

6566-73

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 1. Definitions.

Unless otherwise indicated in this ordinance, the words and phrases in this ordinance are with the meaning given them by the definitions contained in Section 2 of Article I 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.

SECTION 2. Regulations.

All the regulations and requirements set forth in said act of the General Assembly, as amended, 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 ordinance.

SECTION 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.

SECTION 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 5. 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 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. Dancing is not permitted.

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. Dancing is permitted.

Class AAA 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 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 buildings 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 (25) 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 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 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 8. Number of Licenses.

Not more than One (1) Class A or AA license shall be issued in any one year for each 2,500 population of the City of Urbana. Not more than one (1) Class AAA license shall be issued in any one year for each 5,000 population of the City of Urbana. Not more than One (1) Class B license shall be issued for each 5,000 population of the City of Urbana. Not more than One (1) Class C license shall be issued for each 10,000 population of the City of Urbana. The population of the City of Urbana for such purposes shall be determined by the latest Motor Fuel Tax census or by the Federal census, whichever is later.

SECTION 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 licenses.

SECTION 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, and as appears in the Illinois state statute. Such application shall include sufficient payment of fees to satisfy such license.

SECTION 11. Disposition of 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 12. 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 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 14. Hours - Sundays.

It shall be unlawful to sell or offer for sale on the premises any alcoholic liquors in the City of Urbana on Sunday and on any other days between the hours of one o'clock a.m. and six o'clock a.m. It shall be unlawful to consume on the premises where sold any alcoholic liquors in the City on Sundays or on any other days between the hours of one o'clock a.m. and six o'clock a.m., or on Mondays from midnight to one o'clock a.m.

SECTION 15. Elections.

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. Displaying Samples of Liquor

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 17. 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 18. 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 19. Sale to Minors

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 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 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 of Urbana.

SECTION 22. Unlawful for Minors to Loiter or Attempt to Purchase.

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 Urbana 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 23. Warning to Minors.

Every place of business in the City of Urbana 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 24. Transporting Alcoholic Liquor.

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

SECTION 25. Every place licensed under this ordinance for consumption of alcoholic liquors on the premises shall have separate, adequate and convenient toilet facilities for men and women.

SECTION 26. Penalty.

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.

SECTION 27. Repeal of Prior Ordinance Concerning Liquor.

This ordinance does hereby repeal all previous ordinances and amendments thereto and parts of the same in conflict herewith.

SECTION 28. This ordinance shall operate ten (10) days after its passage, approval and publication as is provided by law. In lieu of all other publications, this ordinance shall be published in pamphlet form.

ADOPTED by the City Council of the City of Urbana, Illinois, this 18th day of April, 1966.

Dwain Eckert
City Clerk

APPROVED by the Mayor of the City of Urbana, Illinois, this 18th day of April, 1966.

Stanley B. Heavet
Mayor

This ordinance duly published April 20, 1966.