

13-O-20

AN ORDINANCE

Amending City Code Section 3-4-6(B), Class B Liquor License to Remove Certain Restrictions to Purchases for Alcohol Patrons at Movie Theaters

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

SECTION 1: Section 3-4-6(B) of the Evanston City Code of 2012, as amended, is hereby further amended by allowing for the onsite consumption as follows:

- (B) CLASS B licenses, which shall authorize the sale, as described herein, of alcoholic liquor, for consumption on the premises of a cinema, having a minimum seating capacity of eight hundred (800) and located in the Core District, while food service is available. Establishments holding Class B licenses must have some food service available and at least one (1) BASSET-certified site manager on the premises when alcoholic liquor is being sold. Each Class B license shall be subject to the following conditions:
1. *Sale, Possession and Consumption:* Sale of alcoholic liquor shall be restricted to the café and temporary bar area only. Possession and consumption of alcoholic liquor shall be permitted in the café area and in viewing auditoriums pursuant to Section 3-4-6(B)2.
 2. *Restrictions on Alcohol in Auditoriums:* A Class B licensee may permit patrons to exit the café and temporary bar area while possessing or consuming alcoholic liquor if the licensee first verifies that every such patron:
 - a. Is at least twenty-one (21) years of age;
 - b. Has in his/her possession no more than two (2) alcoholic beverage served in an open plastic container of a different color, size and design than those in which non-alcoholic beverages are served;
 3. *Hours:* The sale of alcoholic liquor shall only take place from 11:00 a.m. to 1:00 a.m. Sunday through Saturday and while the licensed premises is open for the showing of motion pictures or a special event pursuant to Section 3-4-6(B)3. Under no circumstances shall alcoholic liquor be served more than one (1) hour prior to the advertised showing time of the first motion picture to be screened on any day, or any special event.

4. *Restrictions:* No licensee shall employ on its premises any person under the age of twenty-one (21) years to attend bar, or to pour, draw, or mix alcoholic liquor on said premises.
5. *Liability:* A licensee shall be liable for any alcohol consumption by any person younger than twenty-one (21) years of age on the licensed premises, regardless of whether the alcohol was purchased from the licensee.

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 five thousand dollars (\$5,000.00).

The total fee required hereunder for renewal applicants electing to make semiannual payments, payable according to the provisions of Section 3-4-7 of this Chapter, shall be five thousand two hundred fifty dollars (\$5,250.00).

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

SECTION 2: 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 3: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4: This ordinance must be in full force and effect after its passage, approval, and publication in the manner provided by law.

SECTION 5: 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: January 27, 2020

Adopted: February 10, 2020

Approved:

March 6, 2020

Stephen H. Hagerty
Stephen H. Hagerty, Mayor

Attest:

Devon Reid
Devon Reid, City Clerk

Eduardo Gomez, Deputy City Clerk

Approved as to form:

Kelley Gandurski
Kelley Gandurski, Corporation Counsel