

ORDINANCE NO. 2011-11-130

AN ORDINANCE AMENDING URBANA CITY CODE CHAPTER THREE, SECTION 3-41

(Class R-1 and R-2 liquor licenses)

WHEREAS, the City Council heretofore has adopted Section 3-41 of the Urbana City Code to establish classifications of liquor licenses issued in the City; and

WHEREAS, the City Council finds that the best interests of the City are served by amending said section.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Urbana, Champaign County, Illinois, as follows:

Section 1.

Urbana City Code Chapter 3, "Alcoholic Liquors," Article III, "Retail License," Section 3-41, "Classification," subsection (n), is hereby amended with the underlined text indicating new language and the strikethrough text indicating deletions as follows:

Class R R-1 licenses (restaurants) shall permit the retail sale of alcoholic liquor by restaurants for consumption on the premises, where sold, and not for resale in any form. Class R-2 licenses (restaurants - beer and wine only) shall permit the retail sale of beer and wine only by restaurants for consumption on the premises, where sold, and not for resale in any form. No part of this subsection shall be construed as forbidding patrons of a restaurant, who have ordered a bottle of wine with their meal but have only partially consumed the contents, from exiting the restaurant with said bottle, corked or sealed, as may be allowed by law.

- a. At Class R R-1 and R-2 licensed restaurants, the total sales of alcoholic liquor may not exceed forty (40) percent of the total combined sales of food and alcoholic liquor.
- b. For purposes of this classification, a "restaurant" shall be defined as a public place having, or contained in, all of the following:
 1. Space kept, used, maintained, advertised, and held out to the public as a place where meals are served;
 2. Space where meals are actually regularly served;
 3. Space without sleeping accommodations;
 4. Space that has ~~an~~ adequate and sanitary kitchen, ~~and has~~ dining room equipment/furnishings and capacity; and
 5. A sufficient number and kind of employees to prepare, cook, and serve suitable food for its guests.

Section 2.

This ordinance will take effect on July 1, 2012.

Section 3.

Those sections, paragraphs, and provisions of the Urbana City Code that are not expressly amended or repealed by this Ordinance are hereby re-enacted, and it is expressly declared to be the intention of this Ordinance not to repeal or amend any portions of the Urbana City Code other than those expressly set forth as amended or repealed in this Ordinance. The invalidity of any section or provision of this Ordinance hereby passed and approved shall not invalidate other sections or provisions thereof.

Section 4.

This Ordinance shall not be construed to affect any suit or proceeding pending in any court, or any rights acquired, or a liability incurred, or any cause or causes of action acquired or existing prior to the effective date of this Ordinance; nor shall any right or remedy of any character be lost, impaired, or affected by this Ordinance.

Section 5.

This Ordinance shall be in full force and effect from and after its passage.

This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called, of a majority of the members of the Council of the City of Urbana, Illinois, at a meeting of said Council.

PASSED BY THE CITY COUNCIL this ____ day of _____, _____.

AYES:

NAYS:

ABSENT:

ABSTAINED:

Phyllis D. Clark, City Clerk

APPROVED BY THE MAYOR this ____ day of _____, _____.

Laurel Lunt Prussing, Mayor