

**AN ORDINANCE AMENDING CHAPTER 3 ("ALCOHOLIC LIQUORS")
OF THE CODE OF ORDINANCES OF THE CITY OF URBANA,
TO ADD PROVISIONS GRANTING THE LIQUOR COMMISSIONER AUTHORITY
TO RESTRICT ALCOHOL SALES DURING POTENTIAL PERIODS
OF CIVIL UNREST OR CELEBRATORY RIOTS**

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

Section 1. That Section 3-49 of the Code of Ordinances of the City of Urbana is amended to add a new subparagraph (d), which shall read as follows:

(d) Temporary preventative powers.

(1) The Local Liquor Commissioner shall have the authority to impose a temporary preventative order containing one or more of the restrictions set forth herein upon the operation of retail liquor license holders in a geographic area described in the order, for a period of up to 48 hours, when the Commissioner has a reasonable belief that there may be a threat to the public health, safety and welfare from celebratory activities by members of the public in response to the University of Illinois' participation in a noteworthy athletic event, or from some other form of anticipated public assembly or civil unrest. Factors justifying a reasonable belief in the need for a temporary preventative order entered under this subsection may include, among other factors, the City of Urbana's or other cities' experiences with civil unrest under similar circumstances.

(2) The Commissioner may include one or more of the following restrictions in any temporary preventative order entered pursuant to this subparagraph (d):

(a) Restrictions for on premises consumption of alcoholic beverages:

- i. Hours and days of operation
- ii. Size of drinks
- iii. No drinks served in glass and/or metal containers

(b) Restrictions for off premises consumption:

- i. Hours and days of operation
- ii. No beer, wine or other alcoholic liquor sold in glass and/or metal containers

(3) An temporary preventative order entered pursuant to this section shall be in writing and shall, at a minimum, contain the following information:

- (a) The basis for the temporary preventative order.
- (b) A description of the geographic area that is affected by the order.
- (c) A description of the types of liquor licenses that are covered by the order.
- (d) The dates and times during which the order will be in effect.

(e) A description of each of the aforementioned restrictions that are being imposed during the time the order is in effect.

(4) A temporary preventative order entered pursuant to this section shall be filed with the City Clerk as soon as is practicable, and shall be served upon each of the retail liquor license holders that will be regulated by said order in one or more of the following ways:

(a) By personal delivery upon an agent of the licensee at least 24 hours prior to the time the order goes into effect.

(b) By first class mail, addressed to the licensee at the licensee's premises, deposited in the U.S. Mail at least three days, excluding weekends and holidays, before the order goes into effect.

(c) If service by the means set forth in (a) or (b) above is impractical due to the exigencies of the circumstances, then notice shall be provided in a manner reasonably calculated to inform the licensees regulated by said order.

(5) No licensee shall violate the terms of a temporary preventative order issued pursuant to this subsection.

Section 4. The City Clerk is directed to publish this Ordinance in pamphlet form by authority of the corporate authorities, and this Ordinance shall be in full force and effect from and after its passage and publication in accordance with 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 meeting of said Council.


PASSED by the City Council this 21st day of March,
2005.

AYES: Alix, Chynoweth, Hayes, Patt, Roberts, Wyman

NAYS:

ABSTAINS:

APPROVED by the Mayor this 21st day of March,
2005.



Phyllis D. Clark
Phyllis D. Clark, City Clerk
James H. Hayes, Jr.
Deputy Clerk
Tod Satterthwaite
Tod Satterthwaite, Mayor
James H. Hayes, Jr., Mayor Pro-tem

*This ordinance amends the Code of Ordinances.