

ORDINANCE NO. 7980-22

AN ORDINANCE AMENDING SECTION 16.15  
OF THE URBANA CITY CODE

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

That Section 16.15, entitled "Gasoline Service Station, Prohibited", of Chapter 16, entitled "Intoxicating Liquor", of the Urbana City Code, as amended, be and the same is hereby further amended to now provide as follows:

Businesses Selling Motor Fuel, Prohibitions.

Section 1. Except as hereinafter provided, no license for the sale of alcoholic liquors shall be issued to any person who, as a part of the business conducted on the premises described in the application for such a liquor license, sells or offers for sale from approved pumps, whether through an attendant or by self-service, any motor fuel. As used in this section, motor fuel shall include all volatile and inflammable liquids which are produced, blended or compounded, or which are suitable or practicable for, operating motor vehicles.

Section 2. The provisions of the above paragraph notwithstanding, a Class BBB or a Class C liquor license may be issued to any person who, as a part of the business conducted on the premises described in the application for such liquor license, sells or offers for sale any motor fuel, provided the annual, net retail dollar sales of such a business are not predominately derived from either or both the sale of motor fuel, motor oils, and other motor vehicle supplies and services or the sale of alcoholic liquors. For the purposes of this section, the net retail dollar sales of any business shall be considered predominant if at least fifty (50) per cent or more of such net retail dollar sales of the business are so derived.

Section 3. Provided further, however, no license for the sale of alcoholic liquor shall be issued to a person to sell alcoholic liquor on the same premises where, as part of the business conducted, such person sells or offers for sale any motor fuel, if such premises are zoned B-1 (Neighborhood Business).

Section 4. In addition to all other requirements of this Chapter, any person so applying for either a Class BBB or a Class C license under this section must submit written verification along with any such application, which such written verification shall describe with certainty the full and complete nature of the business so conducted on the premises together with itemized statements of net retail dollar sales. Verification by such a person may include any forms or returns duly filed with an agency of the State of Illinois relative to the sale of motor fuel or alcoholic beverages and/or a statement certified as true and correct by a certified public accountant.

Section 5. Any license issued under this section shall be conditioned upon the further requirement that any and all sales of alcoholic liquors under this license shall be restricted and confined to a defined enclosed area. No such sales shall occur outside of such a defined enclosed area, particularly to any person who, at the time of such sale, is occupying any motor vehicle. In addition to all other lawful grounds to revoke or suspend any liquor license, the failure of a licensee to obey and enforce this additional further requirement shall also constitute grounds to suspend or revoke a license.

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 17th day of September, 1979.

PASSED by the City Council this 17th day of September, 1979.

Ruth S. Brookens  
Ruth S. Brookens, City Clerk

APPROVED by the Mayor this 19<sup>th</sup> day of Sept, 1979.

Jeffrey T. Markland  
Jeffrey T. Markland, Mayor