

64-O-23

AN ORDINANCE

Amending City Code Section 3-4-6(R-1) to Prohibit the Service of Alcohol in Glass or Plastic Containers

WHEREAS, the City of Evanston Class R-1 liquor is the liquor license for Welsh Ryan Arena on Northwestern University's campus; and

WHEREAS, the R-1 license mandates that alcohol be served in plastic cups during events at Welsh Ryan Arena; and

WHEREAS, pouring beer into a plastic cup creates unnecessary waste and is at odds with the City's Climate Action Resilience Plan (CARP); and

WHEREAS, prohibiting the service of alcohol in glass or plastic containers at Welsh Ryan Arena events will be consistent with the CARP; and

WHEREAS, the Evanston City Council finds that it is in the best interests of the City to amend the City Code mandate the service of alcohol in cans or compostable cups for R-1 liquor license holders.

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

SECTION 1: Section 3-4-6 "Classification and License Fees" of the Evanston City Code of 2012, as amended, is hereby further amended as follows:

3-4-6. – CLASSIFICATION AND LICENSE FEES.

(R-1) CLASS R-1 licenses, which shall authorize the sale on the premises specified of alcoholic liquor only for consumption upon the premises while food service is available.

1. Such licenses shall be issued for use only in facilities with a permanently constructed seating capacity of not more than eight thousand (8,000) and not less than seven thousand (7,000) persons, designed and used for presentation of sporting events and

other activities, such as recreational activities and entertainment events, and includes retail sales areas and retail food dispensing outlets, including, but not limited to, restaurant areas to accommodate liquor by the drink as well as food patronage, owned, operated and maintained by not for profit educational institutions within the designated university areas.

2. Establishments holding Class R-1 licenses must have some food service available when alcoholic liquor is being sold.
3. Alcohol may be served only on days on which there is a sporting event, recreational activity, or other entertainment event which occurs in the qualifying facility.
4. R-1 license holders shall only serve alcohol beginning one (1) hour prior to the start of the event and must cease selling alcohol no later than thirty (30) minutes prior to the conclusion of the event. For men's basketball games at Welsh Ryan Arena, alcohol sales shall end at or prior to the second half twelve (12) minute TV timeout. For women's basketball games, alcohol sales shall end prior to the start of the fourth (4th) quarter.
5. In the general admission area, all alcoholic beverages ~~must be~~ may not be served in glass or plastic containers.
6. No more than two (2) alcoholic beverages shall be sold to any person in any single transaction.
7. The term "university area" shall be as defined in Section 3-4-1 of this Chapter.

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 fee for such license shall be six thousand dollars (\$6,000.00).

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 six thousand three hundred dollars (\$6,300.00).

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

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

SECTION 3: 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 4: 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 5: This ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

Introduced: July 10, 2023

Approved:

Adopted: July 24, 2023

July 26, 2023

Daniel Biss
Daniel Biss, Mayor

Attest:

Approved as to form:

Stephanie Mendoza
Stephanie Mendoza, City Clerk

Nicholas E. Cummings
Nicholas E. Cummings, Corporation Counsel