

**Staff Responses to Budget Questions  
October 21, 2015**

*MFT/Sales Tax: Could you provide the following?  
Receipts for the above, 2014, 2015 and projected 2016.  
Rates and units (% and gallons or dollars) for the two taxes.*

<b>Category</b>	<b>2014 Actual</b>	<b>2015 Estimate</b>	<b>2016 Budget</b>
Sales Tax (1%)	\$11,439,451	\$11,650,000	\$11,850,000
Home Rule Sales Tax (1%)*	\$7,609,442	\$7,600,000	\$7,800,000
Local Gasoline Tax (.015/gal)	\$203,184	\$200,000	\$200,000

\*.75% to Capital Fund, .25% to General Fund

*Rates charged by Lisle, Woodridge, Lombard, Westmont, Naperville, Bolingbrook and Oak Brook.*

<b>Municipality</b>	<b>Local Gasoline Tax Rate</b>	<b>Sales Tax Rate</b>
Downers Grove	\$.015/gallon	8.25%
Lisle	--	7.25%
Woodridge	\$0.025/gallon	7.75%
Lombard	--	8.25%
Westmont	--	7.75%
Naperville	\$0.040/gallon	7.25%
Bolingbrook	\$0.07/gallon	8.50%
Oak Brook	--	7.75%

*Jefferson Street: Please provide an estimate of the costs associated with reconstructing Jefferson at Nelson Meadow assuming zero developer contributions.*

Staff estimates that it would cost roughly \$150,000 to reconstruct Jefferson Avenue from the Brookbank Road right-of-way to 1117 Jefferson. This does not include any work on Nelson Court or Brookbank Road. In addition, staff anticipates that there would likely be additional

costs for overhead utility relocation, and stormwater management improvements that may be required for a stand-alone roadway widening project. These additional costs cannot be estimated without performing some preliminary design work and coordination with the utility companies.

*Police and Fire Pensions: What are the crystal balls showing for 2017-2019? Obviously, there are some unknown variables but I assume they're planning beyond 2016 - I'd like to know what those plans look like in terms of anticipated VoDG contribution requirements.*

Assuming the actuarial rate of return is achieved, and there are no additional changes to mortality tables, the pension contributions will increase by 4.75% per year.

**Village Contribution to Police & Fire Pension Funds, 2015-19**

	<b>2015 Actual</b>	<b>2016 Budget</b>	<b>2017 Proj</b>	<b>2018 Proj</b>	<b>2019 Proj</b>
Police Pension	2,261,516	2,664,454	2,791,016	2,923,589	3,062,459
Fire Pension	2,330,108	2,820,461	2,594,433	3,094,768	3,241,770
<b>Total</b>	<b>4,591,624</b>	<b>5,484,915</b>	<b>5,745,448</b>	<b>6,018,357</b>	<b>6,304,229</b>

*Do the General Fund revenues shown on pages 4-4 and 4-5 reflect any changes to rates or fee increases? If so, please explain.*

Consistent with the Council policy on User Fees, Licenses and Permits, in order to align the user fees, licenses and permits with the cost of providing services, most fees will be adjusted by 3% in 2016 and the budget reflects a 3% increase for those revenues. There are no other planned or budgeted changes to rates.

*MB-062: Please provide a little storyline/narrative for MB-062. Also, what would be the cost (current maintenance plus expected escalation) of holding off on this project for a year?*

MB-062 includes the resurfacing of the Public Works Facility parking lot in 2016 budgeted at \$500,000. This parking lot is in poor condition and was originally planned for completion in 2015, but deferred to reallocate the funds to projects normally funded by the Motor Fuel Tax. Staff does not recommend additional deferral of this project. This parking lot is used for employee parking, equipment staging and snow storage during the winter months, which takes a heavy toll on the pavement. Staff anticipates that the pavement will be in extremely poor condition after this winter's operations. If it is not reconstructed in 2016 it will need to be patched to make it safe for parking. The cost of patching this lot in order to extend its life for one more year is estimated to be roughly \$50,000. This patching work would then need to be removed with the rest of the pavement when the parking lot is ultimately reconstructed, so it

would not reduce the ultimate cost of the project. The cost of escalation is difficult to estimate, as construction pricing can vary significantly from year to year based on many different factors.

*Alcohol Licensing: Could you provide the following?*

*Total number of licensees.*

*Copy of the fee table showing rates and classes as well as number of license holders in each class.*

*Fees charged by Lisle, Woodridge, Lombard, Westmont, Naperville, Bolingbrook and Oak Brook.*

Attached is the fee schedule for the Village, as well as for the other municipalities.

*Equipment Replacement Fund: With respect to the planned replacement of Fire unit 920/925, What would the expected maintenance costs be of pushing that out a year? Please quantify if possible, or qualify otherwise, the expected operational impacts of pushing this out to 2017.*

The two vehicles (920 and 925) are scheduled to be replaced by one engine. The annual pre-funding amount, which would be the savings achieved by deferring this purchase, is \$69,000.

Maintenance costs of the vehicles of this age may vary from year to year depending on the nature of necessary repairs. It's difficult to predict the failure of a major system on vehicles of this age. Below are the annual maintenance costs for the past three years for each.

**Vehicles 920 and 925 Maintenance Costs, 2013-15**

	<b>2013</b>	<b>2014</b>	<b>2015</b>
920 Rescue Squad	3,886.61	6,461.92	5,721.25
925 Engine	30,264.23	37,390.42	7,354.60
<b>Total</b>	<b>34,150.84</b>	<b>43,852.34</b>	<b>13,075.85</b>

The operational impacts are twofold:

1. The Village delays the efficiency improvements of replacing two vehicles with one vehicle. The equipment on the rescue squad will be housed on the new engine, meaning that one vehicle will be able to perform both functions. The build time for a new engine is 9 to 12 months.
2. When the engine is down for maintenance, the less reliable, older reserve engine and its equipment sees more use.

## LIQUOR LICENSE CLASSIFICATION CHART

Class	Use	Type	Size	Conditions	Total in Use	Limit Issued per Ord	Available	Fee
	HOURS:			<b>Annual fee can also be found in Administrative Regulation Fee Schedule</b>				
	Monday - Thursday: 8 AM - 1 AM							
	Friday & Saturday: 8 AM - 2 AM							
	Sunday: 9 AM - 1 AM							
B-1	Brew Pub	Full Alcohol - On & Off-Site Sales	Full menu/late night menu avail. Until close	Bar seating limited to 20% of entire seating	1	1	0	\$3,644.00
BF	Brew Facility	On-site Craft beer production	Off-site sales and on-site consumption	48 oz on-site limit, product sampling allowed. Retail not to exceed 3,000 sq ft. Seminars/Classes 21+, live entertainment prohibited	0	2	2	\$3,644.00
BYO	Bring Your Own	Beer/Wine Only-by patron	N/A	(3) 12oz beer/(1)750ml bottle wine per person	0	4	4	\$573.00
C-1	Not-for-Profit Club	Full Alcohol	Members & Bona fide guests only		3	6	3	\$862.00
E	Entertainment/Restaurant	Full Alcohol	12,000 sq ft; Min. 125 seats, 21+; reporting, security plan	Entertainment Center with food service	0	2	2	\$4,615.00
G	Golf Course	Beer & Wine Only	Menu avail., Beverage Cart Service	Publicly owned golf course operated by Downers Grove Park District	1	1	0	\$2,093.00
H-1	Hotel	Full Alcohol	Minimum 125 seats (excluding outdoor)	Hotel Restaurant; retail packaged sale of beer and wine to hotel patrons permitted	2	No limit	No limit	\$4,556.00
K-1	Catering	Full Alcohol	Off-site	Serve liquor in conjunction with catering of food for private functions	1	4	3	\$1,070.00
K-2	Catering -Park District	Beer & Wine	On Site - Belmont Facility	Serve beer/wine in conjunction with catering of food for private functions	0	1	1	\$1,224.00
O	Outdoor	What interior license allows	N/A	Serve liquor in conjunction with the operation a licensed restaurant	24	No limit	No limit	\$306.00

### LIQUOR LICENSE CLASSIFICATION CHART

Class	Use	Type	Size	Conditions	Total in Use	Limit Issued per Ord	Available	Fee
P-1	Grocery, Drug, Convenience Store or Liquor Store	Full Liquor Packaged	Min. 3,600 sq. ft.	Wine tastings permitted	15	20	5	\$2,326.00
P-2	Grocery, Drug or Convenience Store	Beer & Wine Only "Packaged"	N/A	Primary business grocery, drug or convenience store. No more than 25% of retail sale sq. footage shall be devoted to beer/wine sales	10	12	3	\$1,464.00
P-O	Grocery w/ on-premise consumption & off-premise sales	Full On-Site & Full "Packaged"	On site consumption with off-site sales. Food service required. Max. 20% floor space serving area	Primary business grocery, designated seating/serving area/deli operation	2	3	1	\$2,939.00
REC-1	Recreational Facility	Full Alcohol	Minimum 125 seats, Menu avail. until close; security plan	Recreation Facility w/ kitchen facilities	3	3	0	\$4,130.00
REC-2	Recreational Facility	Beer & Wine Only	Minimum 35 seats, Menu avail. until close	Recreation Facility w/ kitchen facilities	1	1	0	\$2,589.00
R-1	Restaurant	Full Alcohol	Full menu/late night menu avail. Until close	Bar seating limited to 20% of entire seating	28	No limit	No limit	\$3,490.00
R-2	Restaurant	Beer & Wine Only	Full menu/late night menu avail. Until close	Bar seating limited to 20% of entire seating	14	No limit	No limit	\$1,967.00
RF	Retirement Facility	Full Alcohol	Food service required; outdoor sales allowed, Private marketing events allowed	Retirement facility; members & bona-fide guests,	0	No limit	No limit	\$1,168.00
T	Theater	Full Alcohol	900 seating capacity. Must be located in CBD	Portable bar service at contracted theater rentals not open to the general public	1	1	0	\$1,912.00
S-1	Special Event (Hearing Required)				Varies		No limit	\$469.00
S-2	Special Event				Varies		No limit	\$109.00
W-1	Wine Boutique	Beer & Wine Only	Food avail., wine/beer by the glass only	Premises not to exceed 3,600 sq. feet, seating limited to 40% of estab., not to exceed 750 sq. ft.	2	2	0	\$1,749.00
					84	Total in Use		

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### 3-2-6: CLASSIFICATION OF LICENSES: linklink

All liquor licenses shall be of the following classes, none of which shall be issued for any premises from which motor fuel is sold or dispensed:

**CLASS 1** Class 1 licenses shall authorize the retail sale of all alcoholic liquors to be consumed on the premises designated therein, and the retail sale of alcoholic liquors only in original packages, unopened, for consumption off the premises, whereby the licensed establishment operating on the premises meets the definition of a "tavern" as stated in section 3-2-1 of this chapter.

**CLASS 2.1** Class 2.1 licenses shall authorize the retail sale of all alcoholic liquors on the premises designated therein for consumption on said premises, and the retail sale of all alcoholic liquors in their original packages, unopened, for consumption off the premises whereby the licensed establishment operating on the premises meets the definition of a "restaurant" as stated in section 3-2-1 of this chapter.

**CLASS 2.2** Class 2.2 licenses shall authorize the retail sale of all alcoholic liquors on the premises designated therein for consumption on said premises whereby the licensed establishment operating on the premises meets the definition of a "restaurant" as stated in section 3-2-1 of this chapter.

**CLASS 2.3** Class 2.3 licenses shall authorize the retail sale of all alcoholic liquors on the premises designated therein for consumption on said premises with a service bar only (no bar seating for patrons), whereby the licensed establishment operating on the premises meets the definition of a "restaurant" as stated in section 3-2-1 of this chapter.

**CLASS 2.4** Class 2.4 licenses shall authorize the retail sale of wine, beers and malt beverages on the premises designated therein for consumption on said premises whereby the licensed establishment operating on the premises meets the definition of a "restaurant" as stated in section 3-2-1 of this chapter.

**CLASS 2.5** Class 2.5 licenses shall authorize the retail sale of wines, beers and malt beverages on the premises designated therein for consumption on said premises with a service bar only (no bar seating for patrons), whereby the licensed establishment operating on the premises meets the definition of a "restaurant" as stated in section 3-2-1 of this chapter.

**CLASS 3** Class 3 licenses shall authorize the retail sale of alcoholic liquor on the premises designated therein, for consumption on the premises only, by incorporated clubs not for pecuniary profit, organized solely for the promotion of some common object other than the sale and/or consumption of alcoholic liquors, which have held a national or state charter of incorporation for a period of at least two (2) full years previous to the making of the application for such license.

**CLASS 4.1** Class 4.1 licenses shall authorize the retail sale of all alcoholic liquors in their original, unopened packages, on the premises designated therein, but not for consumption on said premises, whereby the licensed establishment operating on the premises meets the definition of a "package store" as stated in section 3-2-1 of this chapter. Tastings may be held in accordance with subsection 3-2-17(E) of this chapter.

**CLASS 4.2** Class 4.2 licenses shall authorize the retail sale of all alcoholic liquors in their original, unopened packages, on the premises designated therein, but not for consumption on said premises, whereby the licensed establishment operating on said premises meets the definition of a "grocery store" as stated in section 3-2-1 of this chapter. The sales area devoted to

alcoholic liquor shall be less than thirty percent (30%) of the total sales area. The display of alcoholic liquors shall be confined to an area as approved by the local liquor commissioner. Tastings may be held in accordance with subsection 3-2-17(E) of this chapter.

**CLASS 4.3** Class 4.3 licenses shall authorize the retail sale of all alcoholic liquors in their original, unopened packages, on the premises designated therein, but not for consumption on said premises, whereby the licensed establishment operating on said premises meets the definition of a "convenience store" as stated in section 3-2-1 of this chapter. The sales area devoted to alcoholic liquor shall be less than thirty percent (30%) of the total sales area. The display of alcoholic liquor shall be confined to an area as approved by the local liquor commissioner. Tastings may be held in accordance with subsection 3-2-17(E) of this chapter.

**CLASS 5.1** Class 5.1 licenses shall authorize the retail sale of wine, beer and malt beverages in their original, unopened packages, on the premises designated therein, but not for consumption on said premises, whereby the licensed establishment operating on the premises meets the definition of a "package store" as stated in section 3-2-1 of this chapter. Tastings of wine or beer may be held in accordance with subsection 3-2-17(E) of this chapter.

**CLASS 5.2** Class 5.2 licenses shall authorize the retail sale of wine, beer and malt beverages in their original, unopened packages, on the premises designated therein, but not for consumption on said premises, whereby the licensed establishment operating on said premises meets the definition of a "grocery store" as stated in section 3-2-1 of this chapter. The sales area devoted to wine, beer and malt beverages shall not exceed thirty percent (30%) of the total sales area. The display of wine, beer and malt beverages shall be confined to an area as approved by the local liquor commissioner. Tastings of wine or beer may be held in accordance with subsection 3-2-17(E) of this chapter.

**CLASS 5.3** Class 5.3 licenses shall authorize the retail sale of wine, beer and malt beverages in their original, unopened packages, on the premises designated therein, but not for consumption on said premises, whereby the licensed establishment operating on said premises meets the definition of a "convenience store" as stated in section 3-2-1 of this chapter. The sales area devoted to wine, beer and malt beverages shall not exceed thirty percent (30%) of the total sales area. The display of wine, beer and malt beverages shall be confined to an area as approved by the local liquor commissioner. Tastings of wine or beer may be held in accordance with subsection 3-2-17(E) of this chapter.

**CLASS 5.4** Class 5.4 licenses shall authorize the retail sale of wine and beer in original packages, unopened, for consumption off the premises, and the retail sale of wine or beer to be consumed on the premises. (Ord. 2013-4471, 1-21-2013)

**CLASS 6.1** Class 6.1 licenses shall authorize the retail sale of beer manufactured on the premises in its original package for consumption off the premises; and tastings and product sampling of beer manufactured on the premises as provided in subsection 3-2-17(E) of this chapter, except that prior approval of the liquor commissioner shall not be required for such tastings and product sampling; provided that the licensee:

(A) Maintains accurate records as to the total gallons of beer manufactured on the premises and sold for consumption off premises, and provides such records to the local liquor control commissioner or business office manager upon request;

(B) Segregates the portion of the licensed premises dedicated to the manufacturing of beer from the remainder of the premises, restricting public access to the manufacturing area except during supervised tours;

(C) Limits the area designated for tastings and product sampling of beer manufactured on

the premises: 1) to not more than twenty five percent (25%) of the total gross square footage area of the physical premises;

(D) Limits the amount of beer served for consumption on the premises to no more than sixteen (16) ounces per person, per day;

(E) Pays all applicable taxes, including sales tax, on all revenue realized from the retail sale of craft beer for consumption on or off the premises; and

(F) Complies with all applicable federal, state and local laws and regulations, including, but not limited to, procurement of any required federal brewer's notice, Illinois manufacturer's liquor license, Illinois craft brewer's license, and all other required licenses and permits concerning manufacture, packaging, storing, sale, and distribution of alcoholic beverages.

**CLASS 6.2** Class 6.2 licenses shall authorize a class 2.2 or class 2.4 licensee to make retail sales of beer manufactured on the premises in its original package for consumption off the premises; provided that the licensee:

(A) Maintains accurate records as to the total gallons of beer manufactured on the premises and sold for consumption off premises, and provides such records to the local liquor control commissioner or business office manager upon request;

(B) Segregates the portion of the licensed premises dedicated to the manufacturing of beer from the remainder of the premises, restricting public access to the manufacturing area except during supervised tours;

(C) Limits the area designated to retail sales of beer manufactured on the premises: 1) to not more than twenty five percent (25%) of the total gross square footage area of the physical premises; and

(D) Complies with all applicable federal, state and local laws and regulations, including, but not limited to, procurement of any required federal brewer's notice, Illinois manufacturer's liquor license, Illinois craft brewer's license, and all other required licenses and permits concerning manufacture, packaging, storing, sale, and distribution of alcoholic beverages. (Ord. 2013-4505, 10-21-2013)

**CLASS 7** Class 7 licenses shall authorize the retail sale of all alcoholic liquor for consumption on the premises of special events including, but not limited to, festivals, carnivals, or fundraising events. A class 7 license shall not exceed six (6) consecutive days. A class 7 license shall not be issued to any one organization for more than twelve (12) days in any twelve (12) month period. A class 7 license shall only be issued to educational, fraternal, political, civic, religious or not for profit organizations or current Illinois liquor license retailers who do not hold a village of Lisle liquor license. (Ord. 2013-4471, 1-21-2013)

**CLASS 8** Class 8 licenses shall authorize the retail sale of wine and beer when also served with food on the premises designated therein for consumption on said premises. The retail sale of wine and beer shall take place only during the following hours: Monday through Friday from four o'clock (4:00) P.M. to nine thirty o'clock (9:30) P.M., or thirty (30) minutes prior to closing, whichever is earlier; Saturday and Sunday from twelve o'clock (12:00) noon to nine thirty o'clock (9:30) P.M., or thirty (30) minutes prior to closing, whichever is earlier. No retail sale of wine and beer will be permitted unless also served with food. The local liquor control commissioner shall approve the menu of food offerings that accompany wine and beer sales before issuance and prior to renewal of a class 8 license. The sale of wine or beer for off premises consumption or through a drive-through window is expressly prohibited. (Ord. 2015-4582, 6-1-2015)

**CLASS 11** Class 11 licenses shall authorize retail sale of all alcoholic liquors for

consumption on the premises of a "hotel" as defined in section 3-2-1 of this chapter. This class shall include all banquets, conventions, meetings, group dining services, catering, cafeterias, restaurants, delis, cocktail lounges, bars, general entertainment areas, executive floor lounges, package liquor sales, private clubs, weekend brunch service, room service, health clubs, bar/vending machines in guestrooms, lobby and meeting room service or any other liquor dispensing facilities located on the hotel premises.

**CLASS 12** Class 12 licenses shall authorize the retail sale of champagne and wine on the premises designated therein, but not for consumption on the premises where sold, and only in conjunction with the sale of flowers, plants, candies, chocolates, or baskets containing miscellaneous nonalcoholic gift items. For purposes of this license classification, a "basket" shall be defined as a decorative gift container which may be constructed of wood, metal, plastic, woven rope, decorative paper or plastic bag or such similar material the purpose of which is to hold an arrangement of gift items. It is intended that the sale of packaged wine and champagne is merely an adjunct to the sale of flowers, plants, candies, chocolates or other nonalcoholic gift items, and any advertising shall not indicate otherwise. No more than ten percent (10%) of the floor area of the licensed premises shall be used for the display of wine or champagne. Tastings may be held in accordance with subsection 3-2-17(E) of this chapter.

**CLASS 13** Class 13 licenses shall authorize the retail sale of all alcoholic liquors by a public park district for consumption only on the premises of any publicly owned golf course.

**CLASS 14** Class 14 licenses shall authorize the retail sale of alcoholic liquors for immediate consumption only in connection with an off site catering business operating within the village. In addition to the other requirements of this chapter, a class 14 license shall only be issued to persons who can demonstrate that they are operating a bona fide catering business.

**CLASS 16** Class 16 licenses shall authorize the retail sale of all alcoholic liquor in bowling alleys for consumption on the premises. Alcoholic liquor sold for such consumption may be distributed from bars, lounges or a restaurant located within the same structure as the bowling alley, provided that there is no separate outside entrance leading directly into the bar or lounge.

**CLASS 17** Class 17 licenses shall authorize the retail sale of all alcoholic beverages by a college or university, for consumption on the premises, when groups are assembled for a common purpose other than the sale or consumption of alcohol.

Class 17 licenses shall also authorize the retail sale of champagne and wine on the premises designated therein, but not for consumption on the premises where sold, and only in conjunction with the alumni office for the purpose of funding scholarship grants to students.

**CLASS 18** Class 18 licenses shall authorize the sale of alcoholic liquor at retail by religious institutions at affiliated residential facilities, to residents and their guests, for consumption on the premises.

**CLASS 20** Class 20 licenses authorize taste testing of new alcoholic products on the licensed premises for the purposes of market research by a bona fide market research organization under the following conditions:

(A) Free food and nonalcoholic beverages must be provided to each participant after the product testing has been completed;

(B) The village of Lisle business office manager must be notified in writing of test dates and times at least five (5) calendar days prior to each test;

(C) No alcoholic liquor may be sold or offered for sale by the licensee. (Ord. 2013-4471, 1-21-2013)

Title and Corresponding Section of Lisle Village Code	Notes and Description	Licenses, Filing Deadlines, and Amounts
Sec. 3-2-7	<p>Initial first year non-refundable application fee (all Classes except Class 7)</p> <p>New Manager Application Fee</p> <p>Annual license fees:</p>	<p>\$1,000.00</p> <p>\$ 75.00</p> <p>Class 1 - \$2,500.00</p> <p>Class 2.1 - \$2,400.00</p> <p>Class 2.2 - \$2,200.00</p> <p>Class 2.3 - \$1,600.00</p> <p>Class 2.4 - \$1,500.00</p> <p>Class 2.5 - \$1,100.00</p> <p>Class 3 - \$ 300.00</p> <p>Class 4.1 - \$2,000.00</p> <p>Class 4.2 - \$1,800.00</p> <p>Class 4.3 - \$1,400.00</p> <p>Class 5.1 - \$1,800.00</p> <p>Class 5.2 - \$1,600.00</p> <p>Class 5.3 - \$1,200.00</p> <p>Class 5.4 - \$1,300.00</p> <p>Class 6.1 - \$1,800.00</p> <p>Class 6.2 - \$ 900.00</p> <p>Class 8 - \$1,100.00</p> <p>Class 11 - \$4,500.00</p> <p>Class 12 - \$ 500.00</p> <p>Class 13 - \$2,200.00</p>

Title and Corresponding Section of Lisle Village Code	Notes and Description	Licenses, Filing Deadlines, and Amounts
	Per day license fee:	Class 14 - \$ 500.00 Class 16 - \$2,200.00 Class 17- \$1,000.00 Class 18- \$ 500.00 Class 20- \$ 200.00 Class 7- \$ 50.00
Sec. 3-2-9(B)	New Manager Application Fee  New Officer/Owner Application Fee (total ownership change of 50 percent or less)  Fees due as a result of new ownership interest(s) totaling more than 50 percent: The first year application fee and annual license fee as enumerated in 3-2-7 shall be prorated at the same percentage as the new ownership interest.	\$75.00  \$150.00
Sec. 3-2-17(B)	Liquor commissioner or other village official acceptance of gifts from liquor licensees or agents	Up to \$200.00
Sec. 3-2-20(B)(3)	Liquor licensee violations, penalties	\$250.00 for first violation within 12 month period  \$500.00 for second violation within 12 month period  \$750.00 for third and all subsequent violations within 12 month period  Each day a violation exists shall be a separate and distinct offense. Licensee may be ordered

### 3-3-8: LICENSE CLASSIFICATIONS:

The local liquor control commissioner shall have the right to grant retail liquor dealer's licenses for the selling at retail of alcoholic liquor. Such license shall be divided into the following classes and none other:

CLASS A-1 which shall permit the retail sale of alcoholic liquor for consumption on the premises where sold when the primary business conducted upon said premises is that of a restaurant.

CLASS A-3 which shall permit the retail sale of beer and wine for consumption on the premises when the primary business conducted upon said premises is that of a restaurant. (1976 Code §3-13)

CLASS A-3NB which shall permit the retail sale of beer and wine for consumption on the premises when the business conducted upon said premises is that of a restaurant. Beer and wine shall be served only during the period when patrons of the licensee are offered a complete meal. Beer and wine shall be served only to patrons ordering a meal. Service of beer and wine shall not be made directly to any patron from any type of service counter, but, rather, shall be made by waiters, waitresses, or employees of the licensee to tables or booths where meals are being served only. Bars of any type are prohibited. The service of beer or wine in areas where patrons are waiting to be seated is prohibited. (Ord. 92-18, 4-23-1992)

CLASS A-4 which shall permit the retail sale of alcoholic liquor for consumption on the premises when the business conducted upon said premises is that of a coffeehouse. Alcoholic liquor other than beer and wine shall be served only when mixed with coffee in a single container. Bars of any type are prohibited. The service of alcoholic liquor in areas where patrons are waiting to be seated at a table or booth is prohibited. (Ord. 94-73, 10-27-1994)

CLASS B-1 which shall permit the retail sale of alcoholic liquor in sealed packages but not for consumption on the premises where sold. Holders of class B-1 licenses shall be permitted to conduct alcoholic liquor sampling or tasting promotions upon the licensed premises; provided, that no charge shall be made therefor.

CLASS B-2 which shall permit the retail sale of beer and wine in sealed packages but not for consumption on the premises where sold. Holders of class B-2 licenses shall be permitted to conduct beer or wine sampling or tasting promotions upon the licensed premises; provided, that no charge shall be made therefor. (1976 Code §3-13)

CLASS B-3 which shall permit the retail sale of wine in sealed packages but not for consumption on the premises where sold. Holders of class B-3 licenses shall be permitted to conduct wine sampling or tasting upon the licensed premises; provided that no charge shall be made therefor. Not more than six (6) ounces of wine may be served to any one person for consumption on the premises on any given day and such six (6) ounces shall be comprised of not less than six (6) different wines, and no glass shall contain more than one ounce of wine. (Ord. 2005-55, 9-15-2005)

CLASS C-1 which shall permit the retail sale of alcoholic liquor for consumption on the premises where sold when the primary business conducted upon said premises is that of a restaurant, and shall also permit the retail sale of alcohol in sealed packages but not for consumption on the premises where sold.

CLASS C-2 which shall permit the retail sale of beer and wine for consumption on the premises where sold when the primary business conducted upon said premises is that of a restaurant, which shall also permit the retail sale of beer and wine in sealed packages but not for consumption on the premises where sold. (1976 Code §3-13)

CLASS D-1 which shall be a twenty four (24) hour permit allowing the retail sale of alcoholic liquor for consumption only on the premises where sold to be issued to a regularly organized, not for profit or religious organization, or other similar group organized for some purpose or object, other than the sale or consumption of alcoholic beverages. The local liquor control commissioner shall have the authority to waive the class D-1 license fee, in his or her discretion. (Ord. 2013-13, 3-28-2013)

CLASS D-2 which shall be a twenty four (24) hour permit allowing the retail sale of such alcoholic liquor, as may be approved by the local liquor control commissioner, for consumption only on the premises where sold, to be issued for picnics, carnivals, celebrations or other similar functions. The local liquor control commissioner may impose such other restrictions on said license as he may deem necessary. (1976 Code §3-13)

CLASS D-3 which shall be valid only for the period beginning on Thanksgiving Day and ending on December 31 in any given calendar year, permitting only the sale of alcoholic liquor as part of gift packages, but not for consumption on the premises. The class D-3 license, is subject to the following restrictions:

A. Class D-3 licenses shall be available solely to class A-1 licensed premises located at 1001 W. 75th Street, Suite 153 and/or 1001 W. 75th Street, Suite 157.

B. Gift packages must be available as a single unit and contain alcoholic beverage(s) and gift card(s). In addition other nonalcoholic items may be included.

C. All gift card(s) must be redeemable solely with respect to the principal business being conducted at the A-1 licensed premises.

D. All gift packages must be sold at a package price. The package price may be less than the sum of the individual items' retail prices.

E. Licensee accounting records must reflect value being paid for all items in gift packages.

F. No licensee shall give away alcoholic liquor or include alcoholic liquor in gift packages at no cost to promote the sale of a gift package.

G. No licensee shall advertise or promote in any way, whether on or off licensed premises any of

the practices prohibited in subsection F of this section, including, but not limited to, advertisements using the words "free" or "complimentary" with alcoholic liquor. (Ord. 2010-60, 11-18-2010)

CLASS E-1 which shall permit the retail sale of alcoholic liquor for consumption on the premises where sold when the primary business conducted upon said premises is that of a recreational facility. For the purposes of this class license, a "recreational facility" shall be defined as a racquetball club, tennis club, health club, sports complex or bowling alley located in the B-1 or B-2 business district, wherein at least ninety percent (90%) of the commercial floor area is devoted to recreational purposes other than the sale or consumption of alcoholic liquor. No live entertainment shall be permitted at any recreational facility holding a class E-1 license.

CLASS F-1 which shall permit the sale of alcoholic liquor in connection with an off site catering business operating within the village. For purposes of this classification, an "off site catering business" is one which serves food at locations not owned or leased by such catering business. Alcoholic liquor shall only be sold or delivered by the licensee in connection with the catering of foods. In addition to the other requirements of this chapter, a class F-1 license shall only be issued to persons who can demonstrate that they are operating a bona fide catering business. No class F-1 license shall serve alcoholic liquor at a single location for more than three (3) consecutive twenty four (24) hour periods. (1976 Code §3-13)

CLASS G-1 which shall permit the retail sale of alcoholic liquor for consumption on the premises when the business conducted upon said premises is that of a banquet facility. No such license may be granted to or retained by any establishment in which the facilities for food preparation and service are not primarily those of a banquet facility. No such license may be granted to a banquet facility having a gross floor area of less than thirty thousand (30,000) square feet. Alcoholic liquor for consumption on the premises may be distributed in bars, lounges, or banquet halls located in the same facility. There shall not be a separate outside entrance directly into any bar or lounge. (Ord. 2000-03, 1-27-2000)

CLASS G-2 which shall permit the retail sale of alcoholic liquor for consumption on the premises where sold when the primary business conducted upon said premises is that of a nightclub. The class G-2 license shall be available solely for the premises located at 22W613 75th Street ("subject realty"), and solely for the owner of the subject realty or the DuPage County liquor licensee of the subject realty on the date of annexation of the subject realty to the village. The class G-2 license classification and any class G-2 license issued are hereby amortized as hereinafter provided. The class G-2 license classification and any G-2 license issued are hereby amortized and shall cease to exist upon the first to occur of the following:

- A. Five (5) years after the date of the ordinance annexing the subject realty to the village;
- B. Any redevelopment or change in use of the subject realty;
- C. Violation of the liquor control act or the provisions of this chapter; or

D. In the event the class G-2 liquor licensee ceases to do business on the subject realty.

By accepting a class G-2 license, the licensee accepts the amortization provisions set forth above and waives any right to challenge the validity of said amortization provisions. (Ord. 2010-26, 5-6-2010)

3-3-9: LICENSE FEES:

A. Fees Established: The fees for the various classes of licenses authorized in this chapter shall be as follows:

License	Initial	Annual
License Fee		
Renewal Fee		
A-1	\$2,500.00	\$2,500.00
A-3	1,900.00	1,900.00
A-3NB	1,900.00	1,900.00
A-4	1,900.00	1,900.00
B-1	1,900.00	1,900.00
B-2	1,300.00	1,300.00
B-3	1,900.00	1,900.00
C-1	4,900.00	4,900.00
C-2	3,700.00	3,700.00
D-1	50.00	Daily
D-2	50.00	Daily
D-3	200.00	200.00
E-1	2,500.00	2,500.00
F-1	300.00	300.00
G-1	2,500.00	2,500.00
G-2	2,500.00	2,500.00

(Ord. 2010-60, 11-18-2010)

§ 112.12 - Classification. Modified

(A)

Licenses for the sale of alcoholic liquor shall be divided into the following classes:

Class "A/B-I"—Alcoholic beverages served as an adjunct to food service; no package sales allowed. Gross annual dollar amount of liquor sales shall not exceed \$100,000.00. (Restaurant)

Class "A/B-II"—Alcoholic beverages served as an adjunct to food service; no package sales allowed. Gross annual dollar amount of liquor sales of greater than \$100,000.00, but shall not exceed \$400,000.00. (Restaurant)

Class "A/B-III"—Alcoholic beverages served as an adjunct to food service; no package sales allowed. Gross annual dollar amount of liquor sales of more than \$400,000.00. (Restaurant)

Class "A/B-IV"—Alcoholic beverages served as an adjunct to food service, with a gross annual dollar amount of liquor sales of more than \$400,000.00 (Restaurant). Package sales of specialty wine (wine produced under the name of a current or former professional sports figure) allowed from an on-premises gift shop associated with the restaurant. Package sales of specialty wine (wine produced under the name of a current or former professional sports figure) via phone/catalogue/internet order allowed, provided said sales are processed as a sale from the licensed premises.

Class "C"—Beer and wine only served as an adjunct to food service; no package sales allowed. (Restaurant/Self Service Restaurant)

Class "D"—Alcoholic beverages served with the primary purpose of the establishment being the sale of alcoholic beverages; package goods allowed to be sold. (Tavern)

Class "E"—Alcoholic beverages served as an adjunct to a sports and fitness center, or a recreational center not covered by a Class "M" or Class "R" liquor license, for consumption on the premises only; no package sales allowed.

Class "F"—Package sales allowed; primary purpose of establishment is sale of alcoholic liquors, not for consumption on the premises. (Package Store)

Class "G"—Package sales allowed as an adjunct to a grocery establishment wherein the area set aside for groceries is in excess of 10,000 square feet interior space. A grocery store may have as an additional purpose beside selling groceries the sale of medicines, health and beauty aids, which interior space for that purpose shall be in excess of 7,000 square feet. The preliminary purpose of the grocery being the sale of food and foodstuffs. The area set aside for liquor sales and storage shall be approximately 2,000 square feet.

Class "H"—Package sales allowed as an adjunct to a drug store in excess of 7,000 square feet interior space, the primary purpose of the drug store being the sale of medicines, and health and beauty aids. The area set aside for liquor sales and storage shall not be in excess of 2,000 square feet.

Class "I"—Not-for-Profit Clubs.

Class "J"—Alcoholic beverages served at special and limited occasions by organizations qualifying as not-for-profit clubs under this Chapter, under such terms and conditions as contained in § 112.18.

"Class "JJ"—The service of wine for immediate consumption by the attendees of a single-day wine tasting event sponsored by a for-profit entity, in relation to which a fee is charged by the for-profit sponsoring entity for access to the wine tasting event, where the for-profit sponsoring entity does not hold a Lombard liquor license that would allow for the service of wine by the for-profit sponsoring entity at the location at which the wine tasting event is being held. No package sales of wine shall be allowed at said wine tasting event, unless any such sale is consummated in a manner that provides for the sales tax on such sale to come to the village. Notwithstanding the foregoing, the for-profit sponsoring entity may take orders for wine at the wine tasting event, provided that those attendees placing said orders do not pay for the wine ordered, in any manner whatsoever, at the wine tasting event.

Class "K"—Shall authorize the retail sales of alcoholic liquor on the specified premises for consumption on said premises only by patrons of the banquet hall facilities and does not allow the sale of alcoholic liquor to the general public.

Class "L-I"—The sale of beer and wine only, by the glass, for consumption on the premises, in conjunction with the package sales of beer and wine only. Beer and wine tastings shall be allowed, with or without a charge therefore.

Class "L-II"—The sale of beer and wine only, by the glass, for consumption on the premises, in conjunction with the package sales of beer only. Beer tastings shall be allowed, with or without a charge therefore. A minimum seating capacity of 50 seats is required. Food may be provided to the patrons, from restaurants that have entered into an agreement with the liquor licensee to deliver carry-out food to the licensed premises.

Class "M"—Beer and wine only to a restaurant which is an adjunct to an establishment whose principal business is the operation of eight or more coin-operated amusement devices. No package sales allowed. Beer and wine shall be sold solely in single-serving containers of 16 ounces or less.

Class "N-I"—Alcoholic beverages served in relation to food service, with the food service constituting at least 40 percent of the gross income of the establishment. Package sales of wine and champagne only shall be allowed. Gross annual dollar amount of liquor sales of more than \$300,000.00.

Class "N-II"—Alcoholic beverages served in relation to food service, with the food service constituting at least 40 percent of the gross income of the establishment. Package sales of wine and champagne only shall be allowed. Gross annual dollar amount of liquor sales shall not exceed \$300,000.00.

Class "O"—Alcoholic beverages served for consumption on the premises of a hotel, exhibition hall or convention hall.

Class "P"—Alcoholic beverages served in the parking lot of a liquor licensee, that currently holds a village liquor license which allows for the service of alcoholic beverages for consumption on the licensed premises, subject to the following conditions:

(1)

The sale of alcoholic beverages shall only take place on the day of a Chicago Bears football game with a starting time between noon and 3:30 p.m.;

(2)

The sale and consumption of alcoholic beverages shall be limited to the three hour period immediately prior to the start of the Chicago Bears football game;

(3)

The area of the parking lot in which the alcoholic beverages are sold and consumed shall be:

(i)

Located in the center of the parking lot, so that motor vehicles can still park within the parking lot along the perimeter;

(ii)

No greater than 11,520 square feet in area; and

(iii)

Separated in some way, through the use of a barrier (e.g., ropes, temporary fencing, etc.), from the remainder of the parking lot;

(4)

The patrons shall not be allowed to bring in any of their own alcoholic beverages;

(5)

At least two uniformed security guards shall be in the parking lot at all times while alcoholic beverages are being served;

(6)

The appropriate State of Illinois liquor license shall be obtained by the liquor licensee for each use of the parking lot for the service of alcoholic beverages; and

(7)

A temporary event license, as required by § 110.40—110.49 of the Village Code, shall be obtained by the liquor licensee relative to the use of the parking lot for the service of alcoholic beverages.

Class "Q-I"—Package sales of wine only at a farmers market, from June 1st to September 15th, subject to the following conditions:

(1)

The sales can take place no more than once per week, for a period of no more than four hours; and

(2)

Providing samples/tastings of the wine shall be allowed.

Class "Q-II"—Package sales of wine only at a Farmers Market, from June 1st to September 15th, by a liquor licensee that currently holds a Class "L" liquor license, subject to the following conditions:

(1)

The sales can take place no more than once per week, for a period of no more than four hours; and

(2)

Providing samples/tastings of the wine shall be allowed.

Class "R"—Alcoholic beverages served for consumption on the premises of a bowling alley.

"Class "S"—The manufacturing of beer products on the licensed premises, for consumption on the licensed premises, along with the sale of said beer products for consumption off of the licensed premises. Only beer products manufactured on the licensed premises may be sold on the licensed premises, with the sale of any other alcoholic beverages being specifically prohibited. Beer product tastings are allowed, but only in regard to the beer products manufactured on the licensed premises. Patrons may bring food to the licensed premises, for consumption on the licensed premises, but no food shall be prepared on the licensed premises. Packaged snacks, such as pretzels and potato chips, may be sold or provided on the licensed premises. The liquor licensee shall be required to comply with all applicable federal and state regulations relating to the manufacturing of beer products.

Class "T-I"—Beer and wine only served at no charge for consumption by patrons of the hotel on the premises of a hotel without a restaurant (manager's reception). Beer and wine only packaged sales to patrons of the hotel shall also be allowed provided all beer and wine on display for sale shall be kept in a locked display case with only the cashier being able to unlock said display case. If the hotel currently has a Class "O" liquor license, said hotel need not also obtain a Class "T-I" liquor license.

Class "T-II"—Beer and wine only served at no charge, but limited in number of drinks, for consumption by patrons of a hotel on the premises of a hotel without a restaurant (manager's reception). Beer and wine only packaged sales to patrons of the hotel shall also be allowed provided all beer and wine on display for sale shall be kept in a locked display case with only the cashier being able to unlock said display case. Beer and wine only may also be sold to patrons of the hotel for consumption on the premises of the hotel from a managed bar area. If the hotel currently has a Class "O" liquor license, said hotel need not also obtain a Class "T-II" liquor license.

Class "T-III"—Alcoholic liquor served at no charge, but limited in number of drinks, for consumption by patrons of a hotel on the premises of a hotel without a restaurant (manager's reception). Alcoholic liquor packaged sales to patrons of the hotel shall also be allowed provided all alcoholic liquor on display for sale shall be kept in a locked display case with only the cashier being able to unlock said display case. Alcoholic liquor may also be sold to patrons of the hotel for consumption on the premises of the hotel from a managed bar area. If the hotel currently has a Class "O" liquor license, said hotel need not also obtain a Class "T-III" liquor license.

Class "U"—Alcoholic beverages served as an adjunct to food service; no package sales allowed; service bar only with no seating at the bar. (Small Restaurant)

"Class "V"—Beer, wine and champagne only, served as an adjunct to the providing of beauty

salon services. No package sales shall be allowed. Beer, wine and champagne may only be served to a patron of the licensed premises, that is receiving a beauty salon service at the licensed premises. There shall be no consumption of alcoholic beverages, on the licensed premises, other than those supplied by the licensee. Patrons may bring food to the licensed premises, and the licensee may have food brought to the licensed premises from local restaurants, for consumption on the licensed premises, but no food shall be prepared on the licensed premises.

Class "VV"—Beer, wine and champagne only, served as an adjunct to an art gallery and studio. No package sales shall be allowed. Beer, wine and champagne may only be served to a patron of the licensed premises, that is attending an artist reception, artistic experience event or other private event at the licensed premises. There shall be no consumption of alcoholic beverages, on the licensed premises, other than those supplied by the licensee. Patrons may bring food to the licensed premises, and the licensee may have food brought to the licensed premises from local restaurants, for consumption on the licensed premises, but no food shall be prepared on the licensed premises.

"Class "X"—Alcoholic beverages served as an adjunct to a movie theater, subject to the following restrictions:

(1)

Preparation of alcoholic beverages shall be limited to a designated lobby bar area.

(2)

Service of alcoholic beverages may be made only to persons wearing a wristband approved by the village's police department ("alcohol wristband" or "alcohol wristbands"). The person dispensing alcohol wristbands shall have completed a certified alcohol awareness training course as set forth in § 112.40 of this Chapter. The alcohol wristband shall be valid only for the date on which it is obtained from the movie theater. At the end of one year after the issuance of the initial liquor license or at the end of one year from the issuance of a disposition as referenced in the last sentence of this subsection, at the option of the licensee, and provided that there have been no violations of subsection 112.30(A) of the Village Code by the liquor licensee during said one-year period, the use of alcohol wristbands may be discontinued. Prior to such discontinuance, written notice of such intent shall be provided to the Local Liquor Control Commissioner. If the liquor licensee has been found to be in violation of subsection 112.30(A) of the Village Code, whether as a result of a voluntary admission by the liquor licensee, or after notice and the required hearing, the Local Liquor Control Commissioner may impose an alcohol wristband requirement as part or all of any disposition.

(3)

Alcoholic beverages may be delivered and consumed in the movie theater auditorium or the lobby bar area.

(4)

The containers in which alcoholic beverages are served must be of a different color, size and design than those in which non-alcoholic beverages are served.

(5)

Beer may be sold only in individual containers holding 32 ounces or less. All other alcoholic beverages may be sold only in individual containers holding 16 ounces or less. Alcoholic spirits

(alcoholic beverages other than beer or wine) will be restricted to three ounces or less total volume in any individual container. Wine may be sold by the bottle, for consumption in the movie theater auditorium or the lobby bar area, provided that a minimum of two patrons are consuming the wine.

(6)

No more than one alcoholic beverage may be delivered to a customer at any one time.

(7)

There may be no service of alcoholic beverages unless the movie theater is actually open for the showing of movies or for the holding of private rentals and events. Alcoholic beverages may never be served more than one hour prior to the advertised showing time of the first movie to be shown on any day, except for private rentals and events.

(8)

The lobby bar and the lounge area associated with the bar may comprise no more than 20 percent of the floor area outside of the movie theater auditoriums.

(9)

An employee of the licensee, who has completed the certified alcohol awareness training course, referenced in § 112.40 of this Chapter, shall be designated to monitor compliance with alcohol laws and be on duty on the premises whenever there is service of alcoholic beverages.

(10)

The Class "X" liquor licensee shall be responsible if any alcoholic beverage is consumed by any minor at any location within or on the movie theater premises, whether the alcohol was purchased at the movie theater or not.

Food service may be provided as an adjunct to the movie theater and the service of alcoholic beverages. No package sales, other than bottles of wine as described in item (5) above, shall be allowed.

Class "Y"—Package sales of Italian beer and Italian wine as an adjunct to a delicatessen selling primarily Italian food items with less than 3000 square feet of interior space, but with not less than 450 square feet of said space devoted to a deli area for the sale of fresh and/or prepared on the premises food items, and with not less than 1200 square feet of said space devoted to a kitchen area, not accessible by the public, for use in the preparation of prepared foods sold in the deli area. The area set aside for liquor sales and storage shall not exceed five percent of the non-kitchen floor area of the delicatessen.

Class "Z"—Alcoholic beverages served as an adjunct to food service at a location that also brews beer on the licensed premises. The sale of beer brewed on the licensed premises for carry-out shall be allowed; with all other package sales prohibited. (Restaurant/Brew Pub)

Class "ZZ"—Package sales of beer and wine only, as an adjunct to a convenience store with gasoline sales which, at the time of said convenience store's annexation to the village, had a valid DuPage County liquor license, subject to the following conditions:

(1)

The beer and wine sales area shall be segregated from the sales area for general merchandise;

(2)

Not more than 20 percent of the floor area of the convenience store may be set aside for the sale

of beer and wine. For purposes of determining the allowable beer and wine sales area, the licensee shall submit a floor plan of the convenience store at the time of application for the license. Areas of the convenience store, to which access by customers is prohibited, shall not be counted in the floor area calculation; and

(3)

Sales of beer and wine shall be made at a cash register dedicated solely to the sale of beer and wine, with no other merchandise being sold using said cash register.

(Ord. 5426, passed 2/2/04; Ord. 5544, passed 9/2/04; Ord. 5984, passed 2/1/07; Ord. 6263, passed 11/6/08; Ord. 6622, passed 5/20/11; Ord. 6741, passed 9/6/12; Ord. 6742, passed 9/6/12; Ord. 6787, passed 1/3/13; Ord. 6805, passed 3/21/13; Ord. 6811, passed 4/4/13; Ord. 6823, passed 5/2/13; Ord. 6907 passed 12/19/13; Ord. No. 6921, § 1, passed 2-6-14; Ord. No. 6935, § 1, passed 4-17-14; Ord. No. 7006, § 1, passed 10-16-14; Ord. No. 7025, § 1, passed 12-4-14; Ord. No. 7063, § 1, passed 4-16-15; Ord. No. 7075, § 1, passed 5-7-15)

§ 112.13 - Availability. Modified

(A)

The number of authorized licenses shall be limited to the following:

Class "A/B-I"	-	9
Class "A/B-II"	-	10
Class "A/B-III"	-	15
Class "A/B-IV"		1
Class "C"	-	8
Class "D"	-	3
Class "E"	-	1
Class "F"	-	5
Class "G"	-	2
Class "H"	-	4
Class "I"	-	3
Class "J"	-	Open
Class "JJ"	-	0
Class "K"	-	2
Class "L-I"	-	1
Class "L-II"	-	1
Class "M"	-	1
Class "N-I"		1
Class "N-II"		1
Class "O"	-	3
Class "P"	-	0
Class "Q-I"	-	1
Class "Q-II"	-	0
Class "R"	-	1
Class "S"	-	1
Class "T-I"	-	1
Class "T-II"		0
Class "T-III"		1
Class "U"	-	2

Class "V"	-	1
Class "VV"	-	1
Class "X"	-	1
Class "Y"	-	1
Class "Z"	-	1
Class "ZZ"		1

Any pre-existing liquor license issued under Class "E" to allow full service of all alcoholic beverages shall continue and be maintained so long as the establishment is in existence. The full service Class "E" liquor license may not be transferred to any other location and any other owner, but a new Class "E" may be transferred pursuant to the provisions of this Chapter.

(B)

The number of licenses authorized herein for the above classes shall remain at the number set forth in this section unless amended by the corporate authorities when it is determined to be in the best interests of the village to increase or decrease the number of licenses; provided, however, that any increase in said classes which are revoked, shall reduce the number of authorized licenses of the particular class by the total number of revoked licenses in the particular class.

Any available license which is applied for by a licensee and granted shall be used within 30 days of the date the license has been granted. In the event any license is not used, for a period of 30 days or revoked, the local Liquor Control Commissioner shall notify, in writing, the Village Clerk and the Board of Trustees of the revocation or non-use and shall cause to have the license number in the category reduced.

('70 Code, § 5.28.050) (Ord. 2545, passed 7-8-82; Am. Ord. 2939, passed 3-26-87; Am. Ord. 2996, passed 11-5-87; Am. Ord. 3026, passed 1-7-88; Am. Ord. 3053, passed 4-21-88; Am. Ord. 3097-A, passed 8-4-88; Am. Ord. 3119, passed 1-5-89; Am. Ord. 3132, passed 3-2-89; Am. Ord. 3134, passed 3-16-89; Am. Ord. 3149, passed 3-2-89; Am. Ord. 3156, passed 5-18-89; Am. Ord. 3161, passed 6-1-89; Am. Ord. 3187, passed 9-7-89; Am. Ord. 3192, passed 9-7-89; Ord. 5544, passed 9/2/04; Ord. 6742, passed 9/6/12; Ord. 6823, passed 5/2/13; Ord. 6860, passed 9/5/13; Ord. 6887, passed 11/7/13; Ord. 6888, passed 11/7/13; Ord. 6907, passed 12/19/13; Ord. No. 6926, § 1, 3-6-14; Ord. No. 6927, § 1, passed 3-6-14; Ord. No. 6921, §§ 2, 3, passed 2-6-14; Ord. No. 6923, § 1, passed 2-20-14; Ord. No. 6937, §§ 1, 2, passed 4-17-14; Ord. No. 6941, §§ 1, 2, passed 5-1-14; Ord. No. 6961, §§ 1, 2, passed 6-19-14; Ord. No. 6962, §§ 1, 2, passed 6-19-14; Ord. No. 6963, § 1, passed 6-19-14; Ord. No. 6970, §§ 1, 2, 7-17-14; Ord. No. 6985, §§ 1, 2, passed 8-21-14; Ord. No. 6996, § 1, 10-2-14; Ord. No. 7006, § 2, 10-16-14; Ord. No. 7007, §§ 1, 2, passed 10-16-14; Ord. No. 7008, §§ 1, 2, 10-16-14; Ord. No. 7010, §§ 1, 2, passed 10-16-14; Ord. No. 7016, §§ 1, 2, passed 11-16-14; Ord. No. 7025, § 2, passed 12-4-14; Ord. No. 7027, §§ 1, 2, passed 12-4-14; Ord. No. 7052, § 1, passed 3-5-15; Ord. No. 7055, §§ 1, 2, passed 3-19-15; Ord. NO. 7063, § 2, passed 4-16-15; Ord. No. 7080, § 1, passed 5-21-15; Ord. No. 7093, § 1, passed 6-18-15; Ord. No. 7095, § 1, passed 6-18-15)

§ 112.14 - Fees. Modified

(A)

The license fee for each license issued shall be as follows for the period of the license  
(Semi-Annual Payment)

Class "A/B-I"	-	\$500.00
Class "A/B-II"	-	\$1,500.00
Class "A/B-III"	-	\$2,500.00
Class "A/B-IV"		\$3,000.00
Class "C"	-	\$500.00
Class "D"	-	\$1,000.00
Class "E"	-	\$1,000.00
Class "F"	-	\$1,000.00
Class "G"	-	\$750.00
Class "H"	-	\$750.00
Class "I"	-	\$400.00
Class "J"	-	\$50.00 per event not to exceed six consecutive days

(All licenses shall be for six months, except Classes "P", "Q-I", and "Q-II," as noted below, and Class "J" which shall be for a period not to exceed 25 days at a fee of \$50.00 per event not to exceed six consecutive days.)

Class "JJ"	-	\$250.00
Class "K"	-	\$1,500.00
Class "L-I"	-	\$750.00
Class "L-II"	-	\$1,000.00
Class "M"	-	\$800.00
Class "N-I"		\$1,500.00
Class "N-II"		\$1,000.00
Class "O"	-	\$2,000.00
Class "P"	-	\$250.00 per Chicago Bears football season
Class "Q-I"	-	\$250.00 per Farmers Market season (June 1st to Sept. 15th)
Class "Q-II"	-	\$250.00 per Farmers Market season (June 1st to Sept. 15th)
Class "R"	-	\$2,000.00
Class "S"	-	\$625.00
Class "T-I"	-	\$500.00
Class "T-II"		\$1,000.00
Class "T-III"		\$1,500.00
Class "U"	-	\$500.00
Class "V"	-	\$500.00
Class "VV"	-	\$500.00
Class "X"	-	\$1,500.00
Class "Y"	-	\$500.00
Class "Z"	-	\$2,500.00
Class "ZZ"		\$750.00

Application Fee (Except for "Class J", Class "P" and Class "Q-II", which shall have no Application Fee, and Class "Q-I", which shall have a \$100.00 Application Fee) - \$500.00

Sec. 10-36. - Classification of licenses.

Liquor licenses to be issued under this chapter shall be divided into the following classes:

(1)

Class 1, which shall authorize the retail sale of all alcoholic liquors for consumption on the licensed premises as well as allow for the retail sale of all alcoholic liquors in the original package for off-premise consumption, where the principal business is that of a restaurant having a guest seating capacity, including banquet facilities, of more than 200 persons.

(2)

Class 2, which shall authorize the retail sale of all alcoholic liquors for consumption on the licensed premises as well as allow for the retail sale of all alcoholic liquors in the original package for off-premise consumption, where the principal business is that of a restaurant having a guest seating capacity, including banquet facilities, of not less than 75 persons and not more than 200 persons.

(3)

Class 3, which shall authorize the retail sale of all alcoholic liquors for consumption on the licensed premises as well as allow for the retail sale of all alcoholic liquors in the original package for off-premise consumption, where the principal business is that of a restaurant with a service bar only.

(4)

Class 4, which shall authorize the retail sale of wines and beers only, for consumption on the licensed premises as well as allow for the retail sale of wines and beers in the original package for off-premise consumption, where the principal business is that of a restaurant.

(5)

Class 5, which shall authorize the retail sale of all alcoholic liquors, only in the original package and not for consumption on the premises, and only on premises having a building with a minimum floor area of not less than 5,000 square feet.

(6)

Class 6, which shall authorize the retail sale of wines and beers only, in the original package and not for consumption on the licensed premises, and only on premises having a building with a minimum floor area of not less than 5,000 square feet.

(7)

Class 7, which shall authorize the retail sale of all alcoholic liquors for consumption on the licensed premises only, where the principal business is that of a hotel.

(8)

Class 8, which shall authorize the retail sale of all alcoholic liquors for consumption on the licensed premises only, with an occupant load of no more than 100 persons, and in addition shall authorize the retail sale of all alcoholic liquors in the original package, and not for consumption on the premises. Occupant load shall be determined by the requirements of the Life Safety Code, 1976 edition, chapter 8, pertaining to places of assembly.

(9)

Class 9, which shall authorize the sale of alcoholic liquors by the following:

a.

Incorporated clubs which have held a national or state charter of incorporation for a period of at least two full years previous to the making of application for such license; provided, that sales of liquor are made only to duly elected members and members' guests on the licensed premises.

b.

A not-for-profit organization or for-profit organization conducting a housing project for the elderly, including but not limited to nursing homes and assisted living facilities; provided, that sales of all alcoholic liquors are made only to the elderly residents or their guests and only for consumption on the licensed premises.

c.

A municipal corporation operating a public golf course; provided, that sales of liquor are made for consumption only within the clubhouse or on the golf course itself.

(10)

Class 10, which shall authorize the sale of beer and wine only, by athletic clubs whose principal business is maintaining facilities for racquetball, handball and indoor tennis; provided, that such sales of beer and wine are made only to athletic club members and members' guests, and only for consumption on the licensed premises.

(11)

Class 11, which shall authorize the sale or free tastings of all alcoholic liquors for consumption on the licensed premises only or other special location approved by the local liquor commissioner, for a special event open to the public, not to exceed four days, and not to exceed a total of 15 days in any one year, unless otherwise extended by the village board. Such license may also be issued to a licensee for events which would exceed the limitations on liquor sales under its existing license classification, or may be issued to an unlicensed person for a single special event. Tastings of any alcoholic liquor without compensation shall be limited in quantity to one-quarter ounce of spirits, one ounce of wine, or two ounces of beer. Consumers shall be limited three samples per day.

(12)

Class 12, which shall authorize the dispensing of all alcoholic liquors on the premises of a hotel as part of a lodging package, without additional consideration, only between the hours of 5:00 p.m. and 7:00 p.m., and only for consumption by guests of the hotel and their invitees, on the licensed premises.

(13)

Class 13, which shall authorize the retail sale of all alcoholic liquors for consumption only on the licensed premises, where the business is that of a meeting or exhibition hall, sports arena, or a hall for private or public gatherings, and where there are no kitchen facilities for the preparation of meals. A holder of a class 13 license shall require that a short-form application be completed by the sponsor or provider of alcoholic beverages for any event held on the licensed premises which is open to the public generally. Such short-form application shall identify the parties responsible for such event, the nature of such event, and the number of persons anticipated to attend, and the licensee shall collect a fee from the sponsor of each such event, on behalf of the village, pursuant to section 10-37(a).

(14)

Class 14, which shall authorize the retail sale of all alcoholic liquors for consumption on the licensed premises only, where the principal business is that of a bowling alley.

(15)

Class 15, which shall authorize a wine boutique with retail sales of fine bottled wine and fine import beer or domestic handcrafted micro-brewery beer, only in the original package, and not for consumption on the premises, except as provided herein. Such license shall also be subject to the following conditions and exceptions:

a.

Store size and location: Such license may be issued only to a store that does not exceed 2,000 square feet in floor space utilized for merchandise display and sale, excluding adjacent offices, hallways and storage areas. A Class 15 license is only available in the B-1 Limited Business District.

b.

No other alcoholic liquors: Such license shall authorize the sale only of fine bottled wine and fine import beer and domestic handcrafted micro-brewery beer and no other alcoholic liquors.

c.

[Issuance:] Such license may be issued only to an establishment whose principal stock in trade is fine wines and whose ancillary sales are limited to wine related accessories, beer sales as restricted above, gourmet food products, and specialty gift products such as fine food accessories, and not quick preparation foods, or general supermarket foods, or household or petroleum products.

d.

[Tobacco:] No tobacco products of any kind except premium cigars may be sold or displayed on the license premises.

e.

Wine tasting without compensation: Tasting of wines at the licensed premises may be allowed without charge pursuant to section 10-83(h)(3)(c) of this chapter. Tastings shall be limited to one ounce servings of wine, with not more than six ounces total offered to any one person daily. No charge, cost, fee or other consideration of any kind shall be levied for any such tasting, except as provided below.

f.

Wine tasting for compensation: The sale of wine by the glass for tasting purposes only may be allowed on the premises; however, this shall not allow for the operation or advertising of a wine bar. Tasting for compensation is permitted for class 15 licensed establishments. The sale of wine by the glass is further subject to the following restrictions:

1.

Separate approval by the local liquor commissioner shall be required in order to sell wine by the glass as part of a class 15 liquor license, including the imposition of additional conditions.

2.

No more than six customer chairs shall be allowed on the premises.

3.

Consumption is limited to no more than ten ounces of wine per person on a daily basis, with no single glass exceeding six ounces, or to one flight of wine consisting of no more than ten ounces.

g.

Beer tasting without compensation: Tasting of beer at the licensed premises may be allowed without charge. Tastings shall be limited to two ounce servings of beer, with not more than six ounces total offered to any one person daily. No charge, cost, fee or other consideration of any kind shall be levied for any such tasting, except as provided below.

h.

Beer tasting for compensation: The sale of beer by the glass for tasting purposes only may be allowed on the premises; however, this shall not allow for the operation or advertising of a bar. Tasting for compensation is permitted for class 15 licensed establishments. The sale of beer by the glass is further subject to the following restrictions:

1.  
Separate approval by the local liquor commissioner shall be required in order to sell beer by the glass as part of a class 15 liquor license, including the imposition of additional conditions.

2.  
No more than six customer chairs shall be allowed on the premises.

3.  
Consumption is limited to no more than 12 ounces of beer per person on a daily basis, with no single glass exceeding six ounces.

i.  
Special events: The holder of a class 15 liquor license may conduct special events on the licensed premises, either open or closed to the general public. Such special events may include, but not be limited to, special tasting events, wine or beer classes, and private dinners. Such special events shall be subject to the following restrictions:

1.  
No more than three special events shall be conducted on the licensed premises per week, unless advanced approval is granted by the local liquor commissioner for additional events.

2.  
The tasting quantity limitations shall not apply during these special events.

3.  
The special events shall occur only between the hours of 6:00 p.m. to 10:00 p.m.

4.  
The seating restrictions set forth herein shall not apply to special events.

j.  
Adjacent premises: Wine or beer by the glass may be served to and consumed from a retail business adjacent to the licensed premises, provided the retail business shares a common hallway with the licensed premises, provided the licensed premises and the adjacent retail business are located within the B-1 Limited Business District, and provided all wine or beer is purchased and served from the licensed premises. Additionally, the licensee shall first obtain the written permission of the local liquor commissioner as to service to the adjacent retail business, which approval may be withheld or subsequently revoked for any reason.

(16)

Class 16, which shall authorize consumption of bring your own bottle (BYOB) of wine into a sit-down restaurant under the following provisions:

a.  
Any village liquor licensed establishment holding a Class 1, 2, 3, 4, 7 and 8 Village of Westmont liquor license may request permission from the local liquor commissioner, in writing, on an annual basis, to provide BYOB wine service;

b.  
Only after formal written approval is granted may the establishment provide such an offering to the public;

c.  
In the event that an establishment in the village does not hold a valid Class 1, 2, 3, 4, 7 or 8 Village of Westmont liquor license, the person, entity, establishment or enterprise desiring to obtain a Village of Westmont BYOB (Class 16) liquor license may apply for such a license with the village, as provided within this chapter;

d.

The hours of BYOB wine service shall occur only between the hours of 5:00 p.m. and 10:00 p.m.;

e.

In the event that a qualified licensee is granted permission or a Class 16 liquor license to allow BYOB, the following conditions shall apply:

1.

No more than one bottle of wine per patron over the age of 21 shall be permitted to be uncorked;

2.

The licensee shall only permit BYOB to occur on the premises in conjunction with the purchase and consumption of a meal on the licensed premises;

3.

Only patrons seated at tables or booths shall be permitted to consume wine that has been provided by the patron;

4.

The licensee may provide glassware and ice to patrons and may uncork a bottle of wine, pour it and control its consumption for a corkage fee;

5.

All employees who perform corkage duties shall be BASSETT trained and shall serve the wine as if it was purchased in the establishment complying with all state and local laws;

6.

It shall be unlawful for any person to carry, transport or possess liquor in an unsealed and open condition, except as permitted for wine bottles from restaurants under the Illinois Liquor Control Act, 235 ILCS 5/6-33, which allows a liquor licensed establishment to permit a patron to remove one unsealed and partially consumed bottle of wine, provided the bottle shall be placed into a one-time use, see-through, sealable, tamper-proof bag which has been sealed by the restaurant licensee and affix either within or to the bag, a dated receipt for the bottle of wine and proof of purchase of at least one meal;

7.

The licensee shall provide a certificate of insurance reflecting coverage for general liability purposes naming the Village of Westmont as an additional insured on the licensee's policy;

8.

The licensee shall hold harmless the village, its agents, employees, elected and appointed officials from any and all claims or causes of action arising out of the consumption of alcoholic liquor on the premises.

(17)

Class 17, which shall authorize the retail sale of all alcoholic liquors, only in the original package and not for consumption on the licensed premises, and which shall also authorize the retail sale of all alcoholic liquors for consumption on the licensed premises, where the principal business is that of a grocery store having a minimum floor area of not less than 30,000 square feet, and which also contains a sit-down restaurant and wine bar as accessory uses. Such license shall also be subject to the following restrictions:

a.

The retail sale of alcoholic liquors for consumption on the premises is restricted to the wine bar area and the restaurant only. Customers may not remove alcoholic beverages from the wine bar or the restaurant.

b.

Alcoholic liquors in the original package may only be sold at the grocery store cashier area, may not be purchased or sold in the wine bar or restaurant, and packaged liquors may not be consumed on the premises.

c.

The wine bar shall consist of no more than one identified bar area within the alcoholic beverage department, with no more than 8 seats. The wine bar may sell all alcoholic liquors

d.

Tasting of alcoholic liquors upon the licensed premises without charge is permitted, limited to the alcoholic beverages department of the grocery store, and subject to the following restrictions:

(i) the free tasting of wine is limited to one ounce servings of wine, with not more than three servings total offered to any one person daily; (ii) the free tasting of beer is limited to two ounce servings of beer, with not more than three servings total offered to any one person daily; and (iii) the free tasting of liquor is limited to one-quarter ounce servings of liquor, with not more than three servings total offered to any one person daily.

e.

Any service of alcoholic beverages in an outdoor seating area of the restaurant shall require the advance approval of and be subject to any conditions imposed by the local liquor commissioner.

f.

The holder of a Class 17 liquor license shall not be eligible for a Class 16 BYOB liquor license.

g.

No sale or free tastings of alcoholic beverages, whether in the original package or for consumption on the premises, shall occur after 10:00 p.m.

(18)

Class 18, which shall authorize the sale of alcoholic liquor by a bona fide catering business located within the Village of Westmont pursuant to a business license issued therefrom. Such caterer shall be subject to the following conditions:

a.

Alcoholic liquor may only be served by the caterer incidental to food service that serves prepared meals or the equivalent in prepared hors d'oeuvres, and not solely the service of snacks, and only for consumption on the premises where the meals are served;

b.

Alcoholic liquor may be sold and/or served only during the time of the catered event. In no circumstance, shall alcoholic liquor be served at a single location for more than eight consecutive hours;

c.

The license shall be issued only for the premises owned, operated or maintained by the catering business or for the location in which the catering business shall serve food and alcoholic liquor;

d.

The license shall only permit the service of alcoholic liquor by employees of the licensee;

e.

The catered event shall be a private function which allows only invited guests to attend. If the catered event does not qualify as a private function, another permit from the village may be required;

f.

Any time, upon request of the local liquor commissioner or his/her designee, the licensee shall provide detailed, accurate records of the amount of sales of alcoholic liquor, food sales and such

other information as may be required by the liquor commissioner.

(19)

Class 19, which shall authorize the retail sale of alcoholic liquor for consumption on the licensed premises where the major and primary business is that of a performing arts venue, defined as a facility within the B-1 Central Business District allowed as a special use under the zoning ordinance, regularly used for conducting theatrical, musical or live performances or events (excluding motion picture/movie houses as a primary use) with a maximum seating capacity of 300 persons, subject to the following conditions:

a.

Sales of alcoholic beverages shall be limited to contracted venue rentals and venue production/box office events.

b.

Alcoholic beverage sales shall not be allowed during performances where the performer or the majority of the group performing are under 21 years of age, or for performances that are primarily oriented for minors under the age of 21.

c.

No alcoholic liquor shall be served at a single contracted theater rental for more than six consecutive hours.

d.

Alcoholic liquor may be served during performing arts production/box office events, and one hour prior to the event, during intermission not exceeding two consecutive hours and for no more than one hour after an event.

e.

Alcoholic liquor may be served at the performing arts venue during non-performance times when the venue is rented out for a meeting or event permitted by the zoning ordinance, and in such case alcoholic liquor may be served only to the persons attending the meeting or event.

(20)

Class 20, which authorizes the operation of a brewery for the manufacture of craft beers, along with the retail sale of craft beer brewed on the premises and bottled wine, both in their original package for consumption off the premises, and limited on-premises tastings of craft beers brewed on the premises and wines, subject to the following conditions:

a.

Tastings are limited to the craft beer manufactured on the premises under this classification and wines, and shall be permitted during the authorized hours of business under the following terms:

(i)

That portion of the licensed premises dedicated to offering tastings shall be segregated from the remainder of the premises;

(ii)

The location of tastings shall be limited to the retail portion of the licensed premises;

(iii)

Not more than three craft beer tastings, wine tastings or combination thereof shall be served to any customer in one day and each tasting shall be limited to either:

i.

By the glass, having a capacity of not more than 16 ounces;

ii.

By the bottle, having a capacity of not more than 12 ounces; or

iii.

By the flight, having not more than four glasses with each glass not having more than four ounces;

(iv)

A price may be set for such tastings;

(v)

All applicable taxes, including sales tax shall be collected and paid on all revenue realized from tastings: and

(vi)

Compliance with all terms and conditions set forth in the definition of this class.

b.

Seating: Seating layout shall be approved by the local liquor commissioner, but shall not exceed 16 total seats. Additionally, limited seating may be allowed at the service bar.

c.

A premises granted or issued a Class 20 license, or any renewal thereof, shall be subject to the following conditions:

(i)

Licensee shall maintain accurate records as to the total gallonage of beer manufactured on the premises and the total gallonage of beer manufactured on the premises and sold for consumption off-premises. Licensee shall produce said records to the Village of Westmont upon request;

(ii)

The portion of the licensed premises dedicated to the manufacturing of craft beer shall be segregated from the remainder of the premises and shall not be generally accessible to the public;

(iii)

Not more than 25 percent of the total gross square footage area of the physical premises shall be designated to the retail sale of craft beer; and

(iv)

Compliance with and adherence to any and all applicable federal, state and local laws and regulations, including, but not limited to procurement of requisite Federal Brewer's Notice, Illinois Manufacturer's (Brewer's) Liquor License, State of Illinois Craft Brewer's License, and any and all other requisite licenses and permits concerning manufacture, packaging, storing, sale and distribution of alcoholic beverages.

(21)

Class 21, which shall authorize consumption of bring your own bottle (BYOB) of beer, wine and/or liquor on the premises of a business operating as a public accommodation and as a complement to the purchase/sale and consumption of tobacco products in said establishment under the following provisions:

a.

Only after formal written approval is granted may the establishment provide such an offering to the public;

b.

In order to provide such a service, the business operating as a public accommodation must be located in a freestanding building, not connected to other businesses or buildings, and said freestanding building must be a minimum of 3,000 square feet;

c.

The business offering the BYOB services must offer for rent or sale a personal and secured storage locker for members for the storage of unconsumed products;

d.

The hours of BYOB service shall occur only during the hours that the business establishment is open for business to the public and/or members, and in no event earlier than 10:00 a.m. or later than 11:00 p.m., unless special permission is granted by the local liquor commissioner for extended hours for special events or circumstances;

e.

Consumption of alcohol shall not occur in the retail area of the tobacco shop;

f.

In the event that a qualified licensee is granted permission or a Class 21 liquor license to allow BYOB, the following conditions shall apply;

1.

No more than one bottle of wine or liquor or six bottles of beer per patron over the age of 21 shall be permitted to be uncorked;

2.

The licensee shall only permit BYOB to occur on the premises in conjunction with the purchase and consumption of tobacco products on the licensed premises;

3.

The licensee may provide glassware and ice to patrons and shall uncork or open the alcohol, pour it and control its consumption for a corkage fee;

4.

All employees who perform corkage duties shall be BASSETT trained and shall serve the alcohol as if it was purchased in the establishment complying with all state and local laws;

6.

It shall be unlawful for any person to carry, transport or possess liquor in an unsealed and open condition, except as permitted for wine bottles from restaurants under the Illinois Liquor Control Act, 235 ILCS 5/6-33, which allows a liquor licensed establishment to permit a patron to remove one unsealed and partially consumed bottle of wine, provided the bottle shall be placed into a one-time use, see-through, sealable, tamper-proof bag which has been sealed by the restaurant licensee and affix either within or to the bag, a dated receipt for the bottle of wine and proof of purchase of at least one meal;

7.

The licensee shall provide a certificate of insurance reflecting coverage for general liability purposes naming the Village of Westmont as an additional insured on the licensee's policy;

8.

The licensee shall hold harmless the village, its agents, employees, elected and appointed officials from any and all claims or causes of action arising out of the consumption of alcoholic liquor on the premises.

(Ord. No. 94-68, § 1(4-9), 9-20-1994; Ord. No. 96-95, § 1, 11-18-1996; Ord. No. 97-39, § 1, 4-21-1997; Ord. No. 05-97, § 1, 4-18-2005; Ord. No. 06-160, § 1, 9-5-2006; Ord. No. 07-144, § 1, 9-4-2007; Ord. No. 07-182, § 1, 12-3-2007; Ord. No. 08-154, § 1, 10-20-2008; Ord. No. 08-184, § 1, 11-17-2008; Ord. No. 10-104, § 1, 6-21-2010; Ord. No. 11-145, § 1, 9-6-2011; Ord. No. 12-118, § 1, 7-2-2012; Ord. No. 12-136, § 1, 9-4-2012; Ord. No. 13-36, § 1, 2-19-2013; Ord. No. 13-37, § 1, 2-19-2013; Ord. No. 13-197, § 1, 10-17-2013; Ord. No. 14-187, § 2, 11-13-2014; Ord. No. 14-188, § 2, 11-13-2014)

State Law reference— Classification of state licenses, 235 ILCS 5/5-1.

Sec. 10-37. - License fees.

(a)

Fee schedule. The initial license fees and annual license fees for the various classes of licenses established in this chapter shall be as follows:

Class Initial

license

Annual fee

thereafter

1	\$3,000.00	\$ 3,000.00
2	2,500.00	2,500.00
3	1,500.00	1,500.00
4	1,500.00	1,500.00
5	3,000.00	3,000.00
6	2,000.00	2,000.00
7	10,000.00	10,000.00
8	3,000.00	3,000.00
9		

Municipal, park district, or nonprofit 500.00 500.00

Private club 1,000.00 1,000.00

10 500.00 500.00

11 — 100.00

per day

12 500.00 500.00

13 1,000.00 1,000.00

plus

100.00

per event

14 4,000.00 4,000.00

15 1,500.00 1,500.00

16 300.00 300.00

17 3,000.00 3,000.00

18 1,000.00 1,000.00

19 3,000.00 3,000.00

20 1,500.00 1,500.00

21 1,000.00 1,000.00

3-3-11: - LIQUOR LICENSES, PERMITS, CLASSIFICATION AND FEES:

There shall be the following classes of liquor licenses and permits with an annual license and permit fee as indicated: (Ord. No. 12-004, § 2, 1-17-2012)

1.

Class A—Restaurant:

1.1.

A restaurant license authorizes the retail sale, on the premises specified, of alcoholic liquor by the drink or vinous beverages by the bottle or carafe, or beer or margaritas by the pitcher of a capacity not to exceed sixty (60) ounces.

1.2.

Service of alcoholic liquor shall be only during the time that full meals are being served and a full menu is in effect.

1.3.

The license shall only be available for premises defined as a "restaurant" herein.

1.4.

All such liquor service shall be from a service bar only; said bar not to be available for customer use.

1.5.

Restaurant licenses shall be issued only to restaurants that have dining facilities as stated.

1.6.

The annual fee for a class A license shall be one thousand six hundred fifty dollars (\$1,650.00).

2.

Class B—Restaurant And Tavern:

2.1.

A restaurant and tavern license authorizes the retail sale, on the premises specified of alcoholic liquor until eleven o'clock (11:00) p.m. Sunday through Saturday.

2.2.

The primary business conducted on the premises shall be the service of meals. A full menu, including entrees and side dishes, and a fully staffed and operational kitchen shall be required until nine o'clock (9:00) p.m. Sunday through Thursday, and ten o'clock (10:00) p.m. Friday and Saturday.

2.2.1.

Kitchen Hours:

2.2.1.1. Notwithstanding any other provision of the Chapter, Class B—Restaurant and Tavern licenses are not required to open and staff their kitchens on Thanksgiving Day and Christmas Day.

2.3.

No Class B liquor license holder shall sell or permit to be sold, offer for sale, give away or permit to be consumed any alcoholic liquor after eleven o'clock (11:00) p.m. on any day.

2.4.

A restaurant and tavern license authorizes the retail sale, on the premises specified, of alcoholic liquor by the drink for consumption on the premises, and beer and vinous beverages by the bottle or carafe, or beer or margaritas by the pitcher of a capacity not to exceed sixty (60) ounces.

2.5.

All such liquor service shall be by the drink only, excepting vinous beverages by the bottle or carafe, or beer or margaritas by the pitcher of a capacity not to exceed sixty (60) ounces.

2.6.

The annual fee for a Class B license shall be two thousand one hundred dollars (\$2,100.00).

2.7.

Late Night Permit:

2.7.1.

The late night permit is issued as a condition of a Class B—Restaurant and Tavern license and authorizes the holder of a Class B—Restaurant and Tavern license to serve alcohol liquor from eleven o'clock (11:00) p.m. to one o'clock (1:00) a.m. Monday through Friday and two o'clock (2:00) a.m. Saturday and Sunday without meal and kitchen requirements.

2.7.2.

The City Council may modify the number of Late Night Permits upon either a petition to the City Council by a Class B—Restaurant and Tavern license applicant or the revocation, surrender, expiration without renewal, or abandonment of a Class B—Restaurant and Tavern license or late night permit.

2.7.3.

Upon petition to the City Council by a Class B—Restaurant and Tavern liquor license applicant to modify the number of late night permits, the City Council may, but is not limited to, considering the following criteria: 1) the surrounding land uses, 2) the business concept, 3) the proximity to other liquor establishments, 4) the applicant's prior liquor business experience, 5) the public's health, safety, and welfare, 6) public safety resources, 7) market conditions, and 8) any other criteria that is relevant to the issuance, establishment, and administration of a retail liquor license.

2.7.4.

The nonrenewal, suspension or revocation of a late night permit and the licensee's right to a hearing is subject to the provisions of this Chapter.

2.7.5.

The annual fee for the Late Night Permit shall be two hundred dollars (\$200.00). (Ord. No. 12-004, § 2, 1-17-2012; Ord. No. 12-025, § 2, 3-20-2012; Ord. No. 12-055, § 1, 6-5-2012)

2.8.

Growler Permit:

2.8.1.

The growler permit is issued as a condition of a Class B—Restaurant and Tavern license and authorizes the holder of a Class B—Restaurant and Tavern license to sell and offer for sale at retail, growlers, as defined in this Chapter.

2.8.2.

Growlers shall only contain craft beer, as defined in this Chapter, manufactured at the growler permit holder's licensed premises.

2.8.3.

Growlers shall only be filled and sold at the growler permit holder's licensed premises by an authorized employee of the growler permit holder being at least twenty-one (21) years of age and BASSET certified.

Growlers shall be sanitized, sealed, and labeled pursuant to all applicable laws and regulations. Growlers shall be sealed with a tamper-evident seal constituting an original liquor package under this Chapter.

2.8.4.

Growlers shall be sold solely for off premises consumption and the contents of a growler shall not be consumed on premises.

2.8.5.

The annual fee for a growler permit shall be one thousand dollars (\$1,000.00). (Ord. No. 13-131, § 2, 11-19-2013)

3.

Class C—Tavern:

3.1.

Authorizes the retail sale of alcoholic liquor for consumption on the premises sold.  
(Ord. 08-182, 10-7-2008)

3.2.

All such liquor service, excepting vinous beverages by the bottle or carafe, or beer or margaritas by the pitcher of a capacity not to exceed sixty (60) ounces, shall be by the drink only and may be served from a customer bar.

3.3.

The annual fee for a class C license shall be two thousand one hundred dollars (\$2,100.00).  
(Ord. 03-181, 8-19-2003)

3.4.

No class C license shall be issued to a premises not within a shopping center complex of not less than sixty thousand (60,000) square feet of gross building floor area. No more than one class C license shall be permitted in any such shopping center.

3.5.

The square footage requirements for class C licenses are not applicable to renewal of existing class C licenses, and shall not preclude the issuance of a liquor license to the purchaser of an established premises for which a liquor license has been previously issued.  
(Ord. 07-239, 11-6-2007)

3.6.

Authorizes the licensee to sell to the general public, alcoholic liquor in the original sealed package only, for consumption off the premises.  
(Ord. 08-182, 10-7-2008)

4.

Class D—Package Store:

4.1.

Authorizes the retail sale, on the premises specified, of alcoholic liquor in its original package, not for consumption on the premises.

4.1.1.

No class D license shall be issued to a premises which is not located within a shopping center of at least sixty thousand (60,000) square feet of gross building floor area unless such premises having been previously grandfathered from this square footage requirement.

4.1.1.1. In shopping centers of at least one hundred thousand (100,000) square feet of gross building floor area, an additional class D license may be permitted if such license is located in a

premises which primary business is other than the sale of alcoholic liquor. For purposes of this Subsection, a primary business other than the sale of alcoholic liquor, if not more than twenty-five percent (25%) of the annual gross revenues from the premises is derived from the sale of alcoholic liquor.

(Ord. 07-239, 11-6-2007)

4.2.

If the sale of alcoholic liquor is conducted on premises which are utilized primarily for other retail sales activity, the display of liquor shall be confined to a liquor display area as approved by the Liquor Commissioner. The liquor display area shall generally be a designated portion of the premises which includes all liquor. In particular, but without limitation, there shall be no aisle displays, or stocking of liquor in any public area of the establishment except in the approved liquor display area. Any changes to the location or size of the liquor display area shall be approved by the Liquor Commissioner. The licensee shall cause a sign advising that the area is closed to be conspicuously posted within the liquor display area during those hours that liquor sales are prohibited.

(Ord. 03-181, 8-19-2003)

4.3.

Liquor tasting may be permitted by a class D licensee as a promotional procedure once a month for a period of not to exceed three (3) consecutive days. This privilege is subject to an annual fee of one hundred dollars (\$100.00) in addition to the prescribed fee, except that no licensee shall give or offer to give away alcoholic liquors as a gift, gratuity, or tie in with the sale of nonalcoholic products or to induce the purchase of or promote the sale of nonalcoholic products. Liquor tasting under this Subsection shall be limited to beer, wines and alcoholic liquors only and shall be limited to the approved liquor display area.

4.4.

Liquor tasting may be permitted by a class D licensee as a promotional procedure each week for a period not to exceed two (2) consecutive days. This privilege is subject to an annual fee of two hundred dollars (\$200.00) in addition to the prescribed fee, except that no licensee shall give or offer to give away alcoholic liquors as a gift, gratuity or tie in with the sale of nonalcoholic products or to induce the purchase or promote the sale of nonalcoholic products. Liquor tasting under this Subsection shall be limited to beer, wines and alcoholic liquors only and shall be limited to the approved liquor display area. A class D licensee may secure either the privilege allowed by this Subsection 3-3-11.4.4 or Subsection 3-3-11.4.3 of this Section, but not both.

(Ord. 07-239, 11-6-2007)

4.5.

The annual fee for a class D license shall be two thousand dollars (\$2,000.00).

(Ord. 03-181, 8-19-2003)

4.6.

The square footage requirements for class D licenses are not applicable to renewal of existing class D licenses, and shall not preclude the issuance of a liquor license to the purchaser of an established premises for which a liquor license has been previously issued.

(Ord. 07-239, 11-6-2007)

5.

Class E — Temporary License, Daily Fee:

5.1.

Authorizes the retail sale of wine and/or beer only, on the premises specified, for consumption on or adjacent to said premises at a picnic, carnival, or similar function. Such temporary licenses are to be granted to local organizations or groups promoting a common object rather than the sale of wine and/or beer.

5.2.

Such license shall be authorized on a day to day basis, but for not more than seven (7) consecutive days.

5.3.

The fee for such license shall be fifty dollars (\$50.00) per day.

(Ord. 03-181, 8-19-2003)

6.

Class G — Beer And Wine Package Sale:

6.1.

Authorizes the retail sale of beer and wine only in sealed packages, but not for consumption on the premises where sold.

6.1.1.

No class G license shall be issued to a premises which is not located in either a shopping center of at least sixty thousand (60,000) square feet of gross building floor area or to a premises located in a shopping center zoned B-1 (neighborhood convenience shopping center district), and which shopping center has at least forty-five thousand (45,000) square feet of gross building floor area.

(Ord. 07-239, 11-6-2007)

6.2.

If the sale of alcoholic liquor is conducted on premises which are utilized primarily for other retail sales activity, the display of liquor shall be confined to a liquor display area as approved by the Liquor Commissioner. The liquor display area shall generally be a designated portion of the premises which includes all liquor. In particular, but without limitation, there shall be no aisle displays, or stocking of liquor in any public area of the establishment except in the approved liquor display area. Any changes to the location or size of the liquor display area shall be approved by the Liquor Commissioner. The licensee shall cause a sign advising that the area is closed to be conspicuously posted within the liquor display area during those hours that liquor sales are prohibited.

6.3.

Beer and wine tasting may be permitted by a class G licensee as a monthly promotion, for a period not to exceed three (3) consecutive days each month. This privilege is subject to an annual fee of one hundred dollars (\$100.00) in addition to the prescribed fee, except that no licensee shall give or offer to give away alcoholic liquors as a gift, gratuity or tie in with the sale of nonalcoholic products or to induce the purchase of or promote the sale of nonalcoholic products. Beer and wine tasting under this Subsection shall be limited to beer and wines only and

shall be limited to the approved liquor display area.

6.4.

Beer and wine tasting may be permitted by a class G licensee as a promotion each week for a period not to exceed two (2) consecutive days. This privilege is subject to an annual fee of two hundred dollars (\$200.00) in addition to the prescribed fee, except that no licensee shall give or offer to give away alcoholic liquors as a gift, gratuity or tie in with the sale of nonalcoholic products or to induce the purchase or promote the sale of nonalcoholic products. Beer and wine tasting under this Subsection shall be limited to beer and wines only and shall be limited to the approved liquor display area. A class G licensee may secure either the privilege allowed by Subsection 3-3-11.6.3 of this Section or this Subsection 3-3-11.6.4, but not both.

6.5.

The annual fee for a class G license shall be one thousand seven hundred dollars (\$1,700.00). (Ord. 03-181, 8-19-2003; amd. Ord. 07-239, 11-6-2007)

6.6.

The square footage requirements for class G licenses are not applicable to renewal of existing class G licenses, and shall not preclude the issuance of a liquor license to the purchaser of an established premises for which a liquor license has been previously issued.

(Ord. 07-239, 11-6-2007)

6.7.

Class G1 Sub Classification—Grocery Store

6.7.1.

Notwithstanding the provisions of the section, a grocery store, as defined in this chapter, shall, upon proper application be eligible for a class G license subject to the following provisions:

6.7.1.1.

Authorizes a grocery store, as defined in this chapter, to engage in the retail sale, on the premises specified, of alcoholic liquor in its original package, not for consumption on the premises.

6.7.1.2.

Liquor tastings, samplings or any other on premises consumption of liquor is prohibited.

6.7.1.3.

Wine shall not be sold in individual containers less than three hundred twenty-five (325) milliliters.

6.7.1.4.

The primary purpose of the licensed premise shall be the retail sale of groceries and household items, to wit, no less than eighty-five percent (85%) of annual store revenues shall be generated from grocery and household item sales. Upon the liquor commissioner's request, a certified record of annual revenues shall be included with the liquor license renewal application and may be considered by the liquor commissioner as a basis of nonrenewal of the liquor license.

6.7.1.5.

The licensed premises shall be over fifteen thousand (15,000) square feet of gross above-grade floor area.

6.7.1.6.

The liquor display area shall be a designated portion of the premises which includes all liquor. In particular, but without limitation, there shall be no aisle displays, or stocking of liquor in any public area of the establishment except in the approved liquor display area. Any changes to the

location or size of the liquor display area shall be approved by the liquor commissioner. The licensee shall prominently post a sign at the entrance of the liquor display area directing patrons as to the hours of prohibited liquor sales.

6.7.1.7.

No more than three percent (3%) of the total gross square footage floor space of the licensee's premises (excluding storage and employee access only areas) shall be designated for the display of liquor. In no event shall the total gross square footage of the liquor display area exceed five hundred (500) square feet.

6.7.1.8.

The annual fee for the grocery package store license shall be four thousand five hundred dollars (\$4,500.00).

(Ord. No. 15-102, § 2, 6-16-2015)

7.

Class H — Clubs:

7.1.

Authorizes the retail sale of alcoholic liquor only on the premises where sold to be issued to a regularly organized "club", as heretofore defined, such sales to be made only to members of the club or their guests.

7.2.

The club shall file with the local Liquor and Tobacco Control Commissioner at the time of its application for a license two (2) copies of a list of names and residences of its members, and similarly shall file within ten (10) days of the election of any additional member his name and address; and, provided further that the club affairs and management shall be conducted by a board of directors, executive committee, or similar body chosen by the members at their annual meeting and that no member or any officer, agent, or employee of the club shall be paid, or directly or indirectly receive, in the form of salary or other compensation, any profit from the distribution or sale of alcoholic liquor to the club or the members of the club or its guests introduced by members beyond the amount of such salary as may be fixed and voted at any annual meeting by the members or by its board of directors or other governing body out of the general revenue of the club.

7.3.

The annual fee for a club license is three hundred dollars (\$300.00).

8.

Class I — Hotel Or Motel:

8.1.

A hotel or motel license authorizes the retail sale on the premises specified of alcoholic liquor by the drink for consumption on the premises, and beer, vinous beverages by the bottle, carafe, or beer by the pitcher of a capacity not to exceed sixty (60) ounces, or as provided in Section 3-3-11.13 of this Section.

8.2.

Service of alcoholic liquor shall be only during the time that full meals are being served and a full menu is in effect.

8.3.

The license shall only be available for premises defined as a "hotel or motel" herein.

8.4.

All such liquor service shall be from a service bar only, said bar not to be available for customer use.

8.5.

The annual fee for a class I license shall be two thousand four hundred dollars (\$2,400.00).

9.

Class J — Hotel And Tavern Or Motel And Tavern:

9.1.

A hotel and tavern or motel and tavern license authorizes the retail sale on the premises specified, of alcoholic liquor by the drink for consumption on the premises, and beer and vinous beverages by the bottle, carafe, or beer by the pitcher of a capacity not to exceed sixty (60) ounces.

9.2.

The license shall only be available for premises defined as a "hotel and tavern or motel and tavern" herein.

9.3.

All such liquor service, excepting beer and vinous beverages by the bottle, carafe, or beer by the pitcher of a capacity not to exceed sixty (60) ounces shall be by the drink only, and may be served from a customer bar or as provided in Subsection 3-3-11.1.1 of this Section.

9.4.

The annual fee for a class J license shall be three thousand one hundred dollars (\$3,100.00).

10.

Class K — Catering License:

10.1.

A catering license authorizes the sale of alcoholic liquor in connection with the operation of a catering business within the City, which sale shall be made at the registered office of the licensee, which shall be the licensed premises, and nowhere else.

10.2.

Alcoholic liquor shall only be sold and served by the licensee in connection with the catering of foods.

10.3.

In addition to the other requirements of this Chapter, a class K license shall only be issued to persons who can demonstrate that they are operating a bona fide catering business with headquarters within the city.

10.4.

The annual fee for a class K license shall be one thousand dollars (\$1,000.00).

11.

Class L — Special Event License:

11.1.

Authorizes the retail sale of wine and/or beer only, on the specified premises. Such special event licenses are to be granted to local not for profit community organizations chartered as such, or governmental entities, which are dedicated to the realization of local goals which are a direct benefit to all the citizens of the City. Such sales are limited to the public in general at a picnic, carnival or similar function.

11.2.

Such license authorizes the retail sale and/or consumption of wine and/or beer only, on municipally owned property, such as streets, roads or parks. The boundaries of the licensed

premises and the duration of the license shall be established by the local Liquor and Tobacco Control Commissioner. The licensee shall maintain the premises in a neat, orderly and safe condition, shall provide such traffic control and sanitation facilities as may be required by the local Liquor and Tobacco Control Commissioner to protect the public health, safety, welfare and morals of the residents of the City, and shall restore the premises after expiration of the license to its prior condition, including the removal of trash, rubbish and garbage in accordance with this Code. No alcoholic liquor shall be brought onto the premises or consumed on the premises other than that provided by the licensee under the terms and conditions of this Chapter and its license.

11.3.

The retail sale and consumption of wine and beer authorized by a license issued pursuant to this Subsection 3-3-11.11 shall be limited to the premises specified in the license, which premises shall be entirely enclosed in a tent, in a fenced area, or entirely enclosed by a double fence with at least four feet (4') separating each fence row, demarcating the licensed premises.

11.4.

Such licenses hereunder shall be limited to two (2) such licenses for any applicant in any calendar year.

(Ord. 03-181, 8-19-2003; amd. Ord. 07-239, 11-6-2007; Ord. No. 12-150, § 1, 12-18-2012)

11.5.

There shall be no additional charge for an entertainment permit used in conjunction with the license issued hereunder.

(Ord. 03-181, 8-19-2003; amd. Ord. 07-239, 11-6-2007; Ord. 08-085, 5-6-2008)

11.6.

All persons who will sell, serve, or dispense any alcoholic beverages shall annually attend a course of instruction given by the Naperville Police Department and the Naperville Liquor and Tobacco Control Commissioner prior to the event for which such license is issued.

11.7.

The fee for such license shall be fifty dollars (\$50.00) per day, plus payment to the City for the actual cost incurred by the City in providing additional police personnel necessitated by improper conduct or control by the licensee on the specified premises. Each licensee who is to be held responsible for additional charges shall receive an itemized invoice therefor, shall be given an opportunity to review the charges with the Liquor and Tobacco Control Commissioner, and shall thereafter promptly pay any such additional charge determined by the Commissioner to be due the City.

(Ord. 03-181, 8-19-2003; amd. Ord. 07-239, 11-6-2007)

12.

Class M — Recreational License:

12.1.

A recreational license authorizes the retail sale, on the premises specified, for consumption on said premises, of alcoholic liquor by the drink or vinous beverages by the bottle or carafe, or beer if by the pitcher of a capacity not to exceed sixty (60) ounces or by the bottle or glass of a capacity not to exceed sixteen (16) ounces.

12.2.

Service of alcoholic liquor shall be only during the time that the recreational portions of the

premises are open and available for use.

12.3.

Food may be served for the convenience of the patrons, so long as such food service complies with all applicable health regulations and licensing requirements.

12.4.

A certified record of annual revenue shall be included with the liquor license renewal application and shall be considered by the local Liquor and Tobacco Control Commissioner as a basis of nonrenewal of the liquor license.

12.5.

A recreational license issued for a golf course may also authorize the retail sale of alcoholic liquor for consumption outside the physical structure of the premises but adjacent to and within the property lines of the golf course, excluding public parking lots, sidewalks, and roadways, subject to the following provisions:

12.5.1.

All alcoholic liquor shall be purchased from the recreational premises. No outside alcoholic liquor shall be permitted on the premises, and

12.5.2.

A policy of dramshop insurance shall be required for the outside premises and shall comply with all the insurance requirements as provided for in this Chapter and 235 Illinois Compiled Statutes 5/6-21, and

12.5.3.

A certified BASSET trained employee shall be responsible for the service of alcohol at the outside recreational activity.

12.6.

The annual fee for a class M license shall be two thousand dollars (\$2,000.00).  
(Ord. 08-085, 5-6-2008; Ord. No. 13-048, § 2, 5-21-2013)

13.

Special Promotional Permits:

13.1.

Promotional activities by local merchants or under sponsorship of a local not for profit organization for the sale of merchandise other than undergarments, sleepwear, lingerie and swimming attire, displayed by live models, shall be permitted within class A, B, I, J, K, L or M licensed premises.

13.2.

The fee for such permit shall be twenty-five dollars (\$25.00) per event.

14.

Bottle Permit:

14.1.

Sale at retail of distilled spirits, vinous beverages and beer by the bottle to registered guests within their rooms for consumption therein shall be permitted under class I and J licenses only.

15.

Class N — Wine/Champagne Basket Sales License:

15.1.

Authorizes the retail sale of bottled wine or champagne to be sold exclusively as part of an arrangement in a gift basket by an establishment in which the retail sale of bottled wine and

champagne is the primary and principal business thereof.

15.2.

In addition to other requirements of this Chapter, a class N license shall only be issued to persons who can demonstrate that they are operating a bona fide wine/champagne gift basket business.

15.3.

Wine and champagne shall be sold in sealed packages only and consumption on the premises where sold is not permitted.

15.4.

The annual fee for the class N license shall be one thousand dollars (\$1,000.00).

15.5.

For purposes of this license classification, a "basket" shall be defined as a decorative gift container which may be constructed of wood, metal, plastic, woven rope, decorative paper or plastic bag or such similar material the purpose of which is to hold the gift bottle arrangement.

15.6.

Wine and champagne tasting may be permitted by a class N licensee as a monthly promotion, for a period not to exceed three (3) consecutive days each month. This privilege is subject to an annual fee of one hundred dollars (\$100.00) in addition to the prescribed fee, except that no licensee shall give or offer to give away alcoholic liquors as a gift, gratuity, or tie in with the sale of nonalcoholic products or to induce the purchase of or promote the sale of nonalcoholic products. (Wine and champagne tasting under this Subsection 3-3-11.15.6 shall be limited to wines and champagne only.)

15.7.

Wine and champagne tasting may be permitted by a class N licensee as a promotion each week for a period not to exceed two (2) consecutive days. This privilege is subject to an annual fee of two hundred dollars (\$200.00) in addition to the prescribed fee, except that no licensee shall give or offer to give away alcoholic liquors as a gift, gratuity or tie in with the sale of nonalcoholic products or to induce the purchase or promote the sale of nonalcoholic products. (Wine and champagne tasting under this Subsection 3-3-11.15.7 shall be limited to wines and champagne only.) A class N licensee may secure either the privilege allowed by Subsection 3-3-11.15.6 of this Section or this Subsection 3-3-11.15.7, but not both.

16.

Class O — Nightclubs:

16.1.

A nightclub license authorizes the retail sale on the premises specified of alcoholic liquor by the drink for consumption on the premises, and beer, vinous beverages by the bottle, carafe or beer by the pitcher of a capacity not to exceed sixty (60) ounces.

16.2.

The license shall only be available for premises defined as a "nightclub" herein.  
(Ord. 03-181, 8-19-2003; amd. Ord. 07-239, 11-6-2007)

16.3.

All such liquor service, excepting beer and vinous beverages by the bottle, carafe or beer or margaritas by the pitcher of a capacity not to exceed sixty (60) ounces shall be by the drink only, and shall be served from a service bar by waitresses and waiters.  
(Ord. 07-081, 5-1-2007; amd. Ord. 07-239, 11-6-2007)

16.4.

The annual fee for a class O license shall be two thousand one hundred dollars (\$2,100.00), which shall be in addition to the license fees required for an entertainment permit under Section 3-3-15 of this Chapter.

(Ord. 07-081, 5-1-2007; amd. Ord. 07-239, 11-6-2007; Ord. 08-085, 5-6-2008)

16.5.

No class O license shall be issued to a premises not within a shopping center complex of not less than sixty thousand (60,000) square feet of gross building floor area. No more than one class O license shall be permitted in any such shopping center, except that there may be permitted an additional class O license under the following circumstances:

16.5.1.

In shopping centers of at least one hundred thousand (100,000) square feet of gross building floor area, an additional class O license may be permitted if such license is located in a premises which primary business is other than the sale of alcoholic liquor. For purposes of this Subsection, a primary business, other than the sale of alcoholic liquor, if not more than twenty-five percent (25%) of the annual gross revenue from the premises is derived from the sale of alcoholic liquor.

16.6.

The square footage requirements for class O licenses are not applicable to renewal of existing class O licenses, and shall not preclude the issuance of a liquor license to the purchaser of an established premises for which a liquor license has been previously issued.

(Ord. 07-239, 11-6-2007)

17.

Class P — Brewery/Retailer:

17.1.

Authorizes the retail sale of craft beer only as defined herein brewed on the premises and in its original package for consumption off the premises, maintenance of facilities on the premises for the manufacture of craft beer, and storage of the manufactured craft beer on the licensed premises.

17.2.

The retail sale of craft beer is limited to the craft beer manufactured on the premises under this classification, and shall be permitted during the authorized hours of business subject to the following conditions:

17.2.1.

The portion of the licensed premises dedicated to the retail sale of craft beer shall be segregated from the remainder of the premises;

17.2.2.

The location of the retail sale and consumption of craft beer shall be limited to the retail portion of the licensed premises, except during supervised tours and private parties located in the manufacturing area;

17.2.3.

No more than three (3) craft beer servings shall be served to any customer in one (1) day and each serving shall be limited to either: by the glass, having a capacity of not more than sixteen (16) ounces; by the bottle, having a capacity of not more than twelve (12) ounces; or by the

flight, having not more than four (4) glasses with each glass not having more than four (4) ounces;

17.2.4.

All applicable taxes including sales tax shall be collected and paid on all revenue realized from the retail sale of craft beer; and

17.2.5.

Compliance with all terms and conditions set forth in the definition of this class.

17.3.

A premises granted or issued a Class P license, or any renewal thereof, shall be subject to the following conditions:

17.3.1.

The licensed premises shall not exceed manufacture of four hundred sixty-five thousand (465,000) gallons per year;

17.3.2.

Reserved;

17.3.3.

Licensee shall maintain accurate records as to the total gallonage of beer manufactured on the premises and the total gallonage of beer manufactured on the premises and sold for consumption off-premises. Licensee shall produce said records to the city upon request;

17.3.4.

The portion of the licensed premises dedicated to the manufacturing of craft beer shall be segregated from the remainder of the premises and shall not be generally accessible to the public;

17.3.5.

Not more than twenty-five percent (25%) of the total gross square footage area of the physical premises shall be designated to the retail sale of craft beer; and

17.3.6.

Compliance with and adherence to any and all applicable Federal, State, and local laws and regulations, including, but not limited to procurement of requisite Federal Brewer's Notice; Illinois Manufacturer's (Brewer's) Liquor License; State of Illinois Craft Brewer's License; and any and all other requisite licenses and permits concerning manufacture, packaging, storing, sale, and distribution of alcoholic beverages.

17.4.

The annual fee for a Class P license shall be two thousand dollars (\$2,000.00).

17.5.

A premises granted or issued a Class P license, or any renewal thereof, shall be eligible to hold a marketing event permit subject to the following conditions:

17.5.1.

A marketing event permit authorizes the holder of a Class P liquor license, for the purpose of commemorating the release of a limited edition craft beer, to engage in the retail sale of craft beer manufactured on the premises in its original package for consumption off the premises and to engage in the retail sale and consumption of craft beer manufactured on the premises for consumption on specified premises.

17.5.2.

The boundaries of the licensed premises and the duration of the marketing event permit shall be established by the local liquor and tobacco commissioner. In no case may the permitted

marketing event exceed a ten-hour period. Sale and distribution of all craft beer shall cease at 9:30 p.m. or as specified in the marketing event permit with consumption to cease thirty (30) minutes thereafter.

17.5.3.

The licensee shall coordinate its marketing event with the city's special event committee and it shall, at its own cost, maintain the specified premises in a neat, orderly, and safe condition; provide such traffic control and sanitation facilities; and comply with any other conditions as required by the local liquor and tobacco commissioner to protect the public health, safety, welfare and morals of the public. The licensee shall, at its own cost, restore the specified premises after expiration of the marketing event permit to its prior condition, including removal of trash, rubbish, and garbage in accordance with this Code.

17.5.4.

The retail sale and consumption of craft beer authorized per the marketing event permit shall be limited to the premises specified in the marketing event permit and any portion of said premises located conducted in, at or upon a premises other than with a permanent, enclosed structure shall be entirely enclosed in a tent or enclosed by a fence, demarcating the licensed premises.

17.5.5.

Entry to the marketing event shall be limited to persons twenty-one (21) years of age or older. Identification shall be required of all persons attempting to enter the premises. Such identification shall be limited to a government issued driver's license or photo identification card.

17.5.6.

All persons who sell, open, pour, dispense or serve craft beer shall be twenty-one (21) years of age or older and shall be certified under the Beverage Alcohol Sellers and Servers Education and Training (BASSET) program pursuant to Rule 5 as adopted by the local liquor and tobacco commissioner.

17.5.7.

Craft beer shall be sold and dispensed only in containers provided by the licensee. Craft beer servings for consumption on the premises shall be dispensed in containers no larger than sixteen (16) ounces. Craft beer sold within the specified premises, for consumption on the premises, shall not be removed from the specified premises.

17.5.8.

No alcoholic liquor shall be brought onto the specified premises or consumed on the specified premises other than the craft beer sold at retail by the licensee under the terms and conditions of this marketing event permit.

17.5.9.

Persons attending the marketing event shall not be limited to only three (3) craft beer servings generally applicable to Class P licensees (Subsection 3-3-11:17.2.5, Naperville Municipal Code).

17.5.10.

It shall be the responsibility of the licensee to insure strict compliance with the provisions of this Chapter. All sales and consumption of craft beer may be ordered to immediately cease for the remainder of the permitted duration upon the order of the local liquor and tobacco commissioner or his or her designee upon the determination by such person that any person being served or consuming an alcoholic beverage within the premises is under the influence of alcohol and/or drugs.

17.5.11.

A Marketing Event Permit is a privilege issued on an event-by-event basis per the local liquor

and tobacco commissioner's sole discretion. The issuance of said permit on any prior occasion does not guarantee the issuance of said permit in the future.

17.5.12.

A marketing event permit hereunder shall be limited to no more than two (2) such permits per applicant per calendar year.

17.5.13.

The fee for a marketing event permit shall be fifty dollars (\$50.00), plus payment to the city for the actual cost incurred by the city to provide any necessary city services, including but not limited to trainings, inspections, parking, transportation, street closures, and public safety personnel. If there are said charges, the city will provide the licensee with an itemized invoice therefor. If requested, the licensee shall be given an opportunity to review or contest any charges to the local liquor and tobacco commissioner, and thereafter shall be required to pay any charges determined by the local liquor and tobacco commissioner to the city within thirty (30) days. (Ord. No. 11-134, § 1, 9-20-2011; Ord. No. 13-051, § 1, 6-4-2013)

18.

Class Q — Complimentary Spirits, Beer And Wine:

18.1.

Permits an all suite type hotel to serve complimentary spirits, beer and wine to registered guests between the hours of four o'clock (4:00) p.m. and seven o'clock (7:00) p.m. Hors d'oeuvres or other food must be served continually during the complimentary hours. Service of such complimentary beverages shall be provided only in an area separate and apart from the lobby and other common use areas of the hotel.

18.2.

If an all suite type hotel currently has a class I liquor license then they need not also obtain a class Q liquor license.

18.3.

The annual fee for a class Q liquor license shall be two hundred fifty dollars (\$250.00). (Ord. No. 14-192, § 1, 12-16-2014)

19.

Class R — Legitimate Theater House:

19.1.

Permits the sale at retail to patrons of the premises of beer and vinous beverages not more than one hour before the start of the theatrical performance and during intermission for a period of not more than one-half (½) hour.

19.2.

Such sale and delivery shall be confined to the lobby or foyer of the licensed premises.

19.3.

Such area shall be without seating and shall be fully illuminated.

19.4.

Beer or vinous beverage may be removed from such segregated area by a patron to the theater portion of the premises only.

19.5.

Such beer and vinous beverages shall be served from a customer bar only. Beer shall be served by the glass or bottle only, having a capacity of not more than twelve (12) ounces. Vinous

beverages shall be served by the glass only, and such vessel shall have a capacity of not more than five (5) ounces.

19.6.

The display of the uncovered female breast or the genitalia of either sex or the display or department of the human body in a manner that is lewd, lascivious, or appeals to prurient interests is strictly prohibited as are any productions exploiting minors in a sexual manner.

19.7.

The annual fee for a class R license shall be five hundred dollars (\$500.00).

(Ord. 03-181, 8-19-2003; amd. Ord. 07-239, 11-6-2007; Ord. No. 12-060, § 1, 6-5-2012)

20.

Class S—Specialty Wine Shop:

20.1.

Authorizes the retail sale of wine and craft beer only for consumption off premises. (Ord. No. 11-024, § 1, 2-1-2011)

20.2.

A premises granted or issued a class S license, or any renewal thereof, shall be subject to the following conditions:

20.2.1.

The licensed premises shall not exceed a gross area of one thousand five hundred (1,500) square feet total.

20.2.2.

Not less than twenty percent (20%) of the total gross area of the licensed premises shall be designated for the sale of specialty foods.

20.2.3.

Service of only the wines permitted to be sold under this classification for consumption off premises, shall be permitted during authorized hours of business under the following conditions:

20.2.3.1. Not more than twelve (12) ounces of wine may be offered for sale, sold or served for consumption on the premises to any one person during any one daily license period.

(Ord. No. 14-191, § 2, 12-16-2014)

20.3.

The annual fee for a class S license shall be one thousand two hundred dollars (\$1,200.00).

(Ord. 04-076, 5-4-2004; amd. Ord. 07-239, 11-6-2007)

21.

Class T—Heritage Society Cultural License:

21.1.

Authorizes the retail sale of beer and wine only to be consumed on the Pre-Emption House premises.

21.2.

Service of beer or wine shall be limited to the hours of food service operation at the Pre-Emption House; however, in no event shall alcohol service begin before ten o'clock (10:00) a.m. Monday through Saturday, and twelve o'clock (12:00) noon on Sundays.

21.3.

Food service at the Pre-Emption House shall comply with all applicable health and licensing

requirements.

21.4.

The cultural, educational and/or recreational enhancement provided by the Heritage Society shall be the primary function of this classification and the sale of beer or wine shall not exceed ten percent (10%) of the revenue of the Heritage Society.

21.5.

A dramshop insurance policy shall be required and must comply with all the insurance requirements, as provided for in this Chapter, the rules and regulations of the local Liquor Control Commissioner and 235 Illinois Compiled Statutes 5/6-21.

21.6.

A certified BASSET trained employee shall be responsible for the service of beer and wine at the Pre-Emption House.

21.7.

The annual fee for the class T license shall be one thousand dollars (\$1,000.00).  
(Ord. 09-039, 4-8-2009)

22.

Outdoor Seating Permit:

22.1.

Notwithstanding any other provision of this Code, it shall be unlawful for any retail liquor licensee to serve alcoholic liquor at an outdoor seating area without first obtaining a permit, as provided herein.

22.2.

An "outside seating area" means a privately owned outdoor location adjacent to premises licensed for consumption on the premises, excluding any private parking area, where alcoholic liquor may be sold and consumed subject to the provisions governing outdoor seating permits herein.

22.3.

Such outdoor seating area may be permitted within a class A, B, C, J, M and U licensed premises subject to the following conditions:  
(Ord. No. 12-144, § 2, 11-20-2012)

22.3.1.

The outdoor seating area shall be clearly designated with a permanent or semipermanent fence and/or barrier consistent with the existing zoning and building ordinances of this Code.

22.3.2.

The location of any outdoor seating area shall comply with all setback requirements in the applicable zoning district, shall not obstruct pedestrian or vehicular traffic and shall comply with all existing ordinances of this Code.

22.3.3.

The hours of operation of any outdoor seating area shall be consistent with the normal operating hours of the licensed premises.

22.3.4.

A certified BASSET trained employee shall be responsible for the service of alcohol at the outdoor seating area.

22.4.

A permit application is required which shall include a detailed site plan showing all existing buildings, structures and objects on the licensed property, and the proposed location of each item to be placed within the outdoor seating area including, but not limited to, permanent or semipermanent fences and/or barriers, partitions, chairs, tables, lighting and serving stations shall be provided and approved by the City of Naperville. The outdoor seating area shall be maintained in compliance with the approved site plan.

22.5.

An inspection of the outdoor seating area shall be performed by the City of Naperville prior to the issuance of an outdoor seating permit.

22.6.

The outdoor seating area shall be in compliance with all requirements of this Code and all other applicable rules and regulations of any governing body regarding the outdoor seating area.

22.7.

The issued permit shall be posted in a conspicuous place inside the licensed premises.

22.8.

All such sales of alcoholic liquor shall in all respects be in conformance with the class of license held.

22.9.

The local Liquor Control Commissioner shall issue the permit.

22.10.

The annual fee for an outdoor seating permit shall be three hundred dollars (\$300.00). (Ord. 06-062, 3-22-2006; amd. Ord. 07-239, 11-6-2007; Ord. No. 12-059, § 1, 6-5-2012)

23.

Class U—Specialty Market License:

23.1.

The primary business conducted on the premises shall be the sale of perishable foods including fresh meat, fish, dairy products, produce, and bakery products.

23.2.

Authorizes the retail sale, on the premises specified, of alcoholic liquor in its original package, not for consumption on the premises.

23.2.1.

The retail sale of alcoholic liquor, not for consumption on the premises shall be in a designated area of the licensed premises as approved by the Liquor Commissioner.

23.2.2.

The display of liquor shall be confined to a liquor display area as approved by the Liquor Commissioner. The liquor display area shall generally be a designated portion of the premises which includes all liquor. In particular, but without limitation, there shall be no aisle displays, or stocking of liquor in any public area of the establishment without the prior approval of the Liquor Commissioner.

23.3.

Authorizes the retail sale of alcoholic liquor for consumption on the premises in the designated restaurant and tavern portion(s) of the specialty market premises.

23.3.1.

The area of the licensed premises authorizing the retail sale of alcoholic liquor for on premises consumption shall meet the definition of restaurant and tavern as provided for in this Chapter.

23.4.

Customers shall not remove open alcoholic beverages from the designated restaurant and tavern area of the premises.

23.5.

A full menu, including entrees and side dishes, and a fully staffed and operational kitchen shall be required until nine o'clock (9:00) p.m. Sunday through Thursday, and ten o'clock (10:00) p.m. Friday and Saturday.

23.6.

No class U liquor license holder shall sell or permit to be sold, offer for sale, give away or permit to be consumed any alcoholic liquor after eleven o'clock (11:00) p.m. on any day.

23.7.

All tastings of alcoholic liquor upon any portion of the licensed premises shall be restricted to:

23.7.1.

A total of three (3) tastings served to a customer in any one (1) day and which shall be limited to:

23.7.1.1. No more than one-fourth ( $\frac{1}{4}$ ) ounce of distilled spirits in each tasting, and

23.7.1.2. No more than one (1) ounce of wine in each tasting, and

23.7.1.3. No more than two (2) ounces of beer in each tasting.

23.8.

No class U liquor license holder shall be eligible for a late night permit.

23.9.

The annual fee for a class U license shall be four thousand one hundred dollars (\$4,100.00). (Ord. No. 12-144, § 2, 11-20-2012)

24.

Class V—Pharmacy Package Store:

24.1.

Authorizes a pharmacy, as defined in this Chapter, to engage in the retail sale, on the premises specified, of alcoholic liquor in its original package, not for consumption on the premises.

24.2.

Liquor tastings, samplings or any other on premises consumption of liquor is prohibited.

24.3.

Distilled spirits shall not be sold in containers less than three hundred twenty-five (325) ml. Wine shall not be sold in individual containers less than three hundred twenty-five (325) ml. Beer shall not be sold in individual cans or bottles, except for craft beer, as defined in this Chapter, which may be sold in individual cans or bottles containing not less than sixteen (16) ounces.

24.4.

The primary purpose of the licensed premise shall be the retail sale of pharmaceuticals, to wit, no less than fifty percent (50%) of annual store revenues shall be generated from pharmaceutical sales made from the pharmacy by a licensed pharmacist or technician. Upon the Liquor Commissioner's request, a certified record of annual revenues shall be included with the liquor license renewal application and may be considered by the Liquor Commissioner as a basis of nonrenewal of the liquor license.

24.5.

The licensed premises shall be at least nine thousand five hundred (9,500) square feet of gross above-grade floor area.

24.6.

The liquor display area shall be a designated portion of the premises which includes all liquor. In particular, but without limitation, there shall be no aisle displays, or stocking of liquor in any public area of the establishment except in the approved liquor display area. Any changes to the location or size of the liquor display area shall be approved by the Liquor Commissioner. The licensee shall prominently post a sign at the entrance of the liquor display area directing patrons as to the hours of prohibited liquor sales.

24.7.

No more than five percent (5%) of the total gross square footage floor space of the licenses premises (excluding storage and employee access only areas) shall be designated for the display of liquor. In no event shall the total gross square footage of the liquor display area exceed five hundred (500) square feet.

24.8.

The licensed premises shall not be located in the Downtown, as defined in this Chapter.

24.9.

Reserved.

24.10.

The annual fee for a Class V license shall be three thousand dollars (\$3,000.00).  
(Ord. No. 14-196, § 2, 12-16-2014)

SECTION 13-206. CLASSIFICATION AND FEES. A nonrefundable fee of \$300.00 shall apply to each initial application for Class A, A-1, B, C, C-1, C-3, C-4, C-5, C-6, D, D-2, D-3, D-4, D-5, D-6 and F-6 licenses.

Liquor licenses shall be and are hereby divided into the following classes with the respective annual fees as indicated: (Ordinance 13-025, 04.16.13)

The initial license fee shall be prorated on a monthly basis if the term of the initial license is for less than one year. (Ordinance 10-029, 05.11.10)

CLASS "A" LICENSES, which shall authorize the retail sale on the premises specified of alcoholic liquor only for consumption on the premises. The annual fee for such license shall be \$4,000.00. (Ordinance 09-066, 09.22.09)

CLASS "A-1" LICENSES, which shall authorize the retail sale on the premises specified of alcoholic liquor only for consumption on the premises and which shall authorize late closing on Friday and Saturday nights as set forth in Section 13-307 herein. The annual fee for such license shall be \$5,000.00. (Ordinance 09-066, 09.22.09)

CLASS "A-2" LICENSES, which shall be issued only in addition to and in conjunction with a Class A or Class A-1 license and which shall authorize the retail sale of alcoholic liquor on the premises in an outside beer garden for consumption on the premises of the beer garden only. The annual fee for such license shall be \$1,500.00. (Ordinance 01-072, 04.24.01)

CLASS "B" LICENSES, which shall authorize the retail sale of alcoholic liquor, but not for consumption on the premises where sold. The annual fee for such license shall be \$3,500.00. (Ordinance 09-066, 09.22.09)

CLASS "C" LICENSES, which shall authorize the retail sale of beer and wine only for consumption on premises. The annual fee for such license shall be \$1,800.00. (Ordinance 07-046, 04.24.07)

CLASS "C-1" LICENSES, which shall authorize the retail sale of beer and wine only for consumption off the premises. The floor area of the portion of the establishment devoted to the sale of beer and wine shall not exceed 15 percent of the total floor area of the retail sales space in such establishment. The annual fee for such license shall be \$1,800.00. (Ordinance 09-066, 09.22.09)

CLASS "C-2" LICENSES, which shall be issued only in addition to and in conjunction with a Class C license and which shall authorize the retail sale of beer and wine only for consumption on the premises of an outdoor cafe where sold and only as a service which is incidental to or accessory to the principal use of the premises for purveying of food. Establishments holding Class "C-2" licenses shall have reduced hours of operation as outlined in Section 13-307 of this Chapter 13 and shall be open only from April 1 through September 30. The annual fee for such license shall be \$1,000.00, which fee shall be in addition to the fee paid for a Class C license.

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CLASS "C-3" LICENSES, which shall authorize the retail sale of imported beer and imported wine only for consumption off the licensed premises where sold. As used herein, the terms "imported beer" and "imported wine" mean beer or wine produced by companies whose manufacturing facilities are primarily located outside the United States, i.e., at least 51% of the manufacturing capacity of the producing company is located outside the United States. The annual fee for such license shall be \$1,500.00. (Ordinance 03-115, 09.09.03)

CLASS "C-4" LICENSES, which shall authorize the sale of wine and craft beer only for consumption off the premises, except that wine/craft beer tasting shall be allowed during authorized hours under the conditions set forth hereinafter. Not more than seven (7) ounces of wine may be served to any one person for consumption on the premises during any one daily license period, and such seven (7) ounces shall be comprised of not less than seven (7) different wines, and no glass shall contain more than

one (1) ounce of wine. Not more than fourteen (14) ounces of craft beer may be served to any one person for consumption on the premises during any one daily license period, and such fourteen (14) ounces shall be comprised of not less than seven (7) different craft beers, and no glass shall contain more than two (2) ounces of craft beer. A price may be set for such tasting. Sales tax shall be collected and paid on all revenue realized from wine or craft beer tasting. For the purpose of this license category, the term "craft beer" means beer from a craft brewery that (1) produces less than 2,000,000 barrels of beer annually; (2) is less than 25% owned or controlled by an alcoholic beverage industry member that is not a craft brewer; and (3) produces a significant volume of either malt beers or beers that use adjuncts to enhance, rather than to lighten, flavor. Sales or tastings of beer which is not a craft beer are prohibited. The annual fee for such license shall be \$1,500.00. (Ordinance 10-046, 07.13.10)

CLASS "C-5" LICENSES, which shall authorize the retail sale of beer and wine for consumption either on the licensed premises or on hotel premises which are immediately adjacent to the licensed premises. The floor area of the portion of the licensed establishment devoted to the sale of beer and wine shall not exceed 25 percent of the total floor area of the retail sales space in such establishment, and no sale of beer or wine shall occur between the hours of 10:00 p.m. and 8:00 a.m. on Sunday through Thursday and between the hours of 11:00 p.m. and 8:00 a.m. on Friday and Saturday. The annual fee for such license shall be \$750.00. (Ordinance 06-133, 12.19.06)

CLASS "C-6" LICENSES, which shall authorize the retail sale in certain specified restaurants of beer and wine only for consumption on the licensed premises where sold. No such license may be granted to or retained by any establishment (a) in which the facilities for food preparation and service are not primarily those of a restaurant and (b) in which not less than 60% of the gross sales receipts are attributable to the sale of food on the licensed premises. Beer and wine may be sold in a restaurant holding a class C-6 license only during the period when patrons of the licensee are offered a complete meal. The annual fee for such license shall be \$3,500.00. (Added by Ordinance 13-013, 02.26.13)

CLASS "C-7" LICENSES, which shall authorize the retail sale of packaged beer and wine only at a Village sanctioned Farmer's Market from June 1 through September 30 in any given year. Sales may only take place no more than once a week for a period of no more than five (5) consecutive hours at one time. The vendor selling beer and/or wine must have a current Illinois State Liquor License and payment of applicable taxes must be made to the State and local liquor authorities. The four (4) month fee for such license shall be \$250.00. (Ordinance 14-030, 04.22.14)

CLASS "D" LICENSES, which shall authorize the retail sale of alcoholic beverages only for consumption on the premises where sold and only as a service which is incidental or accessory to the principal use of the premises as a restaurant. The annual fee for such license shall be \$3,500.00. (Ordinance 09-066, 09.22.09)

CLASS "D-1" LICENSES, which shall be issued only in addition to and in conjunction with a Class D license and which shall authorize the retail sale of alcoholic liquor for consumption on the premises of an outdoor cafe where sold and only as a service which is incidental to or accessory to the principal use of the premises as a restaurant. The annual fee for such license shall be \$1,250.00. (Ordinance 96-015, 02.13.96)

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CLASS "D-2" LICENSES, which shall authorize the retail sale in certain specified restaurants of alcoholic liquor only for consumption on the licensed premises where sold. No such license may be granted to or retained by any establishment (a) in which the facilities for food preparation and service are not primarily those of a restaurant and (b) in which not less than 60% of the gross sales receipts are attributable to the sale of food on the licensed premises. Alcoholic liquor may be sold in a restaurant holding a Class D-2 license only during the period when patrons of the licensee are offered a complete meal. The annual fee

for such license shall be \$3,500.00. (Ordinance 09-066, 09.22.09)

CLASS "D-3" LICENSES, which shall authorize the retail sale in certain specified restaurants of alcoholic liquor only for consumption on the licensed premises where sold. No such license may be granted to or retained by any establishment (a) in which the facilities for food preparation and service are not primarily those of a restaurant and (b) in which not less than 60% of the gross sales receipts are attributable to the sale of food on the licensed premises, and (c) in which any signs advertising alcoholic beverages or the sale of alcoholic beverages are visible on the outside of the building in which the establishment is located. Alcoholic liquor may be sold in a restaurant holding a class D-3 license only during the period when

patrons of the licensee are offered a complete meal. There shall be no live music in an establishment holding a class D-3 license, nor shall a disk jockey play recorded music in such establishment. The annual fee for such license shall be \$3,000.00. (Ordinance 04-134, 10.12.04)

CLASS "D-4" LICENSES, which shall authorize the retail sale of alcoholic liquor for consumption on the licensed premises as an adjunct to meals served. The licensee shall also be permitted to maintain facilities on premises for the manufacture of beer, to make sales of the beer manufactured on the premises to importing distributors, distributors and to non-licensees for use and consumption, to store the manufactured beer upon the premises, and to sell and offer beer for sale at retail from the licensed premises for consumption either on or off the premises; provided, however, that such licensee shall not sell for offpremises

consumption more than fifty thousand (50,000) gallons per year. The licensee shall obtain and maintain in good standing a State of Illinois brew pub license as authorized under 235 ILCS 5/5-1(n). In addition to all records required to be kept by the terms and conditions of the state brew pub license, licensee shall maintain accurate records as to the total gallonage of beer manufactured on premises and the total gallonage of beer manufactured on the premises and sold for consumption off the premises. That portion of the licensed premises dedicated to the brewing of beer shall be segregated from the remainder of the premises and shall not be generally accessible to the public. The annual fee for such license shall be \$4,500.00. (Ordinance 07-011, 01.23.07)

CLASS "D-5" LICENSES, which shall authorize the retail sale of alcoholic liquor for consumption on the licensed premises, which premises are a cinema or theater entertainment venue, consisting of a single or multi-screen operation in conjunction with the purveying of food for consumption on the premises, and further provided that the sale of food and alcoholic beverages shall be accessory to the operation of the premises as a cinema or theater entertainment venue. The annual fee for such license shall be \$3,000.00. (Ordinance 09-040, 06.23.09)

CLASS "D-6" LICENSES, which shall be issued only in addition to and in conjunction with a Class D-1 license and shall authorize the retail sale of alcoholic liquor for consumption on the premises of an off-track betting establishment, which establishment shall be immediately adjacent to the licensee restaurant premises, and only as a service that is incidental to or accessory to the principal use of the licensed premises as a restaurant. The annual fee for such license shall be \$3,500.00. (Ordinance 13-025, 04.16.13)

CLASS "F" LICENSES. There may be a special license issued for the sale of beer only, on a daily fee basis of \$10.00 per day not to exceed five (5) days, for picnics, carnivals and outings conducted by an educational, fraternal, political, civic, religious or not-for-profit organization that does not have a current Illinois Retailer's Liquor License. Said sale and possession thereof shall be in accordance with other provisions and restrictions of this chapter. (Ordinance 09-070, 10.13.09)

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CLASS "F-1" LICENSES. There may be a special license issued for the sale of alcoholic liquor, on

a daily fee basis of \$10.00 per day not to exceed five (5) days, for special events conducted by an educational, fraternal, political, civic, religious or not-for-profit organization that does not have a current Illinois Retailer's Liquor License, provided that such sale takes place within a permanent structure on specified premises, and further provided that no more than two (2) such special licenses shall be issued to any one (1) such organization during the period of one (1) calendar year. (Ordinance 09-070, 10.13.09)

CLASS "F-2" LICENSES. There may be a special license issued for the sale of alcoholic beverages in clubhouses owned and operated by homeowner's associations, which shall authorize the retail sale of alcoholic liquor only for consumption on the premises where sold. The annual fee for such license shall be \$250.00.

CLASS "F-3" LICENSES, which shall authorize the retail sale of alcoholic beverages only for consumption on the premises where sold, which premises are a golf course owned and operated by a governmental body. There shall be no fee for such license. (Ordinance 02-031, 03.26.02)

CLASS "F-4" LICENSES. There may be a special license issued for the sale of alcoholic liquor only for consumption on the premises where sold and only when served accessory to the principal use of the premises for a banquet in a building owned and operated by a township. The number of such banquets during which alcoholic liquor may be served shall be limited to eight (8) banquets per month, provided that said number may be increased during any month upon written approval of the Liquor Commissioner. The annual fee for such license shall be \$3,000.00. (Ordinance 09-066, 09.22.09)

CLASS "F-5" LICENSES, which shall authorize the retail sale of alcoholic beverages only for consumption on the premises where sold, in the immediate vicinity of the Performing Arts Center operated by the Village. There shall be no fee for such license. (Ordinance 02-067, 06.25.02)

CLASS "F-6" LICENSES, which shall authorize the retail sale of prepackaged individual servings of alcoholic beverages only for consumption in a guest room or individual servings of alcoholic beverages only

for consumption in a designated hospitality area of a hotel, which hospitality area has been approved by the Liquor Commissioner, and which alcoholic beverages shall be dispensed only from a mini-bar or served by a hotel employee from a cooler or service bar located in such hotel guest room or hospitality area. The term "hotel" shall mean a business as defined in Article 16 of Chapter 8 of this Code. The annual fee for such license shall be one thousand dollars (\$1,000.00). (Ordinance 05-089, 08.09.05)

CLASS "F-7" LICENSES, which shall authorize the retail sale of beer and wine only, containing twenty percent (20%) or less alcohol by volume, only in conjunction with beer and wine tasting special events to be held on the premises of a public golf course, as specified on the license. No more than twelve one-day beer or wine tasting events shall be conducted on the premises during any calendar year. The annual fee for such license shall be five hundred dollars (\$500.00). (Ordinance 06-045, 04.25.06)

CLASS "F-8" LICENSES, which shall authorize the retail sale of packaged beer and wine on the premises where sold, in the immediate vicinity of the Performing Arts Center operated by the Village, in conjunction with a scheduled event. The vendor may sell packaged beer and wine provided that they hold a current State of Illinois Retail Liquor License and payment of applicable taxes are made to the State and local liquor authorities. This license shall be issued on a daily basis and there shall be no fee for such license. (Ordinance 14-016, 03.25.14)

#### 4-1-7: LICENSE CLASSIFICATIONS: linklink

Retail liquor licenses issued under this chapter shall be divided into the following classes:

**CLASS A-1:** Retail sale of alcoholic liquor for consumption on the premises where sold when the primary business conducted on said premises is that of a restaurant, when the ratio of seating predominantly or exclusively used for dining purposes to that seating for bar or lounge areas equals or exceeds three and one-half to one (3.5:1). A license of this classification may be issued to an establishment located within another establishment, such as a department store, provided that the licensed establishment meets all other criteria stated herein. Holders of a class A-1 license with banquet hall facilities containing not less than three thousand (3,000) square feet of floor space open to the public may dispense alcoholic liquor brought on the licensee's premises by a customer of the licensee in conjunction with the use of the licensee's banquet hall facility and the licensee may charge such customer a fee in connection with the service of such alcoholic liquor. Also permitted is the distribution of alcoholic liquor for consumption on the premises provided that the alcoholic liquor is not sold and is offered only in conjunction with a special event or sale which is by invitation only and not open to the general public in a department store which contains at least fifty thousand (50,000) square feet of retail area.

**CLASS A-2:** Retail sale of alcoholic liquor for consumption on the premises where sold when the primary business conducted on said premises is that of a restaurant when the ratio of seating predominantly or exclusively used for dining to that seating for bar/lounge area is less than three and one-half to one (3.5:1), but not less than one and four-tenths to one (1.4:1). A license of this classification may be issued to an establishment located within another establishment, such as a department store, provided that the licensed establishment meets all other criteria stated herein. Holders of a class A-2 license with banquet hall facilities containing not less than three thousand (3,000) square feet of floor space open to the public may dispense alcoholic liquor brought on the licensee's premises by a customer of the licensee in conjunction with the use of the licensee's banquet hall facility and the licensee may charge such customer a fee in connection with the service of such alcoholic liquor.

**CLASS A-3:** Retail sale of alcoholic liquors for consumption on the premises where sold, such as in a tavern, saloon or bar where the primary business is not that of a restaurant.

**CLASS B:** Retail sale of alcoholic liquors in the original package, not for consumption on the premises where sold, except for as specifically permitted by section 4-1-17 of this chapter. No licensee shall give, or offer to give, alcoholic liquor as a gift or gratuity with the sale of products other than alcoholic liquors, or induce the purchase of or promote the sale of products other than alcoholic liquors, except for as specifically permitted by section 4-1-17 of this chapter. A license of this classification may be issued to an establishment located within another establishment, such as a department store, provided that the licensed establishment meets all other criteria stated herein.

**CLASS C:** Retail sales of alcoholic liquors for consumption on the premises of regularly organized clubs.

CLASS D: Retail sale of alcoholic liquor in conjunction with the service of food by caterers for catered events conducted off the premises of the licensee, provided that the sale of alcoholic liquor by the drink is not permitted.

CLASS E: Retail sale of alcoholic liquor in hotels and motels. Retail sales may take place only in areas specifically designated on the license.

A. The holder of a class E license issued to a hotel/motel may install cabinets for the storage of liquor for the use of room guests in each room; provided, however, that each such cabinet shall be securely locked and a separate key from the room key given only to a guest twenty one (21) years or older at the time of registration.

B. Any hotel/motel providing cabinets for the storage of liquor available in guestrooms on the effective date hereof shall provide locks for such cabinets.

CLASS F: Retail sale or dispensing of alcoholic liquor on a temporary basis during a special event as defined and regulated in section 4-1-17 of this chapter.

CLASS G: Retail sale of alcoholic liquor for consumption at the village sports core which includes the following facilities: municipal golf clubhouse, beverage cart service, veranda, Oak Brook Room, Saddle Room, polo fields, poolside and library.

CLASS H: Retail sale of alcoholic liquor for consumption on the premises of municipally owned and operated recreation facilities, including the grounds, but not including the village sports core.

CLASS I: Retail sale of alcoholic liquor for consumption on the premises where sold when the primary business conducted on the premises is that of a movie theater, provided that a movie theater is not an adult motion picture theater. (Ord. G-1046, 4-14-2015)  
The section below has been affected by a recently passed ordinance, 1057 - "BYO" LIQUOR REGULATIONS. Go to new ordinance.

The section below has been affected by a recently passed ordinance, 1061 - AUTHORIZED LIQUOR LICENSES. Go to new ordinance.

#### 4-1-8: LICENSE FEES AND NUMBER: linklink

A. Fees And Number Of Licenses Authorized: The fees for the licenses issued and the number of licenses authorized pursuant to this chapter shall be as follows:

Class Of License	Application
Fee	Annual
License Fee	Number
Issued	

Oak Brook

A-1	\$2,000 .00	\$2,750 .00	26	
A-2	2,000 .00	2,750 .00	0	
A-3	2,000 .00	2,750 .00	1	
B	2,000 .00	2,750 .00	14	
C	2,000 .00	2,200 .00	1	
D	2,000 .00	2,200 .00	2	
E	2,000 .00	4,950 .00	6	
F	No fee	\$50.00 per event		Not applicable
G	No fee	No fee	0	
H	No fee	No fee	1	
I	\$2,000.00	\$2,750.00	1	