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City Council Document Tracking Sheet

Meeting Date:	2/13/2013
Sponsor(s):	Moreno, Proco Joe (1)
Type:	Ordinance
Title:	Amendment of Chapter 4-156 of Municipal Code to further regulate amusement licenses within restaurants
Committee(s) Assignment:	Committee on License and Consumer Protection

License
Comm

ORDINANCE

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

SECTION 1. Article III of the Chapter 4-156 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

4-156-330 Location Restrictions.

(a) No license shall be issued for any place within 200 feet of any church, hospital, or building used exclusively for educational purposes, unless the place to be licensed has been established as a public place of amusement before the establishment of the church, hospital or educational institution. Said distance shall be measured from the nearest point of the premises for which application for a license has been made and the nearest point of the church, hospital or educational institution. This prohibition shall not apply to (1) a performing arts venue, as defined in Article V of this chapter, or (2) the Chicago History Museum, or (3) the Bronzeville Children's Museum.

(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 of the following circumstances (1) ~~or~~, (2) or (3).

(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 the 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 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 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 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.

(3) Within a restaurant with an occupancy of more than 175 persons, if the building in which the public place of amusement is to be located in is a single story building and the restaurant is the principal activity with liquor consumption on the premises as a incidental activity. The establishment at a minimum meets the following criteria:

(A) the establishment is a minimum of 60 feet from any church, hospital or educational institution; and

(B) the establishment has been continuously licensed to sell food and alcoholic liquor for a period of at least 10 years, and said licenses have not been suspended for cause for any portion of this period;

(c) No public place of amusement license shall be granted to any establishment that is located within 125 feet of any RS Zoning District, as defined in Title 17 of this Code, except for a renewal license for property that was duly licensed as a public place of amusement on the effective date of this amendatory ordinance and except as permitted as an authorized variation pursuant to Article 11 of Title 17 of this Code. The 125-foot distance shall be measured from the nearest property line of the public place of amusement to the nearest property line of the RS Zoning District. The restriction imposed by this subsection shall not apply to a performing arts venue, as defined in Article V of this chapter. The restriction imposed by this subsection shall also not apply to any bona fide fraternal or veterans' organization and operating on a not-for-profit basis which meets all of the following requirements:

SECTION 2. This ordinance shall take full force and effect upon its passage and approval.



Proco "Joe" Moreno
Alderman- 1st Ward