



City of Chicago



O2013-9172

Office of the City Clerk

Document Tracking Sheet

Meeting Date:	11/26/2013
Sponsor(s):	Tunney (44)
Type:	Ordinance
Title:	Amendment of Municipal Code Section 4-5-010 and adding new Section 4-60-07 regarding liquor license fees.
Committee(s) Assignment:	Committee on License and Consumer Protection

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ORDINANCE

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

SECTION 1. Section 4-5-010 of the Municipal Code of Chicago is hereby amended by adding the language underscored, as follows:

4-5-010 Establishment of license fees.

This chapter shall establish fees for various licenses created by this title unless otherwise provided. The following fees shall apply for the specified licenses. The chapter in which each fee requirement is created is also provided. Unless otherwise stated, fees shall be assessed every two years. For every license application which includes fingerprinting of the applicant as part of the application process, a fingerprint fee sufficient to cover the cost of processing fingerprints will be assessed in addition to the below fees. The fingerprint fee will be assessed regardless of whether the license applied for is issued or denied. The amount of the fee will be set forth by regulation promulgated by the commissioner of business affairs and consumer protection.

(Omitted text is unaffected by this ordinance)

(22) Liquor – Retail (4-60)

Fees for the whole or any portion of the license period for which the application is made shall be as set forth below:

(Omitted text is unaffected by this ordinance)

Liquor – Outdoor Patio or Sports Plaza Venue \$1,760.00

(Omitted text is unaffected by this ordinance)

SECTION 2. Chapter 4-60 of the Municipal Code of Chicago is hereby amended by adding a new section 4-60-075, by adding the language underscored and by deleting the language struck through, as follows:

4-60-021 Ordinance prohibiting issuance of additional liquor licenses – Requirements – Procedure.

(Omitted text is unaffected by this ordinance)

(c) No ordinance to prohibit the issuance of additional liquor licenses in a specified area may:

- (1) prohibit additional licenses for sale of liquor on the premises of any of the following: sports stadiums with a seating capacity of more than 3,000 persons; restaurants; hotels; banquet halls licensed for incidental service of liquor only and where the principal activity is the service of food, theaters whose premises are licensed for incidental service of liquor only, that provide live stage performances and are equipped with fixed seating; any ice rink for which a valid public place of amusement license and a valid retail food license have been issued, and where the sale of alcoholic liquor is incidental to those activities; ~~or~~ facilities operated by the

metropolitan pier and exposition authority; sports plazas, as that term is defined in section 4-60-075;

(Omitted text is unaffected by this ordinance)

4-60-075 Sports plaza venue liquor licenses – Special conditions.

(a) For purposes of this section:

“Residential building” has the meaning ascribed to that term in section 17-17-02146.

“Retail food establishment license” means a license issued under Chapter 4-8 of this code.

“Sports Plaza” means an outdoor open space which is: (1) not on the public way; (2) clearly demarcated to effectively regulate ingress and egress to the area; and (3) immediate adjacent to a sports stadium that has a fixed seating capacity of at least 30,000 persons.

(b) In addition to the other categories of licenses authorized under this chapter, the local liquor control commissioner is authorized to issue Sports Plaza Venue liquor licenses; provided eligibility for the Sports Plaza Venue liquor license shall be limited to applicants who hold a valid retail food establishment license and a valid retail consumption-on-premises liquor license for an indoor location that is immediately adjacent to a sports plaza. A Sports Plaza Venue liquor licensee may serve, in compliance with this section, alcoholic liquor within the sports plaza.

(c) A separate Sports Plaza Venue liquor license shall be required for each consumption-on-premises licensee selling, serving or offering for sale alcoholic liquor in the sports plaza. In addition to the information required under Section 4-60-040, an application for a Sports Plaza Venue liquor license shall: (1) designate the specific sports plaza at which the applicant intends to sell or serve alcoholic liquor; and (2) designate the fixed point of sale located in the sports plaza. The fee for a Sports Plaza Venue liquor license shall be as set forth in section 4-5-010.

(d) Only one fixed point-of-sale located in the sports plaza shall be authorized for each Sports Plaza Venue liquor licensee. At that fixed point of sale, a Sports Plaza Venue liquor licensee shall:

- (1) sell only beer and wine;
- (2) serve beer and wine only in plastic cups which: (i) do not exceed 16 fluid ounces; and (ii) clearly identify the Sports Plaza Venue liquor licensee from which the alcoholic liquor was purchased; and
- (3) not sell or offer for sale any package goods.

(e) A Sports Plaza Venue liquor licensee shall be subject to all provisions of this chapter, except for Subsections (e) and (f) of Section 4-60-040; the 45-day review period of subsection (h) of Section 4-60-040; and Section 4-60-050.

(f) A Sports Plaza Venue liquor licensee shall have an adequate number of indoor toilet facilities in compliance with section 4-60-100. Toilet facilities located within the stadium adjacent to the sports plaza shall count towards compliance with this requirement if, with the written consent of the stadium owner, such toilet facilities are available to the licensee’s patrons at all times that the licensee is operating.

(g) No person licensed under this chapter 4-60 shall sell, offer for sale or serve alcoholic liquor in the sports plaza between the hours of 11 p.m. and 11 a.m. Sunday through Thursday, or between the hours of 12:01 a.m. and 11 a.m. Friday and Saturdays.

(h) No Sports Plaza Venue licensee shall sell, offer for sale, or serve alcoholic liquor in the sports plaza:

(1) at any time when a caterer is dispensing or serving alcoholic liquor at a catered event within the sports plaza; or

(2) unless regular food service is also available to patrons at all times that alcoholic liquor is sold or served.

(i) The sports plaza shall be clearly demarcated to effectively isolate the sports plaza from thru-traffic by non-patrons of the licensed venue. All drinks containing alcoholic liquor must be served and consumed either within the interior portion of the licensee's licensed premises or the sports plaza, except that patrons may take their drinks with them in disposable containers or cups, while entering or exiting a stadium entrance that directly connects to the sports plaza.

(j) Every Sports Plaza Venue liquor licensee shall comply with section 8-32-080.

(k) No Sports Plaza Venue license shall be issued for any sports plaza within 125 feet of any existing residential building, measured from the nearest property line of the residential building to the nearest boundary of the sports plaza.

(l) A Sports Plaza Venue liquor licensee shall not permit any patron to leave the interior portion of its licensed premises with any alcoholic liquor unless the alcoholic liquor is in a plastic cup that complies with subsection (d)(2).

SECTION 3. Chapter 4-156 of the Municipal Code of Chicago is hereby amended by adding a new section 4-156-500, as follows:

4-156-500 Reserved-Sports Plaza- additional requirements.

(a) For purposes of this section, "Sports plaza" has the same meaning ascribed to that term in section 4-60-075.

(b) If a sports plaza, or any portion thereof, is used or intended for use for any amusement, a public place of amusement license shall be required, regardless of whether the use is incidental to the sports plaza's principal use. The application for the public place of amusement license shall be made by the owner of the sports plaza pursuant to this Article.

(c) The sports plaza shall be closed, and a licensee shall not permit the conduct of any amusement or other activity of any kind in the sports plaza, between the hours of 12:01 a.m. and 11 a.m..

(d) In addition to any other applicable provision of this chapter,

(1) a licensee shall have an adequate number of indoor toilet facilities available for the patrons of the sports plaza in compliance with section 4-60-100. Toilet facilities located within the stadium adjacent to the sports plaza shall count towards compliance with this requirement if, with the written consent of the

stadium owner, such toilet facilities are available to the patrons of the sports plaza at all times that the licensee is operating;

(2) any contract with a private entity which permits the entity to conduct an amusement in the sports plaza shall include the restrictions in this section; and

(3) the licensee shall comply with section 8-32-080.

(d) All other applicable provisions of this chapter apply.

SECTION 4. Section 10-8-335 of the Municipal Code of Chicago is hereby amended by adding the language underscored and by deleting the language struck through, as follows:

10-8-335 Outdoor special events.

(a) As used in this section unless the context requires otherwise:

(1) "Special event" means:

(A) an amusement, as that term is defined in section 4-156-010, conducted in a sports plaza; and (i) as part of the amusement, a device, instrument or other equipment that electronically amplifies sound is used; and (ii) the sound generated from such device, instrument or equipment is anticipated to be louder than average conversation level at a distance of 100 feet or more from the boundary of the sports plaza; or

(B) a planned temporary aggregation of attractions, including public entertainment, food and beverage service facilities, sales of souvenirs or other merchandise, or similar attractions, that is (i) conducted on the public way; or (ii) conducted primarily outdoors on property open to the public other than the public way and which:

(A i) Includes activities that require the issuance of a city temporary food establishment license or a special event liquor license; or

(B ii) Requires special city services, including but not limited to any of the following: street closures; provisions of barricades, garbage cans, stages or special no parking signs; special electrical services; or special police protection.

"Special event" does not include a parade or athletic event for which a permit is required under Sections 10-8-330 or 10-8-332, a neighborhood block party at which no food, beverages or merchandise is sold, or a citywide festival conducted pursuant to an intergovernmental agreement authorized by ordinance.

(2) "Department" means the department of cultural affairs and special events.

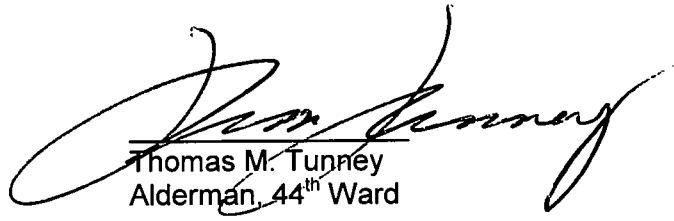
(3) "Sponsor of the event" means the entity who is conducting the special event or in whose name or for whose support the proposed special event will be presented.

(4) "Sports plaza" has the meaning ascribed to that term in section 4-60-075.

(5) "Average conversation level" has the meaning ascribed to that term in section 8-32-020.

(Omitted text is unaffected by this ordinance)

SECTION 5. Following due passage and approval, this ordinance shall be in full force and effect on February 2, 2014.



Thomas M. Tunney
Alderman, 44th Ward