or wine sold at retail.
6. The sale of beer, wine, or liquor shall only take place from 11:00 a.m. to 12:00 a.m., Monday through Saturday and from 12:00 p.m. to 12:00 a.m. on Sunday. No beer or wine may be consumed on the premises after 12:00 p.m. on any given day.
7. Every employee of a Class W licensee who participates in the sale of beer or wine, pursuant to this license class, must be BASSET-certified.

8. Commercial Recreational Facilities in the University District are not eligible for a Class W License.

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 two thousand five hundred dollars (\$2,500.00).

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 two thousand six hundred twenty-five dollars (\$2,625.00).

**SECTION 5:** Subsection 3-4-6-(X) of the Evanston City Code of 2012, as amended, is hereby further amended by removing the Class X license to read as follows:

**SECTION 6:** 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 7:** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SECTION 8:** This ordinance must be in full force and effect after its passage, approval, and publication in the manner provided by law.

**SECTION 9:** 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: July 22nd, 2019

Adopted: August 5th, 2019

Approved:

August 14, 2019

Stephen H. Hagerty  
Stephen H. Hagerty, Mayor

Attest:

Eduardo Gomez  
Devon Reid, City Clerk  
Eduardo Gomez, Deputy City Clerk

Approved as to form:

Michelle L. Masoncup  
Michelle L. Masoncup, Corporation Counsel