



# Office of the City Clerk

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## Legislation Text

File #: O2011-4485, Version: 1

### ORDINANCE

WHEREAS, The City of Chicago ("City") is a home rule unit of government pursuant to Article VII, Section 6 of the Constitution of the State of Illinois of 1970; and

WHEREAS, As a home rule unit of government the City may exercise any power and perform any function pertaining to its government and its affairs; and

WHEREAS, Under that authority and authority under other applicable state and municipal laws, the City has promulgated ordinances and rules governing clubs, organizations, entertainment facilities, and areas near to and adjacent to these clubs, organizations, entertainment facilities as well as near to and adjacent to sporting stadia in the City;

WHEREAS, by Ordinance adopted by the City Council of the City on May 20, 1998, and published in the Journal of the City Council of the City of Chicago for such date at pages 69287 through 69295, inclusive, and which has been codified, as amended, as Chapter 4-388 of the Municipal Code of the City of Chicago, the City created the Wrigley Field Adjacent Area, that allows club licensees in the defined area and under the prescribed circumstances and limitations to obtain special club licenses allowing the sale of foods and spirits at those facilities during game days as defined in the Ordinance; and

WHEREAS, concurrent with this Ordinance, the City Council of the City of Chicago has under consideration an Ordinance that would allow a one-time exception on Sunday, July 31, 2011, and/or on Monday, August 1, 2011, to the prohibition on musical entertainments at certain open-air stadia as found in Section 4-156-430 of the Municipal Code of the City of Chicago and the Ordinance adopted by the City Council of the City of Chicago on February 11, 2004, and published in the Journal of the City Council of the City of Chicago for such date at pages 18722 through 18772, inclusive ("Concurrent Ordinance"); and

WHEREAS, by Ordinance dated June 13, 2007, and published in the Journal of the City Council of the City of Chicago for such date at pages 2894 through 2896, inclusive, by Ordinance dated June 30, 2009, and published in the JOURNAL OF THE City COUNCIL OF THE City of Chicago for such date at pages 65548 through 65550, inclusive, and by Ordinance dated September 8, 2010, and published in the JOURNAL OF THE City COUNCIL OF THE CITY OF CHICAGO for such date at pages 99266 through 99268, inclusive, the City previously allowed holders of club licenses in the defined area of Chapter 4-388 to operate under prescribed limitations and subject to certain agreements during one-time exceptions to the prohibition on musical entertainments at certain open-air stadia as if it were a "game day" as defined in Section 4-3 88-010(f) of the Municipal Code of the City of Chicago; and

WHEREAS, by Ordinance dated December 17, 2008, and published in the Journal of the Proceedings of the City Council of the City of Chicago for such date at pages 51320 through 51323, inclusive, and by Ordinance dated September 8, 2010, and published in the Journal of the City Council of the City of Chicago for such date at pages 99269 through 99272, inclusive, the City previously allowed holders of club licenses in the defined area of

Chapter 4-388 to operate under prescribed limitations and subject to certain agreements during non-baseball sporting events at certain open-air stadia as if it were a "game day" as defined in Section 4-3 88-010(f) of the Municipal Code of the City of Chicago; and

WHEREAS, the City is interested in enhancing the opportunities of its citizens and of visitors to the City to enjoy musical entertainments in appropriate circumstances, situations, and venues; and

WHEREAS, the City recognizes the value to its citizens, visitors and businesses to work with responsible groups and organizations, to enhance the use of certain facilities under appropriate circumstances consistent with the needs and conditions of the surrounding community; and

WHEREAS, The Protection and convenience of the community in and surrounding the Wrigley Field Adjacent Area is a paramount consideration in allowing the use of the facilities in the Wrigley Field Adjacent Area; and

WHEREAS, the interests of residents and their community in and near the Wrigley Field Adjacent Area are taken into account by the limitations set forth in this Ordinance; now, therefore,

*Be It Ordained by the City Council of the City of Chicago:*

SECTION 1. Findings. All of the recitals above are expressly adopted as legislative findings of the City and are incorporated herein and are made hereby a part of this Ordinance.

SECTION 2. One Time Exception To Wrigley Field Adjacent Area Ordinance. The term "Game days" in Section 4-388-010(f) of the Municipal Code of the City of Chicago shall be deemed to include any lawfully produced musical performance open to the general public held at an open air stadium subject to the restrictions of Section 4-156-430 of the Municipal Code of the City of Chicago and the Ordinance adopted by the City Council of the City of Chicago on February 11, 2004, and published in the Journal of the City Council of the City of Chicago for such date at pages 18722 through 18772, inclusive, on Sunday, July 31, 2011, and/or on Monday, August 1, 2011, pursuant to any Concurrent Ordinance as defined above that may be, or has been, enacted into law, provided, however, that all provisions of Chapter 4-388 of the Municipal Code of the City of Chicago and all neighborhood protection(s), enhancement(s), or benefit(s) embodied in any ordinance(s) and/or agreement(s) are fully complied with by any person(s) subject, or agreeing, to Chapter 4-388 and/or such neighborhood protection(s), enhancement(s) or benefit(s).

SECTION 3. Effective Date. This Ordinance takes effect upon passage and approval.