

ORDINANCE NO. 2009-07-089

**AN ORDINANCE AMENDING URBANA CITY CODE CHAPTER THREE
(ALCOHOLIC LIQUORS), AND ARTICLE III, SECTION 3-42
OF THE CODE OF ORDINANCES**

(Number of T-1 Licenses Per License Holder Per Year)

WHEREAS, the City of Urbana (hereinafter "City"), an Illinois municipal corporation, has a population of more than 25,000 and is a home rule unit pursuant to Article 7, §6 of the Constitution of the State of Illinois and 65 ILCS 5/1-1-10; and

WHEREAS, the City has an interest in protecting the community through the orderly administration of its alcoholic liquor ordinance; and

WHEREAS, from time to time it is necessary for the City to amend its liquor ordinance to benefit the community and its local businesses;

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

Section 1. Urbana City Code Chapter Three, "Alcoholic Liquors," Section 3-42, "Class T licenses," subsection (a), is hereby amended and as amended shall read as follows:

(a) T-1 license (special event-current licensee). Any license holder may obtain a special license which shall permit and allow such license holder to sell alcoholic drinks for consumption in an enclosed area, without regard to where payment is made, immediately adjacent and adjoining and opening onto the premises described in the then current license application on file for the license, provided the licensee submits an application in the manner provided by ordinance fourteen (14) days prior to the date for which the special license shall be used. A Class T-1 license shall be valid for a maximum of two (2) days. The T-1 license application shall contain:

- (1) A statement of the hours during which liquor is to be sold, not inconsistent with section 3-3.

(2) Describe with reasonable certainty the boundary of the adjacent premises where such liquor shall be sold.

(3) The written consent of the owner of such adjacent premises shall be attached to the application. The written consent shall be dated not more than thirty (30) days prior to the application.

(4) Proof of dram shop insurance covering the premises to be utilized with the T-1 license.

No more than two (2) such licenses shall be issued to any license holder in any one (1) calendar month, nor more than ten (10) in a calendar year. 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.

Section 2. Those sections, paragraphs, and provisions of the Urbana City Code that are not expressly amended or repealed by this Ordinance are hereby re-enacted, and it is expressly declared to be the intention of this Ordinance not to repeal or amend any portions of the Urbana City Code other than those expressly set forth as amended or repealed in this Ordinance. The invalidity of any section or provision of this Ordinance hereby passed and approved shall not invalidate other sections or provisions thereof.

Section 3. This Ordinance shall not be construed to affect any suit or proceeding pending in any court, or any rights acquired, or a liability incurred, or any cause or causes of action acquired or existing prior to the effective date of this Ordinance; nor shall any right or remedy of any character be lost, impaired, or affected by this Ordinance.

Section 4. This Ordinance shall be in full force and effect from and after its passage.

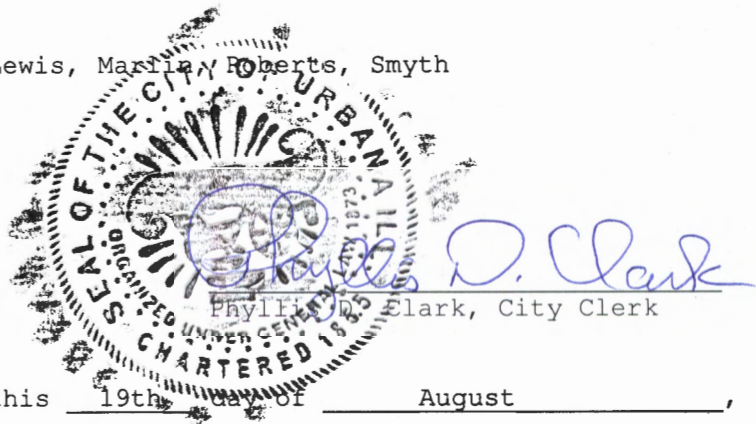
This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called, of a majority of the members of the Council of the City of Urbana, Illinois, at a meeting of said Council.

PASSED by the City Council this 17th day of August,
2009 .

AYES: Bowersox, Lewis, Maxilla, Roberts, Smyth

NAYS: Stevenson

ABSTAINS:



APPROVED by the Mayor this 19th day of August,
2009 .

Laurel Lunt Prussing
Laurel Lunt Prussing, Mayor