

**14-O-20**

**AN ORDINANCE**

**Amending City Code Section 3-4-6(E), Class E Liquor License to Allow for Onsite Consumption on the Licensed Premises**

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

**SECTION 1:** Section 3-4-6(E) of the Evanston City Code of 2012, as amended, is hereby further amended by allowing for the onsite consumption 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. Class E licenses shall also authorize the tasting of alcoholic liquor not exceeding the limits set forth herein. 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.
5. Class E licenses shall permit the tasting of samples of the alcoholic liquor permitted to be sold under this classification, on the licensed premises during authorized hours of business. No charge, cost, fee, or other consideration of any kind shall be levied for any such tasting. Licensees shall not provide more than three (3) free tastings, each of which shall not exceed one (1) fluid ounce for wine, two (2) fluid ounces for beer and one-quarter (.25) fluid ounce for distilled alcohol, to any person in a day. Licensees must have at least one (1) BASSET-certified site manager on-premises whenever offering alcoholic liquor for tastings. Licensees must provide food service when offering alcoholic liquor for tastings.

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:** 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

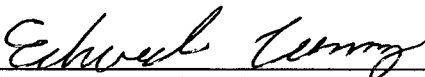
Adopted: February 10, 2020

Approved:

March 6, 2020

  
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Stephen H. Hagerty, Mayor

Attest:

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

Approved as to form:

  
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Kelley Gandurski, Corporate Counsel