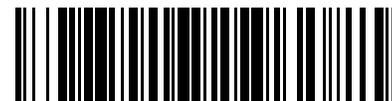




# City of Chicago



O2017-7152

Office of the City Clerk

## Document Tracking Sheet

<b>Meeting Date:</b>	10/11/2017
<b>Sponsor(s):</b>	Reilly (42)
<b>Type:</b>	Ordinance
<b>Title:</b>	Amendment of Municipal Code Title 4 to regulate sale of alcoholic liquor at restaurant amusement venues
<b>Committee(s) Assignment:</b>	Committee on License and Consumer Protection

**ORDINANCE**

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

**SECTION 1.** Section 4-60-150 of the Municipal Code of Chicago is hereby amended by inserting the language underscored, as follows:

**4-60-150 Individual serving amounts.**

(a) It shall be unlawful for any licensee, ~~other than a hotel offering restaurant service or a regularly organized club, or a restaurant within the meaning of the term as defined in an act entitled "An Act relating to alcoholic liquors", approved January 31, 1934, as amended, to sell, give away or permit to be sold, served or given away for consumption on the licensed premises any distilled spirits, except by the glass, or any malt or vinous beverage except in individual servings not exceeding 13 fluid ounces. Provided, however, that this prohibition shall not apply to any hotel offering restaurant service or regularly organized club or restaurant (other than a restaurant amusement venue). For purposes of this subsection (a), the terms "hotel", "club" and "restaurant" shall have the meaning ascribed to those terms in the Liquor Control Act of 1934, codified at 235 ILCS 5/1-1 et seq. The term "restaurant amusement venue" shall have the meaning ascribed to that term in Section 4-156-010.~~

(b) Nothing in subsection (a) herein shall be construed to prohibit a licensee from selling pitchers, carafes or bottles of alcoholic liquor which are customarily sold in such manner and delivered to two or more persons at one time; provided, however, that the sale of bottles of spirits, as defined in the Local Liquor Control Act of 1934, shall be prohibited in restaurant amusement venues as defined in Section 4-156-010.

**SECTION 2.** Section 4-156-010 of the Municipal Code of Chicago is hereby amended by inserting, in correct alphabetical order, the language underscored, as follows:

**4-156-010 Definitions.**

For purposes of this chapter:

*(Omitted text is unaffected by this ordinance)*

"Restaurant amusement venue" means any restaurant, as defined in Section 4-60-010, that holds or is required to hold a consumption on premises – incidental activity license under Chapter 4-60 of this Code and has an occupancy capacity of 101 or more persons.

*(Omitted text is unaffected by this ordinance)*

**SECTION 3.** Section 4-156-310 of the Municipal Code of Chicago is hereby amended by inserting the language underscored, as follows:

#### **4-156-310 License – Application – Contents.**

*(Omitted text is unaffected by this ordinance)*

The application shall set forth the location and a description of the property used or intended for use as a public place of amusement, indicating the seating capacity and the floor area or ground area of the place, the types of amusements which the applicant intends to conduct on the property, and shall include the following:

*(Omitted text is unaffected by this ordinance)*

(d) A statement as to whether the applicant has made application for a similar license on premises other than that described in the application and the disposition of such application;

(e) A statement as to: (i) whether the applicant is operating a restaurant, as defined in Section 4-60-010, at the premises identified in the license application, and if so, the licensee's retail food establishment license number; (ii) whether the applicant is engaged in the retail sale of alcoholic liquor for consumption on the premises at the place of business identified in the license application, and if so, the licensee's consumption on premises – incidental activity license number; and (iii) the maximum occupancy of the premises identified in the license application, as stated on the maximum occupancy sign issued by the Department of Buildings pursuant to Section 13-84-410.

If a change in any information required in this section occurs at any time during a license period, the licensee shall file a supplemental statement, executed in the same manner as an application, indicating the nature and effective date of the change. The supplemental statement shall be filed within ten days after the change takes effect. ~~The department of business affairs and consumer protection~~ Department of Business Affairs and Consumer Protection shall take measures to prevent disclosure of confidential information required under this section and not subject to disclosure under the Illinois Freedom of Information Act to persons outside the government.

**SECTION 4.** Article III of Chapter 4-156 of the Municipal Code of Chicago is hereby amended by inserting a new Section 4-156-405, as follows:

#### **4-156-405 Restaurant amusement venue – Prohibited acts.**

It shall be unlawful for the licensee of any restaurant amusement venue to:

(1) advertise or otherwise promote the appearance of a specific disc jockey at such restaurant amusement venue;

(2) assess, impose or require a cover charge, door entry fee, admission fee, minimum purchase requirement, membership fee, or any form of donation or similar fee or charge for the privilege of entering such restaurant amusement venue;

(3) offer for sale, sell, serve, give away, or permit the sale or service of spirits by the bottle for consumption on the premises at such restaurant amusement venue. As used in this paragraph (3), the term "spirits" shall have the meaning ascribed to that term in Section 5/1-3.02 of the Liquor Control Act of 1934, codified at 235 ILCS 5/1-1 et seq.;

(4) install any dance floor or designate any area as a dance floor within such restaurant amusement venue;

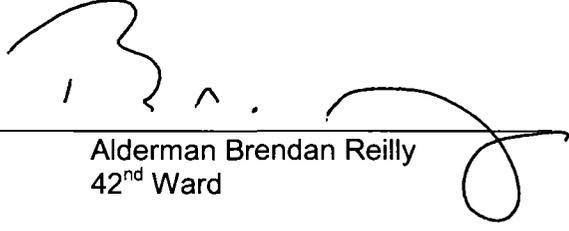
(5) deviate from any floor plan diagram approved by the Department of Buildings pursuant to Section 13-84-400 by removing tables or chairs from such restaurant amusement venue or otherwise reconfiguring, altering or changing any room or space therein covered by such diagram;

(6) use, employ or hire an event planner or event promoter to plan or promote any amusement at such restaurant amusement venue. As used in this paragraph (6), the term "event planner" or "event promoter" means any person who, for compensation, consideration or other revenue from the licensee, or from sponsors of or donors to any amusement at the licensed premises, is directly or indirectly responsible for the organization of an amusement at such restaurant amusement venue, as evidenced by activities such as contracting with the principals, selecting entertainment, advertising or otherwise holding out the amusement to members of the general public, inviting participants to the amusement, or renting or controlling the site of the amusement;

(7) produce, hire to produce, or otherwise use live amplified music at any restaurant amusement venue, except in conjunction with a private event at such venue. As used in this paragraph (7), the term "private event" shall have the meaning ascribed to that term in subsection (g) of Section 4-156-800; and

(7) fail to close all windows by at least 10:00 P.M. to control sound and vibration outside the licensed premises.

**SECTION 5.** This ordinance shall take full force and effect upon its passage and publication.

  
Alderman Brendan Reilly  
42<sup>nd</sup> Ward