

**AN ORDINANCE AMENDING CHAPTER 3 (ALCOHOLIC LIQUORS),  
ARTICLE I (~~§3-1~~) AND ARTICLE III (§3-42)  
OF THE CODE OF ORDINANCES  
(NUMBER OF T1 LICENSES PER LICENSE HOLDER PER YEAR)**

**WHEREAS**, the City of Urbana (hereinafter "City"), an Illinois municipal corporation, has a population of more than 25,000 and is a home rule unit pursuant to Article 7, §6 of the Constitution of the State of Illinois and 65 ILCS 5/1-1-10; and

**WHEREAS**, the City has an interest in protecting the community through the orderly administration of its alcoholic liquor ordinance; and

**WHEREAS**, from time to time it is necessary for the City to amend its liquor ordinance to benefit the community and its local businesses;

**NOW THEREFORE, BE IT ORDAINED** by the City Council of the City of Urbana that Chapter 3 of the Code of Ordinances is hereby amended as follows:

**Section One.**

~~The following definition shall be added to Article I, §3-1:~~

~~Serve. As used in this in Chapter, "serve" shall include selling, providing, or allowing the possession and/or consumption of alcoholic liquor on the licensed premises or the site of a special event in the event a temporary license is issued.~~

**Section Two.**

Article III, §3-42 shall be amended as follows:

**Sec. 3-42. Class T licenses.**

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There shall be three (3) categories of Class T licenses:

T-1 (Special event--current licensee)

T-2 (civic or charitable organization)

T-3 (Private promoter of festivals)

(a) T-1 license (special event--current licensee). Any license holder may obtain a special license which shall permit and allow such license holder to ~~serve~~ sell alcoholic drinks for consumption in an enclosed area, without regard to where payment

is made, immediately adjacent and adjoining and opening onto the premises described in the then current license application on file for the license, provided the licensee submits an application in the manner provided by ordinance fourteen (14) days prior to the date for which the special license shall be used. A Class T-1 license shall be valid for a maximum of two (2) days. The T-1 license application shall contain:

(1) A statement of the hours during which liquor is to be sold, not inconsistent with section 3-3.

(2) Describe with reasonable certainty the boundary of the adjacent premises where such liquor shall be sold.

(3) The written consent of the owner of such adjacent premises shall be attached to the application. The written consent shall be dated not more than thirty (30) days prior to the application.

(4) Proof of dram shop insurance covering the premises to be utilized with the T-1 license.

No more than ~~one~~(1) two (2) such license shall be issued to any license holder in any one (1) calendar month, nor more than ~~three~~(3) ten (10) in a calendar year. The special license, if issued, shall not in any manner be regarded to relieve the license holder of complying with any other requirement of law.

(b) T-2 license (civic or charitable organization). The T-2 license shall permit the retail sale of alcoholic liquor by any bona fide civic, service, charitable, or other not for pecuniary profit organizations for consumption on the premises or within an area specifically designated in such license.

(1) A Class T-2 license shall be valid for a maximum of two (2) days.

(2) An applicant for a Class T-2 license shall submit an application at least fourteen (14) days prior to the date for which the license shall be issued, and show evidence that dram shop liability insurance has been obtained for the period of the license.

(3) The applicant for a Class T-2 license shall state in the application for such license the hours during which alcoholic liquor is to be sold, not inconsistent with section 3-3.

(4) Not more than two (2) Class T-2 licenses shall be issued to any license holder in any one (1) calendar year. Licenses issued for events that the city co-sponsors shall not count toward this limit.

(5) A Class T-2 license, if issued, shall not in any manner be regarded to relieve the license holder of complying with any other requirement of law.

(c) T-3 license (Private for-profit festival promoter). The T-3 license shall permit the retail sale of alcoholic liquor by any

bona fide private for-profit promoter of outdoor festivals, held within the City's corporate limits, for consumption on the premises or within an area specifically designated in such license. For purposes of this Section, a festival shall be defined as special event, normally held only once per calendar year, which is held primarily outdoors; is open to the public; and has been designated as an approved festival by the City Council.

(1) The T-3 license shall be valid for a maximum of two (2) days.

(A) If any festival lasts less than two (2) days, then the T-3 license shall be valid only for the duration of said festival.

(B) In no case shall alcoholic liquor be sold by the T-3 license holder outside of the hours designated in the T-3 license application. Said hours shall not be inconsistent with the limitations in §3-3 of this Chapter. The City of Urbana Liquor Commissioner or his/her designee shall have sole discretion to limit hours of alcoholic liquor sales during any outdoor festival.

(2) The festival promoter shall apply for the T-3 license no later than sixty (60) days prior to the date of the festival.

(3) No more than two (2) T-3 licenses shall issue to any current license holder or new applicant in any calendar year.

(4) A Class T-3 license, if issued, shall not in any manner be regarded to relieve the license holder of complying with any other requirement of law.

(5) No more than one (1) T-3 license shall issue per calendar month, and said license shall issue on a first come basis.

(6) The fee for a T-3 license shall be 5% of the gross revenue generated by the event.

(A) Payment of such fee shall be made to the Comptroller of the City, by the license holder within ten (10) business days from the last day of the festival.

(B) Payment of the 5% of gross revenue shall be accompanied by an accounting of the gross revenue and a certification by the license holder of the accuracy of said accounting.

(7) All T-3 license recipients shall, as a condition for receiving that license, pay all of the City of Urbana's costs in providing City services to that event, including, but not limited to, police services and Public Works Department services. The Police Department, Public Works Department, and any other City department/division from which services are requested by the permit applicant or that are required, by necessity, at the event, shall provide estimates of the costs of providing their services, and the license applicant shall agree in writing to pay the same, prior to the issuance of the license.

(d) Special conditions applicable to all T Class licenses.

(1) In the application for a T Class license, the application must set forth information so that the boundary of the area in which alcoholic liquor is to be allowed, can be ascertained with reasonable certainty.

(2) If the applicant for any category of Class T license is not the owner of record of the property designated for the site of the event, the owner of record or agent must join in the application; provided, however, this requirement shall not be applicable to an application for a T-2 license involving public right-of-way.

(3) If any T Class license involves serving either alcoholic liquors or food out-of-doors, then the following shall be applicable:

(A) The application shall designate the license applicant as the agent of the owner of record for service of a notice to remove all refuse, litter, debris, garbage and the like for the notice of lien as set forth in subsection (e) below. Only paper or plastic products may be used to serve alcoholic liquor or food;

(B) Provide fencing with at least two (2) means of ingress and egress around the area designated in the license. The egress shall have a ratio of at least forty-four (44) inches for every two hundred (200) occupants and at least one alternate exit of at least forty-four (44) inches;

(C) The Class T license holder shall, within twenty-four (24) hours after the ending time of the event, remove all refuse, litter, debris, garbage and the like from the property used for the event and the abutting public right-of-way;