

102-O-19

AN ORDINANCE

**Amending City Code Section 3-4-6(D) to Increase the Number of Class D Liquor Licenses from Fifty-three to Fifty-four
(Comida, LLC d/b/a Comida Cantina, 1926 Central Street, Evanston, IL 60201)**

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

SECTION 1: Class D 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
D	Restaurant	Liquor	None	\$2,800	\$2,800	54	None	11 a.m.— 1 a.m. (Mon- Thurs); 11 a.m. – 2 a.m. (Fri-Sat); 12 p.m. – 1 a.m. (Sun)

SECTION 2: Subsection 3-4-6-(D) of the Evanston City Code of 2012, as amended, is hereby further amended by increasing the number of Class D liquor licenses from fifty-three (53) to fifty-four (54) to read as follows:

(D) CLASS D licenses, which shall authorize the retail sale in restaurants only of alcoholic liquor for consumption on the premises where sold. No such license may be granted to or retained by an establishment in which the facilities for food preparation and service are not primarily those of a "restaurant", as defined in 3-4-1 of this Chapter. Alcoholic liquor may be sold in restaurants holding Class D licenses only during the period when their patrons are offered a complete meal.

The applicant for the renewal only of such licenses may elect to pay the amount required herein 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 eight hundred dollars (\$2,800.00).

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 nine hundred forty dollars (\$2,940.00).

No more than fifty-four(54) 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SECTION 3: All ordinances or parts of ordinances in conflict herewith are hereby repealed.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: September 9, 2019

Approved:

Adopted: September 9, 2019

October 2, 2019

Stephen H. Hagerty
Stephen H. Hagerty, Mayor

Attest:

Approved as to form:

Eduardo Gomez
Devon Reid, City Clerk

Michelle L. Masoncup
Michelle L. Masoncup, Corporation Counsel

Eduardo Gomez, Deputy City Clerk