

AN ORDINANCE REPEALING ALL OF EXISTING CHAPTER 16  
AND SUBSTITUTING THEREFOR A NEW ORDINANCE REGULATING LIQUOR

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

that:

Section 1. The existing Chapter 16, except Sections 16.7 and 16.8 thereof, of the Urbana City Code is herewith and hereby repealed upon the taking effect of this Ordinance.

Section 2. The new Chapter 16 shall read as follows:

Sec. 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.

Sec. 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.

Sec. 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 are prescribed by statute.

Sec. 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.

Sec. 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.

Sec. 16.6. Classification of licenses; dancing.

Class A license 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 license (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 of 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" mean 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 accommodations 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 accommodations for guests, and having one or more public dining rooms where meals are served to such guests and the general public, such sleeping accommodations and dining rooms being conducted in the same building or complex or group of buildings in connection therewith so as to constitute 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 AA license shall be issued any other license except as hereinafter provided.

Class AA-1 license (to be known as an additional hotel or motel license) may be issued to any hotel or motel having a valid Class AA 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 AA license. Not more than two Class AA-1 licenses may be issued to a holder of a Class AA license.

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

Class BBB license (to be known as beer and wine off-premises only) shall permit the retail sale of beer and wine only, to be consumed off-premises only.

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

Class D license (to be known as club license) shall permit the licensee to sell at retail alcoholic liquors by clubs and to members only to be consumed in the club rooms only.

Special one-day, eight-hour licenses. Any license holder may obtain special one-day, eight-hour license which shall permit and allow such license holder to serve alcoholic drinks in an enclosed area immediately adjacent and adjoining and opening onto the premises described in the then current license application on file for said license, provided the licensee submits an application therefore in the manner provided by ordinance fourteen (14) days prior to the date for which the special license shall be used. The special license application shall state in writing:

(a) The hours during which liquor is to be sold, provided said hours shall not exceed eight full hours; and provided, however, such hours must not be before or after the hours when liquor might otherwise be sold under the current city ordinance.

(b) Prescribe with reasonable certainty the limits of the adjacent premises where such liquor shall be sold.

(c) The written consent of the owner of such adjacent premises shall be attached to the application. Said written consent shall be dated not more than ten (10) days prior to the application.

No more than two such special licenses shall be issued to any license holder in any one calendar month.

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, except the last paragraph of section 16.14 and section 16.24 of this Code.

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. 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.

Sec. 16.9. Restricted areas.

No license shall issue unless the proposed licensed premises are in conformity with the Urbana Zoning Ordinance.

Sec. 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. Such application shall include sufficient payment of fees to satisfy such license.

Sec. 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.

Sec. 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.

Sec. 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.

Sec. 16.14. Hours.

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 1:00 A.M. and 6:00 A.M.

Sunday - between the hours of 1:00 A.M. and 12:00 Noon.

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 2:00 A.M. through 6:00 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 2:00 A.M. until 12:00 Noon.

All times referred to herein shall be local time.

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

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

Sec. 16.15. (Repealed 9-20-72.)

Sec. 16.16. 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.

Sec. 16.17. 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 an habitual drunkard, spendthrift, or insane, feeble minded or distracted person. As used herein, the term minor shall be construed to mean persons under the age of 21 with regard to any alcoholic liquor other than beer or wine, and persons under the age of 19 with regard to any alcoholic liquor.

Sec. 16.18. Minors prohibited in Class A places.

It shall be unlawful for any licensee of a Class A license to permit any person under the age of 19 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.

Sec. 16.19. Unlawful for minors to purchase liquor.

It shall be unlawful for any person to purchase or obtain any alcoholic liquor in any place where alcoholic liquors are sold in the city, if such person is not legally entitled to purchase or obtain such alcoholic liquor under Illinois State Statutes.

Sec. 16.20. Unlawful for minors to attempt to purchase, or misrepresent age.

It shall be unlawful for any person who is not entitled to do so under the Statutes of the State of Illinois to attempt to purchase alcoholic liquors or to misrepresent his or her age for the purpose of purchasing or receiving liquor.

Sec. 16.21. Unlawful for minors to possess alcoholic liquors.

Persons under the age of 21 years are prohibited from having possession of alcoholic liquors, except beer or wine, within the city. Persons under the age of 19 years are prohibited from having possession of alcoholic liquors within the city at any time except as the Statutes of the State of Illinois expressly allow otherwise.

Sec. 16.22. 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.

Sec. 16.23. Transporting alcoholic liquor in motor vehicle.

No person shall transport, carry, possess or have any alcoholic liquor within the passenger area of any motor vehicle except in the original package and with the seal unbroken.

Sec. 16.24. 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.

Sec. 16.25. Penalty for violation of chapter.

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

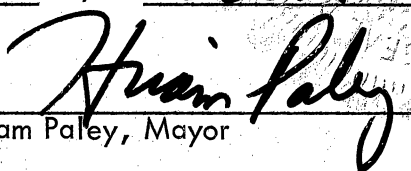
This Ordinance shall be in full force and effect from and after its passage and publication in accordance with the terms of Section 1 - 2 - 4 of the Illinois Municipal Code.

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 regular meeting of said Council on the 1st day of October, 1973.

PASSED by the City Council this 1st day of October, 1973.

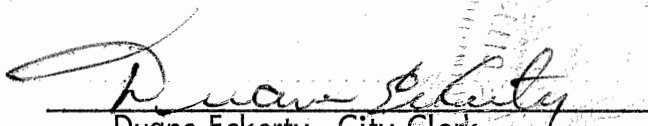
  
\_\_\_\_\_  
Duane Eckerty, City Clerk

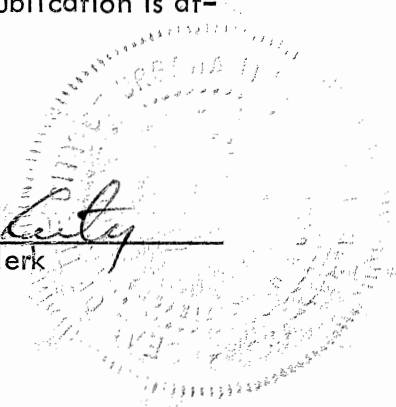
APPROVED by the Mayor this 8<sup>th</sup> day of October, 1973.

  
\_\_\_\_\_  
Hiram Paley, Mayor

CERTIFICATE OF PUBLICATION

I, Duane Eckerty, City Clerk, City of Urbana, Illinois, do herewith certify that i caused the above Ordinance to be duly published in the Q-T Courier on the 10th day of October, 1973, and a Certificate of Publication is attached hereto.

  
\_\_\_\_\_  
Duane Eckerty, City Clerk



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# Certificate of Publication

STATE OF ILLINOIS }  
Champaign County } ss.

CHAMPAIGN-URBANA COURIER, Inc., a corporation, hereby certifies that it is the publisher of THE COURIER, a daily secular newspaper of general circulation in said County, printed and published in the City of Urbana, in said County and State, and that said newspaper is a newspaper as defined in "An Act to revise the law in relation to notices," approved February 13, 1874, as amended, and that the printed notice hereto annexed and hereby made a part of this certificate has been published in said newspaper at least once ~~each week~~

one <sup>day</sup> ~~week~~ successive ~~weeks~~ in each and every copy and impression

thereof; that the date of the first newspaper containing said publication was Oct.

10 A.D. 19 73, and that the date of the last newspaper containing said

publication was \_\_\_\_\_ A.D. 19 \_\_\_\_\_; and that \_\_\_\_\_

Charles A. Shay by resolution of the Board of Directors of said CHAMPAIGN-URBANA COURIER, Inc., has been authorized to make this certificate.

IN TESTIMONY WHEREOF said CHAMPAIGN-URBANA COURIER, Inc., has caused this certificate to be executed in its name by said Charles A. Shay

this 10th day of Oct. A.D. 19 73.

CHAMPAIGN-URBANA COURIER, Inc.

Publication Fee, \$ 57.40

By Charles A. Shay