

ORDINANCE NO. 8990-36

AN ORDINANCE

AMENDING CHAPTER 3 OF THE CODE OF ORDINANCES,
CITY OF URBANA, ILLINOIS BY ADDING A NEW SECTION 3-9 THERETO, TO
BE ENTITLED "POSSESSION OR DELIVERY IN THE URBANA CIVIC CENTER"

WHEREAS, pursuant to Section 6-15 of the Liquor Control Act of 1934, as amended, (Ill.Rev.Stat. ch. 43, par. 130) the corporate authorities of any city, village or incorporated town may provide by ordinance that alcoholic liquor may be sold or delivered in any specifically designated building belonging to or under the control of the municipality; and

WHEREAS, the corporate authorities of the City of Urbana, Champaign County, Illinois, desire to designate the building known as the Urbana Civic Center, located at 108 Water Street, Urbana, Illinois, as a designated building where alcoholic liquor may be possessed or delivered under such terms and conditions as are provided for in this ordinance.

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

That Article I, entitled "In General", of Chapter 3, entitled "Alcoholic Liquors" of the Code of Ordinances, City of Urbana, Illinois, as amended, be and the same is hereby further amended by adding to such article a new section to be numbered 3-9, which such new section shall be entitled and shall provide as follows:

Sec. 3-9. Possession or delivery in the Urbana Civic Center.

(a) Alcoholic liquor may be possessed or delivered in the Urbana Civic Center, a building belonging to and under the control of the City of Urbana, subject to and in accordance with the terms and conditions of this section. For the purposes of this section, to possess means to be in possession of, and to deliver means to transfer possession of, alcoholic liquor, but neither such term shall include the right to sell, to keep or expose for sale, to keep with intent to sell, or to otherwise transfer, exchange or barter alcoholic liquor for any consideration whatsoever.

(b) Any person over the age of twenty-one (21) years entering into a valid lease with the City to rent all or a portion of the Urbana Civic Center (a "Lessee") may apply to the Director of Public Works, or his or her designee, for a permit to possess or deliver alcoholic liquor in accordance with this section (the "Permit"). If any such Lessee is an entity other than an individual, such entity must designate an individual who is over the age of twenty-one (21) years to be directly responsible for the possession or delivery of alcoholic liquor by the Lessee pursuant to the Permit (the "Responsible Party"). In connection with the granting of any such Permit, the individual

Lessee or Responsible Party shall agree to be physically present during the entire term of the lease, or the period of time specified in the Permit if less than the lease period, and to enforce compliance by any and all members, guests and invitees of the Lessee with all terms and conditions of this section, the Permit, the lease, or any rules and regulations promulgated by the Director of Public Works pursuant to this section.

(c) The Lessee and any members, guests and invitees of the Lessee shall abide by all applicable statutes of the State of Illinois and all ordinances of the City of Urbana, including, but not limited to, prohibiting the possession or consumption of alcoholic liquor by persons under the age of twenty-one (21) years or by intoxicated persons. If the potential for underage possession or consumption exists, the Lessee may be required to provide adequate assurances that persons under the age of twenty-one (21) years will not be served, offered, or allowed to possess or consume alcoholic liquor, and may be required to provide such supervision as may be deemed appropriate by the Director of Public Works, and/or his or her designee, in connection with the issuance of the Permit.

(d) The Permit shall limit the possession or delivery of alcoholic liquor to only such areas as may be established in the lease.

(e) The Lessee shall provide a certificate of insurance for host liquor liability with coverage in the minimum amount of \$100,000.00, which additionally names the City as an additional insured party, and shall agree to defend, save harmless and indemnify the City from all financial loss, damage or harm arising out of the possession or delivery of alcoholic liquor.

(f) The Director of Public Works may promulgate rules and regulations consistent with this section for the purpose of further regulating and controlling the possession or delivery of alcoholic liquor in the Urbana Civic Center, including the establishment of an appropriate fee for the issuance of any Permit.

(g) The Director of Public Works, and/or his or her designee, shall have the authority to revoke or suspend any Permit for the possession and delivery of alcoholic liquor in the Urbana Civic Center, if any Lessee, Responsible Party or any member, guest or invitee of any such Lessee violates any terms and conditions of this section, the Permit, the lease, any rules and regulations promulgated by the Director of Public Works pursuant to this section, or for any other reason consistent with good cause.

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

1989.

PASSED by the City Council this 16th day of October

Ruth S. Brookens
Ruth S. Brookens, City Clerk

1989.

APPROVED by the Mayor this 19th day of October

Jeffrey T. Markland
Jeffrey T. Markland, Mayor

