

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

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

SECTION 16.1 Definitions

Unless otherwise indicated in this chapter, the words and phrases in this chapter have the meaning given them by the definitions contained in Section 2 of Article 1 of an act entitled, "An Act Relating to Alcoholic Liquors," enacted by the General Assembly of the State of Illinois, approved January 31, 1934, as amended to date.

SECTION 16.2 State Regulations Adopted

All the regulations and requirements set forth in said act of the General Assembly, as amended to date, which relate to the licensing or sale of alcoholic liquors at retail such as apply to the City of Urbana, Illinois, shall be construed as a part of this chapter.

SECTION 16.3 Liquor Commissioner

The Mayor of said City shall be the local Liquor Control Commissioner and shall have such powers and perform such duties as prescribed by statute.

SECTION 16.4 License Required

No person shall sell, display, or offer for sale at retail, in said City, any alcoholic liquor without first having obtained a license from the local Liquor Control Commissioner, and alcoholic liquors shall not be sold in violation of the terms of the license.

SECTION 16.5 License Fee and Terms

Licensees shall pay a fee for the sale of liquors at retail, and licenses shall be for a term not to exceed one year, and all licenses shall expire on April 30 after the date of issuance. License fees can be paid annually or semi-annually in advance, and no license fee or part of such license fee shall be refunded after the issuance of such license. Licenses shall not be valid unless the fees or installments are fully paid in advance.

SECTION 16.6 Classification of Licenses

Class A licenses shall permit the licensee to sell at retail alcoholic liquors in packages or by drink for consumption on or off the premises where sold.

Class AA retailer licenses shall permit the licensee to sell at retail alcoholic liquors in packages or by drink for consumption on or off the premises in restaurants when food is the principal product sold.

Class AAA licenses (to be known as Hotel and Motel License) may be issued to regularly established hotels and motels and shall authorize the sale of alcoholic liquors in package form or by drinks for consumption on or off the premises where sold, from one permanent location in such hotel or motel building or complexes of buildings which together constitute a single hotel or

motel operation and from such other temporary locations for special occasions or functions actually occurring in such hotel or motel and which are not open to the general public, but are limited to special groups or persons, for such periods prior to, during and after such function, as might be reasonable, whether such hotel or motel operates its business from one or more buildings. The words "hotel" and "motel" means every building, structure or group or complexes of building kept, used, maintained, advertised and held out to the public to be a place where food is actually served and consumed and sleeping accomodations are offered for adequate price for travelers or guests, either transient, permanent or residential, in which twenty-five or more rooms are used for sleeping accomodations for guests, and having one or more public dining rooms where meals are served to such guests and the genral public, such sleeping accomodations and dining rooms being conducted in the same building or complex or group of buildings in connection therewith so as to consitute a single hotel or motel operation, and such building, complex or group of buildings being provided with an adequate and sanitary kitchen, dining room equipment and capacity. No hotel or motel entitled to a Class AAA license shall be issued any other license except as hereinafter provided.

Class AAA-1 License (to be known as an additional hotel or motel license) may be issued to any hotel or motel having a valid Class AAA license issued by the City of Urbana and shall authorize the sale of alcoholic liquors at one additional permanent location in said hotel or motel on the same terms and conditions as authorized in said Class AAA license. Not more than two Class AAA-1 licenses may be issued to a holder of a Class AAA license.

Class B Licenses to be known as the beer license, shall permit the retail sale of beer only, to be consumed on or off the premises where sold.

Class C Licenses to be known as the package store license, shall permit the licensee to sell at retail alcoholic liquors in package only.

Class D Licenses shall permit the licensee to sell at retail alcoholic liquors by clubs and to members only to be consumed in the club rooms only.

SECTION 16.6.1

Dancing shall be permitted on the premises of any establishment holding a license under the provisions of this ordinance, except for establishments holding a Class C license.

SECTION 16.6.2

Upon finding by the Liquor Commissioner that the privilege of permitting dancing on the premises of any establishment is endangering the public health, safety or morals, the Liquor Commissioner may revoke the dancing privilege conferred by the license upon said establishment.

SECTION 16.7 License Fees

Class A License	\$1,250.00
Class AA License	1,400.00
Class AAA License	1,400.00
Class AAA-1 License	700.00
Class B License	400.00
Class C License	1,200.00
Class D License	750.00

SECTION 16.8 Number of Licenses

Not more than one Class A or AA license shall be issued in any one year for each 2,500 population of the city. Not more than one Class AAA license shall be issued in any one year for each 5,000 population of the city. Not more than one Class B license shall be issued for each 5,000 population of the city. Not more than one Class C license shall be issued for each 10,000 population of the city. The population of the city for such purposes shall be determined by the latest motor fuel tax census or by the federal census, whichever is later.

SECTION 16.8.1

Notwithstanding the limitation on the number of licenses permitted to be issued under Section 16.8 of this ordinance, the Liquor Commissioner shall be empowered to issue a license, in the appropriate classification, on the criteria, conditions and standards as set forth in Section 16.10 below, to any hotel, motel, restaurant or club, where exclusive of land value or land cost, the latest tax appraisal for the physical plant of the establishment is equal to, or exceeds that amount set opposite each such category:

a)	hotel-motel	\$330,000	{55% of \$600,000}
b)	restaurant	\$165,000	{55% of \$300,000}
c)	club	\$220,000	{55% of \$400,000}

If the latest tax appraisal on the subject premises was made prior to the remodeling or erection of the establishment, it shall be sufficient that a licensed architect shall certify the building costs of such structure exceed that amount set opposite each category:

a)	hotel-motel	\$600,000
b)	restaurant	\$300,000
c)	club	\$400,000

SECTION 16.9 Restricted Areas

Alcoholic liquors shall be sold only in central business or neighborhood business zones as described in the official zoning ordinance of the City of Urbana or less restrictive zones in regard to Class A, AA, AAA, Class B and Class C license.

SECTION 16.10 Application for Licenses

Applications for such licenses shall be made in writing to the Mayor as local Liquor Commissioner signed by the applicant and verified by oath, and shall contain such information as may be required by said Mayor or Commissioner consistent with "An Act Relating to Alcoholic Liquors," approved January 31, 1934, as amended to date, and as appears in Article VII of the state statute. Such application shall include sufficient payment of fees to satisfy such license.

SECTION 16.11 Disposition of License Fees

All such fees for licenses for sale of alcoholic liquors shall be received by the Mayor and delivered to the City Clerk, and in the event the license is refused, the fees shall be returned to the applicant. Such fees as are retained by the city 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 16.12 Record of Licenses Issued

The Mayor shall keep or cause to be kept a record of retail liquor dealer licenses issued by the city and a duplicate of such shall be kept by the City Clerk and the Chief of Police.

SECTION 16.13 Location

A licensee of a license to sell at retail alcoholic liquors shall be permitted to sell such alcoholic liquors 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 City Council.

SECTION 16.14 Hours; Sale on Sunday

SECTION 16.14.1 Hours for Licensee where the Principal Product Sold is Food (At Least 51% of Gross Sales are Food Items)

Except as prohibited elsewhere in this ordinance, or by law, alcoholic liquor may be sold or offered for sale at any time, except as follows:

Monday through Saturday - between the hours of 1 A.M. and 6 A.M.
Sunday - between the hours of 1 A.M. and 12 Noon.

At any time when January 1 shall fall on a day other than Sunday, alcoholic liquor may be sold or offered for sale at any time, except between the hours of 2 A.M. through 6 A.M. When January 1 shall fall on a Sunday, alcoholic liquor may be sold or offered for sale at any time, except between the hours of 2 A.M. until 12 Noon.

All times referred to herein shall be local time.

SECTION 16.14.2 Hours for Licensee Where the Principal Product Sold is Not Food

Except as prohibited elsewhere in this ordinance or by law, alcoholic liquor may be sold or offered for sale only as follows:

Monday through Saturday - from 6 A.M. until 1 A.M. the following morning.

On December 31 from 6 A.M. until 2 A.M. the following morning, except when December 31 is a Sunday.

When December 31 is a Sunday, from 6 P.M. until 2 A.M. the following morning.

All times referred to herein shall be local time.

SECTION 16.14.3

The premises of each license where liquor is sold or offered for sale must be vacated within 1 hour after the closing hour as required in Section 16.14.1 and 16.14.2 above, except for the owner or manager and custodial personnel.

SECTION 16.14.4

Each licensee shall post in at least two (2) prominent places in the licensed premises, the hours of closing and the hour by which the premises must be vacated by all unauthorized persons.

SECTION 16.15 Sale on Election Days

It shall be unlawful for any person to sell any alcoholic liquors 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 city or within the political area in which the political election is held.

SECTION 16.16 Displaying Samples of Liquor and "Saloon" Signs Prohibited

It shall be unlawful for any person licensed to sell alcoholic liquors for consumption upon the premises 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" in any sign or advertisement.

SECTION 16.17 Consumption Restricted to Ground Floor Except Restaurants, Hotels and Clubs

It shall be unlawful to sell any alcoholic liquor to be consumed on the premises where sold in places other than restaurants, hotels, or clubs located either above or below ground floor of any building.

SECTION 16.18 License Revocation

The Mayor may revoke or suspend any retail liquor license for any violation of any provision of this ordinance or for violation of any state law pertaining to the sale of alcoholic liquor.

SECTION 16.19 Sale to Minors, Drunkards, etc.

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 the licensee to be a habitual drunkard, spendthrift, or insane, feeble minded or distracted person.

SECTION 16.20 Minors Prohibited in Class A Places

It shall be unlawful for any licensee of a Class A license to permit any female under the age of 21 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 16.21 Unlawful for Minors to Purchase Liquor

It shall be unlawful for any female under the age of 21 or any male under the age of 21 to purchase or obtain any alcoholic liquor in any place where alcoholic liquors are sold in the city.

SECTION 16.22 Unlawful for Minors to Loiter, Attempt to Purchase or Misrepresent Age

It shall be unlawful for any female under the age of 21 or any male under the age of 21 to frequent or loiter in any place of business in the city where alcoholic liquors, except beer, are sold to be consumed on the premises, or for such persons to attempt to purchase such alcoholic liquors therein, or to misrepresent his or her age for the purpose of purchasing or receiving alcoholic liquor therein.

SECTION 16.23 Unlawful for Minors to Possess Alcoholic Liquors

Persons under the age of twenty-one years are prohibited from having possession of alcoholic liquors within the city.

SECTION 16.24 Warning to Minors

Every place of business in the city 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 \$200 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

SECTION 16.25 Transporting Alcoholic Liquor in Motor Vehicle

It shall be unlawful for any person to transport, carry, possess or have any alcoholic liquor in or upon or about a motor vehicle within the city except in the original package and with the seal unbroken.


SECTION 16.26 Separate Toilet Facilities Required

Every place licensed under this chapter for consumption of alcoholic liquors on the premises shall have separate, adequate and convenient toilet facilities for men and women.

SECTION 16.27 Penalty for Violation of Chapter

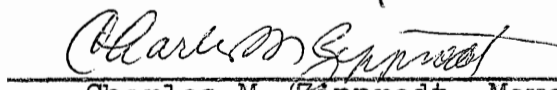
Any person, firm or corporation violating any provision of this ordinance shall be fined not less than five dollars (\$5.00) nor more than two hundred dollars (\$200.00) for each offense, and a separate offense shall be deemed committed on each day during or on which the violation occurs or continues.

ADOPTED by the City Council of the City of Urbana, Illinois, this 16th day of February, 1970.



Duane Eckerty, City Clerk

APPROVED by the Mayor of the City of Urbana, Illinois, this 16th day of February, 1970.



Charles M. Zipprodt, Mayor