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City Council Document Tracking Sheet

Meeting Date:	11/2/2011
Sponsor(s):	Burns, William D. (4)
Type:	Ordinance
Title:	Amendment of Section 4-156-330 to further restrict issuance of licenses for public places of amusement
Committee(s) Assignment:	Committee on License and Consumer Protection

ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:

SECTION 1. Section 4-156-330 of the Municipal Code of Chicago is hereby amended by deleting the struck-through language and inserting the underscored language as follows.

4-156-330 Location restrictions.

(Omitted text is unaffected by this ordinance)

(b) The restrictions described in subsection (a) of this section shall not prohibit the issuance of a license to operate a public place of amusement under either any of the following numbered circumstances (1) or (2):

(1) within a licensed hotel having accommodations for more than 150 guests, or within a restaurant with an occupancy of more than 100 persons, if the building in which the public place of amusement is to be located is at least ten stories in height, and if neither the public place of amusement nor the sale of alcoholic liquor for consumption on the premises is the principal business conducted within the licensed premises.

(2) to an establishment that meets all of the following criteria:

(A) the establishment is a minimum of 150 feet from any church, hospital or educational institution, measured as in subsection (a); and

(B) the establishment has been continuously licensed to sell alcoholic liquor for a period of at least 20 years, and said license has not been suspended for cause for any portion of this period; and

(C) at the time of application for the license, the establishment holds the music and dancing privilege set forth in Section 4-60-120 of the Code; and

(D) each church, hospital and educational institution (for purposes of this subsection, "affected parties") located within 200 feet of the establishment, measured as in subsection (a), has provided written consent to the issuance of the license. Such consent must be a document executed by an authorized representative of the church, hospital or educational institution affected party and notarized, must be kept on file at the establishment and provided for inspection upon request of the department of business affairs and consumer protection, and must be re-issued by each church, hospital and educational institution affected party prior to the issuance of a renewal license. The department of business affairs and consumer protection may specify the form and content of the required consent. If any affected party denies consent, such party shall provide to the department a statement of objective reasons supporting the denial.

(3) to an establishment that meets all of the following criteria:

(A) the activity for which the license is sought has taken place over the course of 80 years without community complaint in a structure that is at least 80 years old, and will continue to take place in that pre-existing structure; and

(B) the establishment is owned by an accredited educational institution;
and

(C) the establishment will not seek a license to sell or serve alcoholic liquor on the business premises; and

(D) each church, hospital and educational institution (for purposes of this subsection, "affected parties") located within 200 feet of the establishment, measured as in subsection (a), has provided written consent to the issuance of the license. Such consent must be a document executed by an authorized representative of the affected party and notarized, must be kept on file at the establishment and provided for inspection upon request of the department of business affairs and consumer protection, and must be re-issued by each affected party prior to the issuance of a renewal license. The department of business affairs and consumer protection may specify the form and content of the required consent. If any affected party denies consent, such party shall provide to the department a statement of objective reasons supporting the denial.

(Omitted text is unaffected by this ordinance)

SECTION 2. This ordinance shall be in full force and effect from and after its passage and approval.



William Burns
Alderman, 4th Ward