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5354-39

AN ORDINANCE REGULATING THE SALE AT RETAIL OF  
ALCOHOLIC LIQUORS WITHIN THE CITY OF URBANA, ILLINOIS

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BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS:

SECTION 1. (Definitions.) The words and phrases used in this ordinance and which are defined in the Act of the General Assembly of the State of Illinois, known as "An Act Relating to Intoxicating Liquors," approved January 31, 1934, as amended, shall have the same meaning as in that Act defined.

SECTION 2. All the regulations and requirements set forth in the said Act of the General Assembly, as amended, above referred to, which relate in any manner to the licensing or the sale of alcoholic liquors at retail within cities of less than 200,000 population, shall be taken and construed as a part of this ordinance as fully and completely as though same were fully set forth herein.

SECTION 3. A license fee for the sale of alcoholic liquors at retail shall be granted for a term not to exceed one year and all licenses shall expire on April 30th after the date of issuance. All license fees shall be paid in quarterly installments, the first installment falling due on May 1, the second installment falling due on August 1, the third installment falling due on November 1, and the fourth installment falling due on February 1, of each fiscal year of the City. No application need be made for the second, third and fourth installments, and fees may only be prorated on the quarterly basis. No part of said license fee after the issuance of said license, shall be refunded. It shall be unlawful for any person, firm or corporation to sell at retail, any alcoholic liquors within the City of Urbana, without having paid the license fee as required by this ordinance, including any installment thereof.

SECTION 4. (Classification—fees.) Such licenses shall be and are hereby divided into four classes, to-wit:

(a) Class A licenses (to be known as regular retailer's license) which shall authorize the retail sale of alcoholic liquors in package form

or by the drink for consumption on or off the premises where sold. The annual license fee for which shall be (except hotels) \$1,000.00. Hotels \$1,200.00.

(b) Class B licenses (to be known as the beer license) which shall authorize the retail sale of beer only to be consumed on or off the premises where sold. The annual license fee for which shall be \$250.00 in the unrestricted area defined in Section 11 hereof, and \$400.00 in the restricted area defined in Section 11 hereof.

(c) Class C licenses (to be known as package store licenses) which shall authorize the retail sale of alcoholic liquors in original packages not to be consumed on the premises. The annual license fee for which shall be \$1,000.00.

(d) Class D licenses which shall authorize the retail sale of alcoholic liquors by clubs and to members only to be consumed in the club rooms only. The annual license fee shall be \$750.00.

(d-1) Class D-1 licenses which shall authorize the retail sale of beer only, within the Liquor Zone of the City by clubs to members only, to be consumed in the club rooms only, the annual license fee for which shall be \$250.00.

SECTION 5. (License required.) It shall be unlawful to sell or offer for sale in this City any alcoholic liquor without having a retail liquor dealer's license, or to sell the same in violation of the terms of such license.

SECTION 6. (Applications.) Applications for such licenses shall be made in writing to the Mayor or such a person or persons as he may appoint to assist him as the local liquor control commissioner or commission, signed by the applicant, if an individual, or by a duly authorized agent thereof, if a club or corporation, verified by oath and shall contain such information as may be required by said Mayor or commissioner or commission consistent with an Act Relating to Intoxicating Liquors, approved January 31, 1934, as amended.

SECTION 7. (Restriction on licenses.) No license of any kind shall be issued to such persons as are prohibited to receive a Retail Liquor

Dealer's License by said Illinois Liquor Law.

Not more than Ten (10) Class "A" Licenses shall be issued in any one year and not more than Four (4) Class "B" Licenses shall be issued in any one year and not more than One (1) Class "C" License shall be issued in any one year. In case of a surrender or cancellation of any License, another license of the same Class may be issued to replace the one so surrendered or cancelled.

SECTION 8. (Disposition of fees.) All such retail liquor dealers' fees received by the Mayor or his commission shall be forthwith turned over to the Clerk of this City, if the application for such license is accepted. In the event the license applied for is denied, the fee shall be forthwith returned to the applicant. Such fees received shall be deposited in the general corporate fund of the City or in such other fund as shall be designated by the City Council.

SECTION 9. (List.) The Mayor shall keep or cause to be kept, a complete record of all retail liquor dealers' licenses issued by this City; and shall furnish the Clerk and Chief of Police each with a copy thereof; and he shall give written notice to said officers within forty-eight (48) hours of the revocation of any license.

SECTION 10. (Change of location.) A retail liquor dealer's license shall permit the sale of alcoholic liquor only in the premises described in the application and license, and such location may be changed only upon written permit issued by the Mayor or the City Council, but in no event shall a permit be granted by the Mayor for a change of location to any premises on Main Street in Urbana which are not now being used for the retail sale of alcoholic liquors. After the date of the adoption and approval of this ordinance no retail liquor dealers' licenses shall be granted for the sale of alcoholic liquor in premises located on Main Street in the City of Urbana, except in premises on said street and at the locations where licenses are now in force; and, in event the sale of alcoholic liquor shall be discontinued for a period of six months in any of the premises which are now being used for the sale of alcoholic liquors on Main Street, then no liquor license shall thereafter be issued for the

sale of alcoholic liquor in such premises.

SECTION 11. (Restricted areas.) It is hereby determined that the following described portions of this City are predominantly residential in character:

All of the area comprising the corporate limits of the City of Urbana, except that portion within the following boundary lines:

A line beginning at the center of the intersection of Bennett Avenue and Elm Street and extending thence North along the center of Bennett Avenue to the center line of Main Street; thence East along the center line of Main Street to the center line of Vine Street; thence North along the center line of Vine Street to the South line of the Wabash Railroad right of way; thence Westerly along and on the South side of said right of way of said railroad to a point due North of the center line of Cedar Street; thence running South to the center line of Cedar Street and along the same to the center line of Elm Street; thence East on the center line of Elm Street to the center line of Race Street; thence South on the center line of Race Street to the center line of Green Street; thence East on the center line of Green Street to the center line of Broadway Street; thence South along the center line of Broadway Street to the center line of High Street; thence East on the center line of High Street to the center line of Thorn Alley, being the alley between Broadway Street and Walnut Street; thence North along the center of Thorn Alley to the center of Green Street; thence West on the center line of Green Street to the center line of Broadway Street; thence North on the center line of Broadway Street to the center line of Elm Street; thence East on the center line of Elm Street to the point of beginning.

It shall be unlawful to sell or offer for sale at retail any alcoholic liquors other than beer within any such residential portion of the City. Beer may be sold in such residential portions to be consumed on the premises provided that the owners of at least two-thirds of the frontage feet along the street and streets adjacent to such place of business for which a license is sought and a distance of 200 feet in each direction from such place of business along both sides of such adjacent street or streets, and including also the owner or owners of the frontage feet on any street not adjacent to such place of business but lying within a distance of 200 feet in any direction from such proposed place of business, shall file with the Mayor their written consent to the use of such place for the sale of beer therein to be consumed on said premises. Provided, however, that such petition shall not be required for a place of business now established pursuant to a prior petition filed with the Mayor.

SECTION 12. (Closing hours—Sundays.) It shall be unlawful to sell or offer for sale on the premises any alcoholic liquors in this City between the hours of twelve o'clock at midnight and six o'clock in the morning of any day, and between the hours of twelve o'clock midnight on a Saturday and six o'clock A.M. on Monday. It shall be unlawful to consume on the premises where sold any alcoholic liquors in the City between the hours of twelve-thirty o'clock A.M. and six o'clock A.M. of any day, and between the hours of twelve-thirty o'clock A.M. on a Sunday and six o'clock A.M. on a Monday.

SECTION 13. (Elections.) It shall be unlawful for any person to sell any alcoholic liquor in this City on the day of any national, state, county or municipal election including primary elections during the hours the polls are open within the political area in which such election is being held.

SECTION 14. (Displaying Samples of Liquors—Saloon.) It shall be unlawful for any person licensed to sell alcoholic liquors for consumption upon the premises to violate any of the provisions of Section 20 of Article VI of "An Act Relating to Intoxicating Liquor," approved January 31, 1934, as amended, and it shall be unlawful also for such licensee to display samples of liquors in show windows, and it shall be unlawful for any person licensed to sell any alcoholic liquors to use the word "Saloon" or "Bar" in any sign or advertisement.

SECTION 15. (On Regularly Traveled Street.) No person obtaining a license under this ordinance shall sell any alcoholic liquor unless the place of sale of same is located on a regularly traveled and maintained public street. Provided this section shall not be construed as prohibiting the issuance of a license for the sale of any alcoholic liquor by any person in a place of sale now licensed under the present liquor ordinance of said City.

SECTION 16. (Above or Below Ground Floor) It shall be unlawful to sell alcoholic liquors to be consumed on the premises where sold in places (other than as Restaurants, Hotels or Clubs) located either above

or below the ground floor of any building.

SECTION 17. (Sale in Pool Hall.) No license shall be issued for the sale of alcoholic liquors other than beer in a pool or billiard hall. And it shall be unlawful to sell any alcoholic liquors in a pool or billiard hall after twelve o'clock at midnight, or to consume any alcoholic liquor after twelve-thirty A.M.

SECTION 18. (No Dancing.) All persons licensed to sell alcoholic liquors for consumption on the premises shall not maintain a place for dancing in said place of business nor permit dancing in any place used in connection with such place of business. Provided, this section shall not apply to Hotels or Clubs.

SECTION 19. (Revocation.) The Mayor may revoke or suspend any retail liquor dealer's license for any violation of any provision of this ordinance or for any violation of any State law pertaining to the sale of alcoholic liquor.

SECTION 20. (Sale to Minors.) It shall be unlawful for any licensee to sell, give or deliver alcoholic liquors to any minor or to any intoxicated person or to any person known by him to be a habitual drunkard, spendthrift, or insane, feeble minded or distracted person.

SECTION 21. (Minors Prohibited in Class "A" Places.) It shall be unlawful for any licensee holding a Class "A" license to permit any female under the age of 18 or any male under the age of 21 to frequent or loiter in the place of business of such licensee. Provided, this section shall not apply to Hotels, Restaurants, Clubs or Bowling Alleys.

SECTION 22. (Unlawful for Minors to Purchase Liquor.) It shall be unlawful for any female under the age of 18 or any male under the age of 21 to purchase or obtain any alcoholic liquor in any place where alcoholic liquor is sold in the City of Urbana.

SECTION 23. (Unlawful for Minors to Loiter or Attempt to Purchase.) It shall be unlawful for any female under the age of 18 or any male under the age of 21, to frequent or loiter in any place of business in Urbana where alcoholic liquor, except beer, is sold to be consumed on the premises, or

for such persons to attempt to purchase alcoholic liquor therein, or to misrepresent his or her age for the purpose of purchasing or receiving alcoholic liquor therein or to misrepresent his or her age for the purpose of frequenting or loitering in any place in said City where minors are forbidden by the terms of this ordinance to so frequent or loiter.

(Loitering does not apply to hotels, restaurants, clubs or bowling alleys.)

SECTION 24. (Warning to Minors.) Every place of business in the City of Urbana where alcoholic liquor is sold shall display, in a prominent place, a printed card which shall read substantially as follows:

"WARNING TO MINORS—You are subject to a fine up to Two Hundred Dollars (\$200.00) under the ordinance of the City of Urbana if you purchase alcoholic liquor or misrepresent your age for the purpose of purchasing or obtaining alcoholic liquor or for the purpose of frequenting or loitering in any place of business in Urbana where alcoholic liquor, except beer, is sold to be consumed on the premises."

" 'Loitering' does not apply to Hotels, Restaurants, Clubs or Bowling Alleys."

SECTION 25. (Transporting Alcoholic Liquor.) It shall be unlawful for any person to transport, carry, possess or have any alcoholic liquor in or upon or about any motor vehicle except in the original package and with the seal unbroken.


SECTION 26. (Penalty.) Any person, firm or corporation violating any provision of this ordinance shall be fined not less than Five Dollars (\$5.00) nor more than Two Hundred Dollars (\$200.00) for each offense; and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

SECTION 27. An ordinance entitled, "An Ordinance Regulating the Sale at Retail of Alcoholic Liquors within the City of Urbana, Illinois," adopted on April 2, 1945, approved April 6, 1945 and published in pamphlet form on April 30, 1945 and all amendments thereto and all other ordinances or parts thereof, in conflict with this ordinance are hereby repealed.

SECTION 28. This ordinance shall take effect and be in force ten (10) days after its passage, approval and publication as is provided by law. In lieu of all other publications this ordinance shall be published in

pamphlet form.

Adopted by the City Council this 15th day of March, A. D. 1954.

  
CITY CLERK

Approved by the Mayor this 15<sup>th</sup> day of March, A. D. 1954.

  
MAYOR

Published in pamphlet form by authority of the City Council of  
the City of Urbana, Illinois, this 15<sup>th</sup> day of March, 1954.



STATE OF ILLINOIS )  
 ) SS.  
COUNTY OF CHAMPAIGN )

I, BESS M. HOLMES, do hereby certify that I am the City Clerk of the City of Urbana, Illinois, and that as such City Clerk I am the keeper of the ordinances and minutes of the meetings of the City Council of the City of Urbana, Illinois and of the corporate seal of said city.

I further certify that the seal attached to said ordinance and to this certificate is the corporate seal of said City of Urbana.

And I further certify that the foregoing is a true, correct, and exact copy of an ordinance entitled, "An Ordinance Regulating the Sale at Retail of Alcoholic Liquors Within the City of Urbana, Illinois," adopted by the City Council of the City of Urbana, Illinois, on March 15, 1954, and approved by the Mayor on March 15, 1954, and that the original ordinance is in my safe keeping as City Clerk.

I do further certify that this ordinance is published and printed in pamphlet form under direction and authority of the City Council of said City.

WITNESS my hand and the seal of said City this 16<sup>th</sup> day of March, A. D. 1954.



CITY CLERK

( S E A L )