

**AGENDA  
DOWNERS GROVE LIQUOR COMMISSION  
APRIL 6, 2017  
VILLAGE HALL COUNCIL CHAMBERS**

**6:30 P.M.**

- I            Call to Order**
  
- II           Roll Call**
  
- III          Approval of Minutes of March 2, 2017 Liquor Commission Meeting**
  
- IV          Application Hearing**  
  
              Tacochela  
              2321 Ogden Avenue  
              Class R-2
  
- V           Old Business**
  
- VI          New Business**  
  
              Ordinance Discussion
  
- VII        Comments from the public**
  
- IX         Adjournment**

**DOWNERS GROVE LIQUOR COMMISSION  
VILLAGE HALL COUNCIL CHAMBERS  
801 BURLINGTON AVENUE**

Thursday, March 2, 2017

**DRAFT**

**I. CALL TO ORDER**

Chairman Strelau called the March 2, 2017 Liquor Commission meeting to order at 6:45 p.m.

**II. ROLL CALL**

**PRESENT:** Mr. Clary, Ms. Pietrucha (6:45), Mr. Krusenoski, Chairman Strelau

**ABSENT:** Mr. Austin, Mr. Jacobson, Ms. King

**STAFF:** Liaison to the Liquor Commission Carol Kuchynka, Village Attorney Enza Petrarca

**OTHERS:** Susan Shelton, Deborah Klinkhammer, Patti Alumbaul, Rebeca Militello, Frank Militello, Dorata Lantz, Bin Yu, Court Reporter

**III. APPROVAL OF MINUTES**

Chairman Strelau asked for approval of the minutes for the February 2, 2017 Liquor Commission meeting and asked members if there were any corrections, changes or additions.

Hearing no changes, corrections or additions, the February 2, 2017 minutes of the Liquor Commission meeting were approved as written.

Chairman Strelau reminded those present that this evening's meeting was being recorded on Village-owned equipment. Staff was present to keep minutes for the record and a court reporter was present taking the minutes verbatim.

**IV. DISCIPLINARY HEARING FOR ALLEGED VIOLATIONS**

Chairman Strelau made the following statements:

"Section 3-40 of the Downers Grove Municipal Code provides that the Local Liquor Commissioner may revoke or suspend any license issued if the Commissioner determines that the licensee has violated any of the provisions of this chapter or any State law pertaining to the sale of alcohol. Both under the Section cited above, and under Chapter 235, Section 5/7-5, Illinois Compiled Statutes, the Local Liquor Commissioner is required to hold a public hearing after notice to the licensee, in which the licensee is afforded an opportunity to appear and defend. Pursuant to Section 3-5 of the Downers Grove Municipal Code, this hearing is being conducted by the Local Liquor Commission at the request of the Local Liquor Commissioner."

"The Commissioner has the power to temporarily suspend a license without a hearing if there is reason to believe that continued operation of the licensed business would immediately threaten the welfare of this community. Such was not done in these cases. The licensee may be represented by counsel, although he need not be for the purposes of this hearing."

Chairman Strelau asked if there was a signed stipulation in this case. Ms. Petrarca replied yes.

Chairman Strelau made the following statements:

"In view of the stipulation the order of this hearing will be substantially as follows:"

- A. Prosecution will read the signed stipulation into the record with the opportunity for the licensee to register its concurrence or non concurrence for the record.
- B. Prosecution may present any additional evidence in this case with the right of the licensee to cross-examine.
- C. Licensee may present any defense or mitigating evidence with right of prosecution to cross-examine.
- D. Summary of case by prosecution and defense."

"The prosecution should establish that timely notice of this hearing has been provided to the licensee."

"Witnesses shall be sworn."

"Strict rules of evidence will need not be adhered to although the Commission expects to exercise control over the hearing to ensure that irrelevant or repetitive testimony does not unduly prolong the hearing."

"A court reporter is present and will take the proceedings verbatim. Staff is also present for the purpose of summarizing the proceedings."

"The Commission will submit the findings and recommendations to the Local Liquor Commissioner regarding the existence and nature of any violation."

"Upon receipt of the recommendation of the Commission, the Commissioner will render a decision and the licensee will be notified in writing."

**Portillo's Hot Dogs - 1500 Butterfield Road**

Chairman Strelau stated that the next order of business was to conduct a disciplinary hearing for Portillo's Hot Dogs, LLC d/b/a Portillo's Hot Dogs located at 1500 Butterfield Road. She stated that the licensee has been charged with a violation of Section 3-25(a) of the Downers Grove Liquor Control Ordinance.

Chairman Strelau asked that any individual(s) representing the licensee step forward and be seated. She asked that any individual(s) giving testimony, state and spell their name for the record, indicate their affiliation with the establishment and be sworn in by the court reporter.

Ms. Susan Shelton was sworn in by the court reporter. She introduced herself as corporate counsel for Portillo's.

Chairman Strelau asked the prosecuting attorney to present her case.

Ms. Petrarca stated that the parties to this hearing before the Liquor Commission of the Village of Downers Grove by and through their attorneys, if any, hereby stipulate as follows:

1. Portillo's Hot Dogs, LLC d/b/a Portillo's Hot Dogs, 1500 Butterfield Road, Downers Grove, Illinois, is the holder of a Class R-2 Liquor License #LQ-000048, issued by the Village of Downers Grove. That said Licensee has held a liquor license for this location from the Village of Downers Grove since November 21, 1983.
2. Notice of this hearing was served upon the Licensee by certified mail to its registered agent and by personal delivery to the manager of the licensed premises.
3. At approximately 5:23 p.m. on Monday, January 9, 2017, Downers Grove Police Officer Buzucky and Downers Grove Police Officer Lyerly observed S.G., a special agent of the Downers Grove Police Department under the age of twenty-one (21), whose date of birth is October 16, 1998 (making her 18 years old), enter Portillo's Hot Dogs located at 1500 Butterfield Road, Downers Grove.
4. The special agent proceeded to the beer counter and Elizabeth E. Webb asked the special agent for her order.
5. The special agent ordered a Miller Lite draft beer while Officers Buzucky and Lyerly observed her.
6. That Elizabeth E. Webb, whose date of birth is March 23, 1974, then asked the special agent for identification.
7. That the special agent produced her valid Illinois driver's license indicating her date of birth as 10/16/98, and reading "Under 21 until 10/16/19" on the face of the license.
8. That Elizabeth E. Webb viewed the special agent's driver's license and then returned the driver's license to the special agent.
9. That Elizabeth E. Webb rang up the sale charging the special agent \$3.78 for the beer.
10. That the special agent produced a \$20.00 bill and received \$16.22 in change from Elizabeth E. Webb.
11. That Elizabeth E. Webb then served the special agent a goblet of Miller Lite draft beer.
12. Officers Buzucky and Lyerly who witnessed the events in the foregoing paragraphs, identified themselves and advised that the delivery of an alcoholic beverage had been made to a minor.
13. Elizabeth E. Webb was issued a Village ordinance administrative citation for delivering alcohol to a minor in violation of Section 3-25(a) of the Downers Grove Municipal Code.
14. The Officers advised that notice of further action would be forthcoming from the Downers Grove Liquor Commission.

Ms. Petrarca asked that the signed stipulation be entered into the record as Village's Exhibit #1.

Chairman Strelau accepted the signed stipulation as Village Exhibit #1.

Chairman Strelau asked the licensee to present its case.

Mr. Shelton apologized for the violation.

Ms. Shelton advised that Portillo's had held a license since 1983. She stated that they have 42 licenses in six states. She stated that they have a TIPS trainer that certifies employees and noted that they trained 339 employees in 2016. She noted that not all communities require training prior to serving alcohol but added that Portillo's employees over 21 are trained upon hire. She stated that Ms. Webb was trained on January 12, 2016. She stated that 15 employees hold TIPS training certificates at the Downers Grove location. She stated that since the incident all liquor servers have been re-trained.

Ms. Shelton advised that Portillo's passed a compliance test on February 15<sup>th</sup>.

Ms. Shelton stated that a "No Vertical License Accepted Sign" was posted, however, it was inadvertently removed during maintenance on equipment. She said the signage was re-posted in the store since the incident and submitted the sign as an exhibit. She stated that the sign serves as a reminder for employees not to accept the vertical license.

Ms. Shelton stated that Portillo's is a family restaurant and that they regularly remind management staff of company wide policies through weekly "hound meeting" correspondence. She stated that having a license is a privilege and not a right and that it is their duty to follow guidelines and they want to protect their reputation.

Ms. Shelton advised that all servers will now have a blue colored name tag to distinguish those on duty that are authorized and TIPS certified to serve alcohol.

Ms. Shelton advised that she watched the security video of the transaction and admitted that the stipulation of facts was accurate. She stated that she spoke personally with Ms. Webb about the incident. She advised that Ms. Webb retained an attorney. She stated that they felt the Village fine of \$500 was punishment enough as she is a single mother on a fixed income. She advised that Ms. Webb was relieved of her alcohol serving duties. She stated that they opted not to suspend her, which would be the normal practice in disciplining employees in this instance.

Ms. Shelton stated that Ms. Webb gave her authority to disclose to the Commission that she has a medical issue, was on medication at the time of the incident and indicated that she was confused on the evening of the violation. She stated that it was close to the anniversary of her mother's death, however, never informed managers of her being under pressure or of her health situation. She noted that Ms. Webb was a good employee.

Ms. Shelton advised that since 2010, Portillo's has passed 31 compliance tests and noted two failures company-wide since then.

Ms. Shelton stated that Portillo's would prefer to serve a suspension in lieu of a fine.

Chairman Strelau requested comments from the Commission.

Mr. Clary asked if there were any violations prior to 2010. Ms. Shelton replied that in the 1990's, Portillo's had three failures in the Village of Downers Grove.

Mr. Clary clarified if Ms. Webb was still serving liquor. Ms. Shelton replied no.

Mr. Clary stated that the Village takes liquor serving seriously. He noted that because the sign was not posted was not the reason they failed and noted human error. He stated that they need to communicate the consequences of serving minors. He stated that the incident was very disappointing.

Ms. Pietrucha asked what the normal punishment is to an employee who serves a minor. Ms. Shelton replied that a one week suspension. She advised that Portillo's employees do not receive tips and felt the fine from the municipality was just punishment. She noted that Ms. Webb is a single mother and Ms. Shelton asked the CEO on her behalf to waive Ms. Webb's suspension. She added that since being removed from serving duty, Ms. Webb has lost this higher paying position which will impact her salary.

Ms. Pietrucha asked Ms. Shelton to explain the "hound meeting". Ms. Shelton advised that managers have weekly hound meetings to discuss weekly corporate correspondence that is sent about procedures and laws that impact the stores. She stated that it is communication sent to stores and then managers sign off that they have reviewed it. She stated that they share the information at pre-meal staff meetings with servers. Ms. Sheldon stated that managers will be reminded about the compliance tests and the consequences of serving a minor.

Ms. Pietrucha asked Ms. Shelton would consider a fair consequence to the establishment for serving a minor. Ms. Shelton replied that she could not be impartial on an answer of behalf of the company. She stated that she knew there are consequences, but did not want to suggest a punishment.

Mr. Krusenoski asked how long Ms. Webb had been employed with Portillo's. Ms. Shelton replied five years.

Mr. Krusenoski asked if Ms. Webb had been employed for five years, even though only obtaining her certification in 2016. She referred to Ms. Klinkhammer. Ms. Shelton replied a little over a year.

Ms. Debbie Klinkhammer was sworn in by the court reporter. She introduced herself as the liquor manager for Portillo's.

Mr. Krusenoski asked if Ms. Webb had any prior experience serving liquor. Ms. Klinkhammer replied no, not to her knowledge.

Mr. Krusenoski asked Ms. Klinkhammer if she was Ms. Webb's immediate supervisor. Ms. Klinkhammer replied that she is the general manager of the establishment.

Mr. Krusenoski stated that the license was asked for and was shown an identification. He stated that the vertical license eliminates the math involved and he was confused by licensee's excuses for years. He stated that Ms. Webb had the wherewithal to ask for the license, but not the mental wherewithal to understand that the vertical license signified under 21. He added that most respond "I don't know" when asked why the violation occurred and supposed that it was a wilful sale.

Ms. Shelton stated that she watched the video and saw Ms. Webb clearly going through the motions and could make no excuses for why she sold to the minor. Ms. Shelton noted that Ms. Webb allowed her to relay that Ms. Webb advised she was seeing a neurologist, however, that regardless of the circumstances that was no excuse and Portillo's is still responsible.

Mr. Krusenoski asked about the hound correspondence that is sent to stores. He asked if it is printed and posted where servers could see it. Ms. Shelton replied that they are sent company wide via email and posted on the bulletin board.

Mr. Krusenoski asked if the hound correspondence contains liquor service or about everything going. Ms. Shelton replied it is company wide and covers many items. She stated that a few times a year it will contain information on proper alcohol service.

Mr. Krusenoski asked if they have on-site meetings regularly with staff outside of the hound correspondence as a basis to review and reinforce proper liquor serving. Ms. Klinkhammer replied that they have a yearly sign off and refresher course on policies.

Mr. Krusenoski stated that there should be a culture of intolerance for serving minors and that employees should not just go through the motions and be extra diligent in carding. He noted that this was only one random sample test and a sale occurred.

Chairman Strelau asked if employees are involved with the hound communications. Ms. Klinkhammer replied that the communication is reviewed by managers and crew chiefs and management will then communicate that with employees.

Chairman Strelau asked how often management meets with staff. Ms. Klinkhammer replied twice a year, but they if there is anything in the hound communications, they will have employees sign off on it.

Chairman Strelau noted the classic problem of licensees having polices and procedures in place and yet they appear before the Commission for a violation. She stated that procedures were not followed and she urged them to think about what went wrong. She stated that they need to get out and talk to staff and that staff needs to know if there is a problem, there are consequences. She stated that rules are in place to protect Village residents and that it is not ok for licensees to serve minors.

Chairman Strelau stated that they must express their concerns to staff and the importance of liquor serving. She stated that signs and badges are not enough and that they need to talk to staff to avoid problems and commit to better communication.

Chairman Strelau noted that Portillo's has had a series of violations over the years. She stated that they need to take violations under serious consideration and find a way to curb them.

Ms. Petrarca summarized by stating that Portillo's Hot Dogs, LLC d/b/a Portillo's Hot Dogs located at 1500 Butterfield Road, has stipulated to a violation of Section 3-25(a) of the Downers Grove Liquor Control Ordinance which prohibits the sale of alcohol to a minor. She recommended that the licensee be found guilty of a violation.

Chairman Strelau asked Ms. Shelton if she had any final comments for the record. Ms. Shelton stated that they do commit to communicate better with employees and understand that having the license is a privilege not a right.

Upon hearing the evidence presented in this case, Chairman Strelau requested a motion as to whether the licensee be found guilty or not guilty of a violation of Section 3-25(a) of the Downers Grove Municipal Code.

**MR. KRUSENOSKI MOVED TO FIND PORTILLO'S HOT DOGS, LLC D/B/A PORTILLO'S HOT DOGS LOCATED AT 1500 BUTTERFIELD ROAD GUILTY OF VIOLATING SECTION 3-25(A) OF THE DOWNERS GROVE LIQUOR CONTROL ORDINANCE. MR. CLARY SECONDED.**

**VOTE:**

**Aye:** Mr. Krusenoski, Mr. Clary, Ms. Pietrucha, Chairman Strelau

**Nay:** None

**Abstain:** None

**MOTION CARRIED: 4:0:0**

Motion carried.

**V. APPLICATION FOR LIQUOR LICENSE**

Chairman Strelau made the following statements:

"The next order of business is to conduct a public hearing for liquor license applications. For the benefit of all present, I would like to state that this Commission does not determine the granting or denial of the issuance of any license. We may at the end of each hearing, make a finding or recommendation with respect to the application. If necessary, the Commission may adjourn a hearing to a later date in order to have benefit of further information."

"At the conclusion of the hearing, the Commission will summarize its findings and determine any recommendations it wishes to make to the Liquor Commissioner."

"The Liquor Commissioner, who is the Mayor of Downers Grove, will, pursuant to Section 3-12 of the Ordinance, render decisions regarding issuance of available liquor licenses within 60 days."

"Hearings by this Commission are held according to the following format: 1) reading of information pertinent to the application, 2) comments from the applicant, 3) discussion by the Commission, 4) comments from the public, and 5) motion and finding by the Commission."

**3 Corners Grill & Tap - 7231 Lemont Road**

Chairman Strelau stated that the next order of business was an application hearing for 3 Corners DG, Inc. d/b/a 3 Corners Grill & Tap located at 7231 Lemont Road. She stated that the applicant was seeking a Class "R-1", full alcohol, on-premise consumption liquor license and a Class "O" outdoor liquor license.

Chairman Strelau asked that any individual(s) representing the applicant step forward and be seated. She asked that any individual(s) giving testimony, state and spell their name for the record, indicate their affiliation with the establishment and be sworn in by the court reporter.

Mr. Frank Militello and Ms. Dorata Lantz were sworn in by the court reporter. Mr. Militello introduced himself as president of 3 Corners DG, Inc. Ms. Lantz introduced herself as liquor manager for 3 Corners.

Chairman Strelau asked the applicant to present its case.

Mr. Militello stated that they are seeking a license to serve a variety of craft beer and liquor for a bar and grill serving American food.

Mr. Krusenoski stated that disciplinary hearings come in handy prior to an application as new licensees can see how the culture should be set within the organization.

Mr. Krusenoski asked where the location of their other restaurant. Mr. Militello replied they have been operating 3 Corners Grill and Tap in Lemont for the past 7 years.

Mr. Krusenoski asked if they have had any violations. Mr. Militello replied no. He advised that Lemont does not test, however, they have passed several tests that have been conducted by the State.

Mr. Krusenoski asked about the new location. Mr. Militello replied that it was the former Fuddruckers, Keystone and most recently, Redhouse.

Mr. Krusenoski asked Ms. Lantz about her serving experience. Ms. Lantz replied she has been with the company for 7 years.

Mr. Krusenoski asked how many employees they plan to have. Ms. Lantz replied 50, with 25-30 of them being experienced servers.

Mr. Krusenoski asked outside the bar area, will servers bring drinks to patrons. Mr. Militello stated that the server will enter a ticket into the POS system for the bartender to fill the bar order. He stated that servers will pick up the orders and deliver them.

Mr. Krusenoski asked Ms. Lantz will be on the location. Ms. Lantz replied yes and will be the on-site liquor manager. Mr. Krusenoski asked who will serve as backup. Ms. Lantz replied that an assistant manager with 5-6 years of experience will also be at the location.

Mr. Krusenoski asked how the outside will be handled and staffed. Mr. Militello that customers will be seated by a hostess other than the customers who go directly to the bar. He added servers will manage the outdoor seating area.

Ms. Pietrucha asked Ms. Lantz how staff will be trained. Ms. Lantz replied that servers will be required to have their BASSET certification upon hire. She stated that all servers will be 21 and over. She stated that employees will be presented the manual upon hire during the in-class week long training. She advised that they will also have all staff meetings for continuing education which will be conducted quarterly.

Mr. Clary stated that they were present to hear the previous hearing and how handling disciplinary hearings was frustrating for the Commission. He stated that they should be mindful of the consequences in serving minors.

Chairman Strelau referred to the gaming license question on the application materials and asked them to clarify. Mr. Militello stated that he obtained the gaming license for the Lemont location but does not have the games. He stated they are keeping the license if they ever want the option down the road if they decide to use it. Staff noted that video gambling is not allowed in Downers Grove. Mr. Militello was aware that video gaming was not allowed.

Chairman Strelau asked what is the hardest challenge they have faced serving liquor in the past 7 years. Mr. Militello replied they most of staff has been there since day one and they promote from within. He stated that staff cares about 3 Corners and they have staff that looks out for each other. He stated that they really have not had any issues. He stated that they are not a bar, but a restaurant that serves liquor and do not run into typical issues that a bar might.

Chairman Strelau asked if the employees from the Lemont location were coming over to the Downers Grove location. Mr. Militello replied most would be new with the with the exception of a few in the kitchen and Dorata and the assistant manager. He stated that they plan to hire new employees from the Downers Grove community.

Chairman Strelau asked how often staff would be trained. Mr. Militello replied that they will have quarterly meetings with regular staff discussions.

Chairman Strelau asked staff for recommendations or comments pertinent to this application. Ms. Kuchynka replied that issuance of the license is contingent upon receipt of satisfactory background checks, annual fee, Certificate of Occupancy, employee certifications and dram shop insurance.

Chairman Strelau asked for comments from the public. There were none.

Hearing the testimony given in this case, Chairman Strelau asked for a recommendation from the Commission concerning its finding of "qualified" or "not qualified" with respect to the applicant with regard to their Class "R-1" liquor license application.

**MS. PIETRUCHA MOVED TO FIND 3 CORNERS DG, INC. D/B/A 3 CORNERS GRILL & TAP LOCATED AT 7231 LEMONT ROAD, QUALIFIED FOR A CLASS "R-1", FULL ALCOHOL, ON-PREMISE CONSUMPTION LIQUOR LICENSE. MR. KRUSENOSKI SECONDED.**

**VOTE:**           **AYE:**           Mr. Pietrucha, Mr. Krusenoski, Mr. Clary, Chairman Strelau  
**Nay:**               None  
**Abstain:**       None

**MOTION CARRIED: 4:0:0**

Motion carried.

Hearing the testimony given in this case, Chairman Strelau asked for a recommendation from the Commission concerning its finding of "qualified" or "not qualified" with respect to the applicant with regard to their Class "O" liquor license application.

**MS. PIETRUCHA MOVED TO FIND 3 CORNERS DG, INC. D/B/A 3 CORNERS GRILL & TAP LOCATED AT 7231 LEMONT ROAD, QUALIFIED FOR A CLASS "O", FULL ALCOHOL, ON-PREMISE CONSUMPTION OUTDOOR LIQUOR LICENSE. MR. KRUSENOSKI SECONDED.**

**VOTE:**           **AYE:**           Mr. Pietrucha, Mr. Krusenoski, Mr. Clary, Chairman Strelau

**Nay:** None

**Abstain:** None

**MOTION CARRIED: 4:0:0**

Motion carried.

*All Blue Rotary Sushi - 2950 Finley Road*

Chairman Strelau stated that the next order of business was an application hearing for All Blue Restaurant, Inc. d/b/a All Blue Rotary Sushi located at 2950 Finley Road. She stated that the applicant was seeking a Class "R-2", beer and wine, on-premise consumption liquor license.

Chairman Strelau asked that any individual(s) representing the applicant step forward and be seated. She asked that any individual(s) giving testimony, state and spell their name for the record, indicate their affiliation with the establishment and be sworn in by the court reporter.

Mr. Bin Yu was sworn in by the court reporter. Mr. Yu introduced himself as the president and liquor manager of All Blue Rotary Sushi.

Chairman Strelau asked the applicant to present its case.

Mr. Bin Yu introduced himself as the liquor manager and president of All Blue Rotary Sushi.

Mr. Yu stated that this was a different concept of a traditional sushi restaurant where pre-made sushi will be set out on a conveyor belt. He stated that patrons will be able to take what they want and if they do not want what is on the belt patrons will be able to order off the menu from a server. He stated that they plan to serve Japanese saki and have a few choices of beer. He stated he was requesting a license for the convenience of customers.

Mr. Clary asked how the liquor will be served. Mr. Yu replied that drinks will be served by servers who will bring it to the table from a service bar only. He stated that the conveyor belt is food only.

Mr. Clary asked if all serving staff will be over 21 and BASSET certified. Mr. Yu replied yes.

Mr. Clary asked about their training program. Mr. Yu replied that they will hold quarterly meetings. He stated that he plans to hire 21 and older servers. He stated that he will require certifications upon hire and distribute the manual to each staff member personally. He will explain the rules and policies of his restaurant.

Mr. Yu stated that they will not accept the vertical ids.

Ms. Pietrucha asked Mr. Yu about his prior liquor handling experience. Mr. Yu replied he did not have liquor serving experience. He stated he previously owned and operated nail salons. But was most recently a sushi chef for Tokyo Bay in the City of Naperville and ran a kitchen staff at Sushi Station in Rolling Meadows. Mr. Yu stated that the establishment is similar to the Sushi Station which is a restaurant with a similar concept. He stated that he did not serve liquor there.

Ms. Pietrucha asked Mr. Yu about consequences to employees if they serve to a minor. He stated that employees will be terminated if they do not follow the rules.

Mr. Krusenoski noted that not having prior liquor serving experience does not disqualify him from holding a license. He noted his experience in the restaurant business and encouraged him to hire an experienced liquor manager.

Mr. Krusenoski stated the application noted about 10% in liquor sales. He stated that fines can be higher than what the business would profit in liquor sales. Mr. Yu stated that most revenue will come from the service of food.

Mr. Krusenoski asked where the restaurant is located. Mr. Yu replied on Finley in the strip mall and is a few doors down from Duluth Trading Company.

Mr. Krusenoski asked Mr. Yu when he planned to open. Mr. Yu replied mid-April or the beginning of May.

Mr. Krusenoski asked Mr. Yu if he hired a liquor manager. Mr. Yu replied he will be the liquor manager for now and will interview for potential managers. He stated that although he would be new to holding a liquor license, he planned to be very cautious.

Chairman Strelau advised Mr. Yu to stress the importance of liquor handling and present an extra dose of caution when serving liquor.

Chairman Strelau asked staff for recommendations or comments pertinent to this application. Ms. Kuchynka replied that issuance of the license is contingent upon receipt of satisfactory background checks, annual fee, Certificate of Occupancy, employee certifications and dram shop insurance.

Chairman Strelau asked for comments from the public. There were none.

Hearing the testimony given in this case, Chairman Strelau asked for a recommendation from the Commission concerning its finding of "qualified" or "not qualified" with respect to the applicant with regard to their Class "R-1" liquor license application.

**MR. CLARY MOVED TO FIND ALL BLUE RESTAURANT, INC. D/B/A ALL BLUE ROTARY SUSHI LOCATED AT 2950 FINLEY ROAD, QUALIFIED FOR A CLASS "R-2", BEER AND WINE, ON-PREMISE CONSUMPTION LIQUOR LICENSE. MR. KRUSENOSKI SECONDED.**

**VOTE:**           **AYE:**           Mr. Pietrucha, Mr. Krusenoski, Mr. Clary, Chairman Strelau

**Nay:**           None

**Abstain:**       None

**MOTION CARRIED: 4:0:0**

Motion carried.

## **VI. OLD BUSINESS**

Chairman Strelau asked if there was any discussion, update from staff or comments from the Commission regarding any old business.

Ms. Kuchynka referred to the February month end report.

Ms. Kuchynka advised that Starbucks will discontinuing liquor services and the Mayor formally forfeited the licenses. Ms. Pietrucha asked if they are entitled to a refund. Ms. Kuchynka replied no.

Ms. Kuchynka provided the Commission with a map of the State of Illinois with deadlines for employees in various counties to obtain their certification. She stated that by the end of 2018, all servers in the State of Illinois will be required to have certified training. She stated that the re-certification will need to be done every three years. She believed that they were staggered in order to avoid an influx of certifications expiring throughout the State at the same time.

Ms. Kuchynka stated the Mayor's intent to issue a beer and wine license to Beggars Pizza.

## **VII. NEW BUSINESS**

Chairman Strelau asked if there was any discussion, update from staff or comments from the Commission regarding any new business.

Ms. Kuchynka stated that she was expecting submittal of two applications and expected to hold an April meeting.

## **VIII. COMMENTS FROM THE PUBLIC**

There were none.

## **IX. ADJOURNMENT**

Concluding business for the evening, Chairman Strelau called for a motion to adjourn.

Mr. Clary moved to adjourn the March 2, 2017 meeting. The meeting was adjourned by acclamation at 7:45 p.m.



VILLAGE OF DOWNERS GROVE  
REPORT FOR THE LIQUOR COMMISSION  
APRIL 6, 2017 AGENDA

SUBJECT:	TYPE:	SUBMITTED BY:
Licensee: Tacochela DG, LLC D/B/A: Tacochela Address: 2321 Ogden Avenue, Ste. A9	Application for Class R-2 liquor license	Carol Kuchynka Liaison to the Liquor Commission

**REQUEST**

The applicant is requesting a Class R-2 liquor license for Tacochela located at 2321 Ogden Avenue, Ste. A9.

**NOTICE**

The request has been filed in conformance with applicable procedural and public hearing requirements.

**GENERAL INFORMATION**

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Officer(s): Malorie Alcantar, Managing Member

Stockholder(s): Malorie Alcantar - 100%

Manager: Ms. Malorie Alcantar

Licensee: Tacochela DG, LLC d/b/a Tacochela  
2321 Ogden Avenue, Ste. A9  
Downers Grove, IL 60515

**PROPERTY INFORMATION**

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**EXISTING LAND USE:** Commercial  
**PROPERTY SIZE:** (1,180 square feet)

**ANALYSIS**

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**Submittals**

This report is based on the following documents, which are on file with the Legal Department:

1. Application for Liquor License
2. Lease
3. Menu
4. Liquor Handling Manual
5. Floor Plan

### **Project Description**

The applicant is requesting a Class R-2 liquor license for the operation of a restaurant located at 2321 Ogden Avenue, Ste. A9.

### **Compliance with the liquor ordinance**

The establishment is defined as:

*Restaurant:* A place kept, used, maintained, advertised or held out to the public as a place with the service of food and drink, and where meals are regularly served, without sleeping accommodations, and where adequate provision is made for sanitary kitchen and dining room equipment and capacity and a sufficient number of employees to prepare and serve food for its customers. It being the intent of this paragraph that the primary business conducted on premises to be licensed as restaurants hereunder shall be the service of food and drink. Food service shall be available at all times liquor sales are being conducted. Menus shall be on the table, presented to each patron as they are seated or be posted in such a manner to be easily readable by the patrons of the restaurant. Provided, the kitchen may not cease operating prior to one hour before closing. Bar/lounge seating shall be no more than twenty percent (20%) of the total seating provided for patrons of the establishment.

### **License conditions**

"R-2" Restaurant licenses shall authorize the sale of beer and wine for consumption on the licensed premises, where the primary business is that of a restaurant, as defined herein.

### **Public Safety Requirements**

Fire Prevention and Community Development Department will need to conduct a walkthrough of the facility. A Certificate of Occupancy for remodel has been applied for and is pending. Health Department approval is not required.

### **Factors Affecting Finding or Recommendation**

Satisfactory background checks, annual fee, Certificate of Occupancy, insurance, employee certifications.

### **Recommendation**

---

Based upon testimony presented at the April 6, 2017 application hearing, if said application is consistent with the Liquor Code and meets the criteria of the classification, staff requests the following:

A recommendation from the Commission concerning its finding of "qualified" or "not qualified" with regard to their Class R-2 liquor license application, along with any conditions and/or restrictions with respect to this applicant.



www.downers.us

March 24, 2017

**COMMUNITY RESPONSE**

**CENTER**

630.434.CALL (2255)

Ms. Malorie Alcantar  
Tacochema DG, LLC  
2321 Ogden Avenue, Ste. A9  
Downers Grove, IL 60515

**CIVIC CENTER**

801 Burlington Avenue

Downers Grove

Illinois 60515-4782

630.434.5500

TDD 630.434.5511

FAX 630.434.5571

*RE: Application for Class R-2 Liquor License  
Tacochema  
2321 Ogden Avenue, Ste. A9, Downers Grove, IL 60515*

Dear Ms. Alcantar:

The Liquor Commission of the Village of Downers Grove will meet on Thursday, April 6, 2017, at 6:30 p.m. in the Village Hall Council Chambers to consider applications for liquor licenses. A public hearing will be held on your application as a part of this meeting.

**FIRE DEPARTMENT**

**ADMINISTRATION**

5420 Main Street

Downers Grove

Illinois 60515-4834

630.434.5980

FAX 630.434.5998

I encourage you to attend this public hearing at which time you will have an opportunity to comment in support of your application. In addition, the Liquor Commission will be particularly interested in examining your liquor handling manual and in hearing about your floor plan and training procedures as they relate to the sale of alcoholic beverages.

You may withdraw your application at any time prior to the public hearing.

If you have any questions, please contact me at (630) 434-5542.

**POLICE DEPARTMENT**

825 Burlington Avenue

Downers Grove

Illinois 60515-4783

630.434.5600

FAX 630.434.5690

Very truly yours,

Carol Kuchynka  
Liaison to the Liquor Commission

VILLAGE OF DOWNERS GROVE

**PUBLIC WORKS**

**DEPARTMENT**

5101 Walnut Avenue

Downers Grove

Illinois 60515-4046

630.434.5460

FAX 630.434.5495

a\Tacochema\app-hrg.nts



# VILLAGE OF DOWNERS GROVE, ILLINOIS APPLICATION FOR LIQUOR LICENSE

Date: 3/1/17

Application is hereby made to the Local Liquor Commissioner of the Village of Downers Grove for issuance of a Class R-2 liquor license, pursuant to the ordinances of the Village and laws of the State of Illinois. In support of said application the following is submitted:

## 1. GENERAL INFORMATION

### 1.1 Applicant:

Name: Tacochela DG LLC Phone: 773-715-3532  
Address: 453 West Hobbie St, Chicago 60610

### 1.2 Status:

- Individual(s) or Sole Proprietorship
- Corporation
- Limited Liability Corporation
- Partnership
- Club
- Other (explain) \_\_\_\_\_

### 1.3 Liquor Manager:

Name: Malorie Alcantar Phone: [REDACTED]  
Address: [REDACTED]  
Driver's License No. [REDACTED] Social Sec. No. [REDACTED]  
Date of Birth 85 Place of Birth Chicago, IL.

## 2. PREMISES

Doing Business As Tacochela DG LLC Phone: 630-447-8226  
Address: 2321 Ogden Ave, Downers Grove 60515

2.2 Does Applicant beneficially own the premises for which a license is sought?  Yes  No

a. If yes, Applicant must attach proof of ownership. (i.e. title policy)

b. If Applicant is not the beneficial owner of the premises, does Applicant have a lease thereon for the full period for which the license is to be issued?  Yes  No - If yes:

- i. A copy of lease must be attached; and,
- ii. Identify the owner or rental agent for the property:

Name: JLS 2 Properties Phone: 312-835-3000  
Address: 2300 West Course Dr, Riverwoods IL 60015

2.3 Are the premises located within one hundred feet of any church, school, hospital, home for aged or indigent persons or for veterans, their spouses or children or any military or naval stations.  Yes  No

2.4 State the anticipated date of occupancy. 5/1/17

### 3. CORPORATION

This section must be completed by authorized agent of any corporate Applicant. If Applicant is a partnership, skip section 3 and go to section 4. If Applicant is neither a corporation nor a partnership, skip sections 3 and 4 and go to section 5.

- 3.1 Applicant was incorporated under the laws of the State of \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, A.D., \_\_\_\_\_.
- 3.2 If Applicant was not incorporated under the laws of the State of Illinois, is Applicant a foreign corporation qualified under the "Business Corporation Act of 1983" to transact business in the State of Illinois? Yes \_\_\_ No \_\_\_
- 3.3 **Registered Agent:**  
Name: \_\_\_\_\_ Phone: \_\_\_\_\_  
Address: \_\_\_\_\_
- 3.4 Corporate Applicants must complete and attach DG LIQ-FORM 2/OFFICERS and DG LIQ-FORM 3/SHAREHOLDERS.

### 4. PARTNERSHIP/LIMITED LIABILITY CORPORATION

This section must be completed by authorized agent of any partnership or limited liability corporation Applicant. If Applicant is not a partnership or limited liability corporation, skip to Section 5.

- 4.1 Applicant was formed under the laws of the State of IL on the 22 day of September, A.D., 2016
- 4.2 Is Applicant a limited partnership pursuant to the Illinois Revised Uniform Limited Partnership Act? Yes \_\_\_ No ✓
- 4.3 If Applicant was not formed under the laws of the State of Illinois, is Applicant a foreign partnership qualified under the Illinois Uniform Partnership Act or the Illinois Uniform Limited Partnership Act, as now or hereafter amended, to transact business in the State of Illinois? Yes \_\_\_ No \_\_\_ N/A
- 4.4 Registered Agent: Not Applicable ✓  
Name: Malorie Alcantar Phone: 773-715-3532  
Address: 2321 Ogden Ave Downers Grove, 60515
- 4.5 **General Partner:** Not Applicable ✓ (Note: if there is more than one general partner, include that general partner who is to be primarily responsible for operation of the licensed premises.)  
Name: \_\_\_\_\_ Phone: \_\_\_\_\_  
Address: \_\_\_\_\_
- 4.6 **Managing Partner:** Not Applicable ✓ (Note: if there is more than one managing partner, include that managing partner who is to be primarily responsible for operation of the licensed premises.)  
Name: \_\_\_\_\_ Phone: \_\_\_\_\_  
Address: \_\_\_\_\_
- 4.7 Partnership Applicants must complete and attach DG LIQ-FORM 3/SHAREHOLDERS and DG LIQ-FORM 4/PARTNERSHIP/LIMITED LIABILITY CORPORATION.

### 5. SOLE PROPRIETORSHIP *Skip to Section 6.*

NOTE: Pursuant to 235 ILCS 5/6-2 (1) Sole proprietor must be resident of the Village in which the premises covered by the license is located. Pursuant to 235 ILCS 5/6-2 (3) Sole proprietor must be a citizen of the United States.

6. QUALIFICATIONS (This section to be completed by all applicants.)

6.1 Has any liquor license issued to the applicant, the liquor manager, or any person or entity listed on DG LIQ-FORM 2/OFFICERS, DG LIQ-FORM 3/SHAREHOLDERS, or DG LIQ-FORM 4/ PARTNERSHIP/LIMITED LIABILITY CORPORATION ever been fined, revoked or suspended?

No NA

If yes, identify the following: (Attach additional information as desired or as space limitations on this form require)

Yes

- a. Jurisdiction revoking or suspending license: N/A
- b. Date of revocation or suspension: N/A
- c. Reason given by revoking jurisdiction for revocation or suspension: N/A
- d. Additional explanatory information, if desired: N/A

6.2 Has Applicant, the liquor manager, or any person or entity listed on DG LIQ-FORM 2/OFFICERS, DG LIQ-FORM 3/SHAREHOLDERS or DG LIQ-FORM 4/ PARTNERSHIP/LIMITED LIABILITY CORPORATION, ever been convicted of violating any Federal or State law concerning the manufacture, possession or sale of alcoholic liquor, or forfeited their bond for failure to appear in court to answer charges for any such violation?

No NA

If yes, identify the following: (Attach additional information as desired or as space limitations on this form require)

Yes

- a. Jurisdiction revoking or suspending license: N/A
- b. Date of revocation or suspension: N/A
- c. Reason given by revoking jurisdiction for revocation or suspension: N/A
- d. Additional explanatory information, if desired: N/A

6.3 Has Applicant, the liquor manager, or any person or entity listed on DG LIQ-FORM 2/OFFICERS, DG LIQ-FORM 3/SHAREHOLDERS or DG LIQ-FORM 4/ PARTNERSHIP/LIMITED LIABILITY CORPORATION, ever been convicted of a felony under Federal or State law?

No

If yes, identify the following: (Attach additional information as desired or as space limitations on this form require)

Yes

- a. Jurisdiction revoking or suspending license: N/A
- b. Date of revocation or suspension: N/A
- c. Reason given by revoking jurisdiction for revocation or suspension: N/A
- d. Additional explanatory information, if desired: N/A

6.4 Is Applicant the beneficial owner of the business to be operated?

Yes  No

6.5 Has Applicant, the liquor manager, or any person or entity listed on DG LIQ-FORM 2/OFFICERS, DG LIQ-FORM 3/SHAREHOLDERS or DG LIQ-FORM 4/ PARTNERSHIP/LIMITED LIABILITY CORPORATION, been convicted of a gambling offense in violation of Sections 28-1(a)(3) through (a)(10), or Section 28-3, of the Illinois Criminal Code (ILL. REV. STAT., ch. 38), as heretofore or hereafter amended.

No

Yes

If yes, identify the following: (Attach additional information as desired or as space limitations on this form require)

a. Jurisdiction revoking or suspending license: \_\_\_\_\_

b. Date of revocation or suspension: \_\_\_\_\_

c. Reason given by revoking jurisdiction for revocation or suspension: \_\_\_\_\_

d. Additional explanatory information, if desired: \_\_\_\_\_

6.6 Has Applicant, the liquor manager, or any person or entity listed on DG LIQ-FORM 2/OFFICERS, DG LIQ-FORM 3/SHAREHOLDERS or DG LIQ-FORM 4/ PARTNERSHIP/LIMITED LIABILITY CORPORATION, been issued a federal wagering stamp by the federal government for the current tax period?  Yes  No If yes, provide details:

6.7 Has a federal wagering stamp has been issued by the federal government for the current tax period for the premises for which a license is sought?  Yes  No If yes, provide details:

6.8 Is applicant a citizen of the United States?

Yes  No  Not Applicable - Applicant is a corporation or partnership

6.9 Is applicant a resident of Downers Grove?

Yes  No  Not Applicable - Applicant is a corporation or partnership

7. SUBMITTALS

7.1 In addition to this application form the following are submitted as applicable:

- DG LIQ-FORM 1/Liquor Manager
- DG LIQ-FORM 2/Officers & Directors (for each Officer/Director, a Background Check Waiver form must be submitted)
- DG LIQ-FORM 3/Stockholders (for each Stockholder, a Background Check Waiver form must be submitted)
- DG LIQ-FORM 4/Partnership/Limited Liability Corporation (for each Partner, a Background Check Waiver form must be submitted)
- DG LIQ-FORM 5/Declaration
- DG LIQ-FORM 6/Outdoor Sales Application (If applicable)
- DG LIQ-FORM 7/Certifications
- Articles of Incorporation (If applicable)
- Proof of ownership of premises (i.e. title report)
- Lease-If premises not beneficially owned by Applicant (for the full period for which the license is to be issued)
- Floor Plan, as required for any premises to be licensed for sale of alcoholic liquor for consumption on the premises, drawn to scale, and with sufficient detail to depict types of seating, location of bars and other design features.
- Employee liquor handling training manual
- Application fee
- Certificate of Insurance
- Menu (If applicable)
- Reduced Menu -after regular menu hours (If applicable)

7.2 Applicant understands and agrees that additional information and material may be required during the processing of this application related to applicant's qualifications, the information provided herein, including attachments, and the class of license involved. Applicant agrees to provide such additional information and material and that failure to do so may delay the processing of this application or result in its denial.

7.3 In the event Applicant is made aware that any information or document submitted as part of this application process is inaccurate or incomplete, Applicant agrees to immediately notify the Village and provide appropriate corrections. Applicant understands and agrees to provide such additional information and material, and that failure to do so may delay the processing of this application or result in its denial.

THE UNDERSIGNED, BEING DULY SWORN, DOES STATE AS FOLLOWS:

- A. THAT THE UNDERSIGNED IS EMPOWERED TO PREPARE AND SIGN THIS APPLICATION ON BEHALF OF THE APPLICANT.
- B. THAT THE UNDERSIGNED HAS REVIEWED THIS APPLICATION, AND ALL ATTACHMENTS AND SUBMITTALS, AND THAT THE INFORMATION CONTAINED HEREIN IS TRUE AND ACCURATE.

APPLICANT:

Tacochela DG LLC  
Name of Corporation/Partnership/LLC/Sole Proprietorship

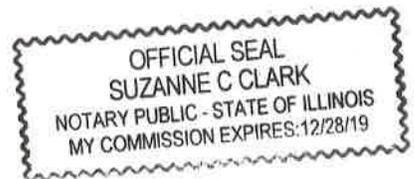
BY: Malorie Alcantar  
Print Name

[Signature]  
Sign Name

TITLE: managing member

Subscribed and sworn to before me this 21 day of March, 2017.

[Signature]  
Notary Public





### VILLAGE OF DOWNERS GROVE, ILLINOIS LIQUOR MANAGER APPLICATION

1. Name of Liquor License Applicant/Holder: Tacochela DG LLC  
 Doing Business As: Tacochela  
 Address: 2321 Ogden Ave, Downers Grove 60515  
 Phone: (630) 447-8226 Liquor License Number: \_\_\_\_\_

2. Manager: Malorie Nicole Alcantar Phone: [REDACTED]  
 (First) [REDACTED]  
 Residence Address: [REDACTED]  
 (Street Address) (City) (State) (Zip)  
 If less than one year, previous residence: N/A  
 Citizenship: United States If naturalized, date/place of naturalization: N/A  
 Date of Birth: [REDACTED] 85 Place of Birth: [REDACTED] IL.  
 Social Security # [REDACTED] Driver's License # and State: [REDACTED]  
 Number of hours per week of employment (35 minimum) 40

3. **Liquor Handling Experience**  
*Name and address (city, state) of any other liquor establishment in which you have been employed, position held and dates of employment experience:*  
Geppettos - 113 N. Oak Park Ave IL. 60302 - 2003-2005  
Haro - 2436 S. Oakley IL. 60608 - 2007-2008  
Cafe Iberico - 737 N. LaSalle Blvd, IL 60654 - 2008-2009  
 \* EIVISSA - 1531 N. Wells St, IL 60610 - 2009-2011

I certify I have never been convicted of a felony, misdemeanor or licensing ordinance violation.

SIGNATURE OF MANAGER [Signature] Date 3/1/17

Return to: Liaison to the Liquor Commission  
VILLAGE OF DOWNERS GROVE  
801 Burlington Avenue  
Downers Grove, IL 60515



VILLAGE OF DOWNERS GROVE, ILLINOIS
LIQUOR LICENSE APPLICATION
PARTNERSHIP/LIMITED LIABILITY CORPORATION FORM

Applicant: Tacochela DG, LLC

The following is a listing of:

- a. All general partners of any Applicant partnership formed or authorized to transact business as a foreign limited partnership, pursuant to the Illinois Revised Uniform Limited Partnership Act, as now or hereafter amended; and,
b. All limited partners owning, directly or indirectly, five (5%) or more of the aggregate limited partnership interest of any Applicant partnership formed or authorized to transact business as a foreign limited partnership, pursuant to the Illinois Revised Uniform Limited Partnership Act, as now or hereafter amended; and,
c. All general or managing partners of any Applicant partnership which is not formed or authorized to transact business as a foreign limited partnership, pursuant to the Illinois Revised Uniform Limited Partnership Act, as now or hereafter amended.

Applicant: Tacochela DG LLC
By: Malorie Alcantar
Corporate Title: Managing member
Date: 3/11/17

Name: Malorie Alcantar
Address: [Redacted]
Social Sec. # [Redacted] Driver's License # [Redacted] Date of Birth: [Redacted]
General Partner [ ] Limited Partner [ ] Managing Partner [x] Ownership Interest: 100%

Name and address of any other liquor establishment in which you have held an ownership interest or have operated. Please include the name of the entity issuing the liquor license for the establishment, the liquor license number, the date the license was issued and its date of expiration.

N/A

(Attach completed Background Check Waiver)

Name: N/A
Address:
Social Sec. # Driver's License # Date of Birth:
General Partner Limited Partner Managing Partner Ownership Interest:

Name and address of any other liquor establishment in which you have held an ownership interest or have operated. Please include the name of the entity issuing the liquor license for the establishment, the liquor license number, the date the license was issued and its date of expiration.

(Attach completed Background Check Waiver)



VILLAGE OF DOWNERS GROVE, ILLINOIS
BUSINESS ACTIVITY DECLARATION

1. Name of Liquor License Applicant/Holder: Tacochela DG LLC

Doing Business As: Tacochela

Address: 2321 Ogden Ave Downers Grove IL 60515

Phone: 630-447-8226

License Class: R-2

2. Main or Principal Business to be conducted by the Applicant on the premises stated above:
Restaurant

wherein the following of the business is devoted to the sale/service of:

- ( 75 %) Food
( 10 %) Alcohol
( 15 %) Non-alcoholic beverages
( \_\_\_\_ %) Other - List:

THE UNDERSIGNED, BEING DULY SWORN, DOES STATE AS FOLLOWS:

- A. THAT THE UNDERSIGNED IS EMPOWERED TO PREPARE AND SIGN THIS APPLICATION ON BEHALF OF THE APPLICANT.
B. THAT THE UNDERSIGNED HAS REVIEWED THIS DECLARATION AND THAT THE INFORMATION CONTAINED HEREIN IS TRUE AND ACCURATE.

APPLICANT:
Tacochela DG LLC
Name of Corporation/Partnership/LLC/Sole Proprietorship

BY: Malorie Alcantar
NAME: Malorie Alcantar
TITLE: Managing member

Subscribed and sworn to before me this 21 day of March, 2017.

Suzanne Clark
Notary Public





VILLAGE OF DOWNERS GROVE, ILLINOIS
CERTIFIED EMPLOYEE DECLARATION

I, Malorie Alcantar, DO HEREBY CERTIFY THAT I am the
managing member of Tacochela DG and I DO

HEREBY FURTHER CERTIFY THAT the attached document is a true, correct and complete
list of current employees who serve, sell or distribute alcoholic liquor of Tacochela
located at 2321 Ogden Ave, A9, Downers Grove, Illinois.

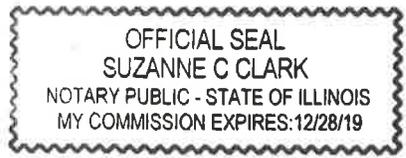
I DO HEREBY FURTHER CERTIFY THAT the attached copies of training certificates are true,
correct and valid copies of the training certifications for each of the employees.

Date: 3/21/17
Signature: Malorie Alcantar

Subscribed and sworn to before me this 21 day of March, 2017.

Suzanne Clark
Notary Public

Attachments:
Employee list
Certifications



# Illinois BASSET On-Premise SELLER / SERVER CERTIFICATION

**Trainee Name:** Malorie Alcantar

**Date of Completion:** 03/02/2017

**School Name:**

360training.com dba Learn2Serve



I, \_\_\_\_\_  
certify that the above named person  
successfully completed an approved  
Learn2Serve Seller/Server course.

This course provides necessary  
knowledge and techniques for the  
responsible serving of alcohol.

This is your temporary certificate of completion. You will receive your official card in the mail. Please forward all questions to [support@360training.com](mailto:support@360training.com).



Corporate Headquarters  
13801 Burnet Rd., Suite 100  
Austin, Texas 78727  
P: 877.881.2235

ACKNOWLEDGMENT FORM

Employee Name Malorie Alcantar  
Address \_\_\_\_\_  
Telephone Number \_\_\_\_\_  
Date of Birth 85 Place of Birth IL.  
Employee Classification Manager / Director

I, the undersigned, have read the Downers Grove Liquor License Guidelines and the Downers Grove Municipal Code, Chapter 3, and specifically Section 3-25 which deals with the sale of alcoholic beverages to minors, etc., and agree to comply with its specifications.

I acknowledge that I personally have the discretionary right to refuse sales of alcoholic beverages to anyone I feel is underage or intoxicated, and I, therefore, accept full responsibility for my actions.

As of today, I am at least 21 years of age and understand that I may take orders for alcoholic beverages, as well as serve/sell the product to customers for on premise consumption and ring up sales for off-premise consumption, only after determining that person placing the order is of legal drinking age - 21 years of age or older. I have read and understand the I.D. guidelines as outlined in the Downers Grove Liquor License Guidelines.

Malorie Alcantar  
Signature

3/1/17  
Date

OR

As of today, I am at least 19 years of age and understand that I may serve alcoholic beverages to customers for consumption on the premises only, after another employee at my place of employment (over the age of 21) determines that person placing the order is of legal drinking age - 21 years of age or older. I understand that I may not attend bar; draw, pour or mix any alcoholic beverages. I understand that I may not register (ring up) by mechanical means the sale of alcoholic liquor at any time at an off-premise licensed establishment. I have read and understand the I.D. guidelines as outlined in the Downers Grove Liquor License Guidelines.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

# Illinois BASSET On-Premise SELLER / SERVER CERTIFICATION

**Trainee Name:** JOSEPH ALCANTAR

**Date of Completion:** 03/02/2017

**School Name:**

360training.com dba Learn2Serve



I, \_\_\_\_\_  
certify that the above named person  
successfully completed an approved  
Learn2Serve Seller/Server course.

This course provides necessary  
knowledge and techniques for the  
responsible serving of alcohol.

This is your temporary certificate of completion. You will receive your official card in the mail. Please forward all questions to [support@360training.com](mailto:support@360training.com).



Corporate Headquarters  
13801 Burnet Rd., Suite 100  
Austin, Texas 78727  
P: 877.881.2235

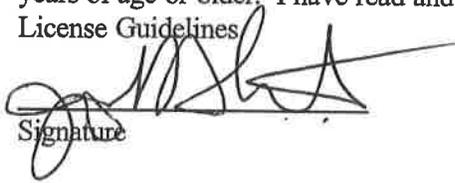
**ACKNOWLEDGMENT FORM**

Employee Name Joseph Alcantar  
Address \_\_\_\_\_  
Telephone Number \_\_\_\_\_  
Date of Birth AS Place of Birth \_\_\_\_\_  
Employee Classification Manager

I, the undersigned, have read the Downers Grove Liquor License Guidelines and the Downers Grove Municipal Code, Chapter 3, and specifically Section 3-25 which deals with the sale of alcoholic beverages to minors, etc., and agree to comply with its specifications.

I acknowledge that I personally have the discretionary right to refuse sales of alcoholic beverages to anyone I feel is underage or intoxicated, and I, therefore, accept full responsibility for my actions.

As of today, **I am at least 21 years of age** and understand that I may take orders for alcoholic beverages, as well as serve/sell the product to customers for on premise consumption and ring up sales for off-premise consumption, only after determining that person placing the order is of legal drinking age - 21 years of age or older. I have read and understand the I.D. guidelines as outlined in the Downers Grove Liquor License Guidelines

  
Signature

3-1-17  
Date

OR

As of today, **I am at least 19 years of age** and understand that I may serve alcoholic beverages to customers for consumption on the premises only, after another employee at my place of employment (over the age of 21) determines that person placing the order is of legal drinking age - 21 years of age or older. I understand that I may not attend bar; draw, pour or mix any alcoholic beverages. I understand that I may not register (ring up) by mechanical means the sale of alcoholic liquor at any time at an off-premise licensed establishment. I have read and understand the I.D. guidelines as outlined in the Downers Grove Liquor License Guidelines.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

# Illinois BASSET On-Premise SELLER / SERVER CERTIFICATION

**Trainee Name:** Angel Guzman

**Date of Completion:** 03/02/2017

**School Name:**

**360training.com dba Learn2Serve**



I, \_\_\_\_\_  
certify that the above named person  
successfully completed an approved  
Learn2Serve Seller/Server course.

This course provides necessary  
knowledge and techniques for the  
responsible serving of alcohol.

This is your temporary certificate of completion. You will receive your official card in the mail. Please forward all questions to [support@360training.com](mailto:support@360training.com).



Corporate Headquarters  
13801 Burnet Rd., Suite 100  
Austin, Texas 78727  
P: 877.881.2236

**COMMERCIAL LEASE**

THIS LEASE made as of the 7 day of October, 2016, between JLS2 Properties, LLC (hereinafter the "Landlord"), whose address is 2300 West Course Drive, Riverwoods, Illinois 60015 and Tacochela DG, LLC ("Tenant"), whose address is 2321 Ogden Avenue, Unit 9, Downers Grove, Illinois 60515.

**ARTICLE I**

**BASIC PROVISIONS**

- A. **Tenant's Trade Name:** Tacochela DG, LLC
- B. **Address:** 2321 Ogden Avenue, Unit 9, Downers Grove, Illinois 60515
- C. **Premises:** Approximately 1,180 square feet of rentable area located at 2321 Ogden Avenue, Unit 9, Downers Grove, Illinois 60515
- D. **Commencement Date:** January 1, 2017 ✓
- E. **Expiration Date:** December 31, 2021 ✓ (Subject to the terms of Article 2(B) if applicable)
- F. **Permitted Use:** Tenant shall operate a Mexican restaurant that portion of the Premises agreed to by the parties. Tenant shall use the Premises for no other purposes.

G. **Minimum Rent:**

Period	Monthly Amount
January 1, 2017 to December 31, 2017	
January 1, 2018 to December 31, 2018	
January 1, 2019 to December 31, 2019	
January 1, 2020 to December 31, 2020	
January 1, 2021 to December 31, 2021	
January 1, 2022 to December 31, 2022	
January 1, 2023 to December 31, 2023	
January 1, 2024 to December 31, 2024	
January 1, 2025 to December 31, 2025	
January 1, 2026 to December 31, 2026	

*Handwritten notes:*  
 5 year term only  
 1st 5 year term only  
 1st 5 year term only

*Handwritten notes:*  
 1 term  
 2 term

- H. **Monthly Equipment Charge:** Intentionally Omitted
- I. **Security Deposit:** [Redacted] be paid upon execution of this Commercial Lease, which includes first month's rent and a security deposit of [Redacted]
- J. **Guarantor:** Malorie M. Alcantor and Joseph R. Alcantor
- K. **Rent Payment Address:** Tenant shall forward all Rent and insurance certificates to Landlord at the following address, or such other address or addresses as to which Landlord shall provide advance notice:

## AMENDMENT TO COMMERCIAL LEASE

This Amendment to Commercial Lease ("Amendment") is made this 1 day of March, 2017, by and between TacoChela DG, LLC ("Tenant") and JLS2 Properties, LLC ("Landlord").

WHEREAS, Landlord and Tenant have entered into a Commercial Lease (Lease") dated December 30, 2016, whereby Tenant agreed to lease the premises located at 2321 Ogden Avenue, Units 8 and 9, Downers Grove, Illinois 60515 (the "Premises").

WHEREAS, Tenant desires to sell alcohol on the Premises and the Landlord is willing to allow Tenant to sell alcohol on the Premises under certain conditions.

WHEREAS, Landlord and Tenant for good and adequate consideration, agree as follows:

### 1. AMENDMENT TO LEASE

Landlord and Tenant agree to amend the Lease dated December 30, 2016, for the Premises as follows:

*A.* Tenants' Right to Sell Alcohol on the Premises: Landlord and Tenant agree that Tenant shall be able to sell alcohol on the Premises only provided that Tenant first obtains from the Village of Downers Grove the appropriate liquor license for the Premises and that Tenant obtains the appropriate dram shop insurance with necessary coverage naming Landlord as an additional insured and provides to Landlord proof of said dram shop insurance. Furthermore, Tenant shall not be able to sell alcohol for take-out or use outside of the Premises.

### 2. REAFFIRMATION

Tenant hereby agrees and confirms its duties, responsibilities, and liabilities under the Lease and acknowledges that they have no defense, claim, or set-offs to the enforcement of the Lease. In addition, except as provided herein, all other terms of the Lease shall remain in full force and effect in accordance with their respective terms.

Landlord and Tenant acknowledge, represent, and warrant that they have read this Amendment to Lease, there has been no assignment of any rights, claims, or causes of action encompassed by this Amendment, and that this Amendment has been executed by each of their own free will, without promises or threats or the exertion of duress upon it and that it has been fully advised by counsel of the legal and practical effects of this Amendment.

### 3. COUNTERPARTS

This document may be executed in any number of counterparts, each of which shall be deemed an original, but all of which together shall be once in the same instrument. For purposes of executing this document, any signed copy of this document may be transmitted by facsimile machine and the signature of any party hereon shall, for purposes of execution hereof, be considered an original signature. Any facsimile of this document shall, at the request of any party be re-executed by the other parties in an original form, and no other party shall raise the use of a facsimile machine or the fact that any signature was transmitted thereby as a defense to the effectiveness of this document.

**LANDLORD:**

**TENANT:**

**JLS2 PROPERTIES, LLC**

**TACOCHELA DG, LLC**

By: \_\_\_\_\_



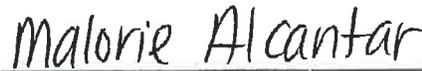
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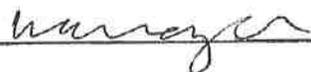
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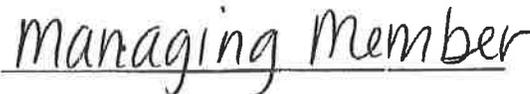
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Title: \_\_\_\_\_



Title: \_\_\_\_\_



TACOCHELA  
fresh Mexican taqueria  
MENU

*All sauces, meats, corn tortillas and aguas frescas are made fresh daily*

**Fillings**

*for tacos (choice of flour or homemade corn tortilla)*

*burritos (includes rice and beans on flour tortilla)*

*tortas (mexican sandwich, includes beans)*

*bowls (includes lettuce or rice/beans)*

-Carne Asada

*grilled steak topped onions and cilantro*

-Carnitas

*pork confit topped with pickled red onion and cilantro*

-Al Pastor

*marinated, spit roasted pork topped with grilled pineapple, onion and cilantro*

-Pescado

*beer battered Mahi Mahi deep fried, topped with cabbage slaw and tartar sauce*

-Pollo

*roasted chicken tinga topped with queso fresco and cilantro*

-Picadillo

*ground beef & potatoes topped with cilantro and onion*

-Veggie

*mushroom and roasted poblano*

**Toppings**

-white chopped onion

-pickled red onion

-pickled cauliflower, carrot, jalapeño

-cilantro

-grilled pineapple

-cabbage slaw

-avocado/guacamole

-nopales (cactus)

-cheese (chihuahua & queso fresco)

-limes

-radishes

**Sides**

-Tomato Rice

-Refried Beans

-Guacamole and Chips

-Elotes

*grilled corn on cob brushed with mayo, queso cotija, chile piquin*

-Homemade Tamales

*picadillo, pollo and veggie*

**Salsas & Sauces**

Tartar Sauce

Sour Cream

Cilantro Lime Infused Sour Cream

Salsa Mexicana

Salsa Chipotle

Salsa Tomatillo Avocado

**Aguas Frescas**

-Horchata

*Cinnamon Rice Drink*

-Jamaica

*Sweetened Hibiscus Tea*

-Pepino

*Cucumber cooler*

-Sandia \*Seasonal

*Fresh Watermelon*

**Dessert**

Churros

Mexican Fruit Salad

## **Tacochela Drink Menu**

### **Michelada**

*12 oz beer (served from keg) prepared with lime juice, assorted sauces and spices*

*Served chilled in salt rimmed glass*

### **Beer**

*Choice of Corona in bottle or can of Tecate*

### **Wine**

*5 oz wine pour, choice of house white or red*

# **TACOCHELA**

*Fresh Mexican Taqueria*  
*2321 Ogden Ave*  
Downers Grove, IL 60515

## **Hours of Operation**

Monday - Thursday 8:00 a.m. - 11:00 p.m.

Friday - Saturday 8:00 a.m. - 1:00 a.m.

Sunday 9:00 a.m. - 12:00 a.m.

## **General**

All *TACOCHELA* employees are prohibited from possessing and drinking alcoholic beverages on premises. *TACOCHELA* employees are prohibited from selling alcohol to their friends or family members during shift hours, ID verification and alcoholic beverage orders will be performed by another staff member. *TACOCHELA* will comply with local, state, and federal laws—and with establishment policies—pertaining to the sale and service of alcohol. Underage drinking and over-use of alcohol will not be tolerated. Employees who do not follow guidelines and laws will be fined and terminated.

ALL employees, 21 years of age and over, BASSET trained, will serve alcohol.

ALL customers will be asked to present ID(s) when ordering alcohol.

Minor(s) under 21 years of age, accompanied by a parent or guardian, will not be permitted to sip nor drink any alcoholic beverages while on the property of *TACOCHELA*. Alcoholic beverages will be removed from the table and/or the customers will be asked to leave the restaurant. Incident reports will be filed if such events occur.

ONE drink per person per order.

*TACOCHELA* will only offer 12 oz beer and 5 oz wine (by the glass only) Bottles of wine will not be available for purchase

## **Training**

*TACOCHELA* employees are trained in house when hired. Team meetings, BASSET web based training, State, Local and Federal literature regarding laws and guidelines are given to all cashier employees. Upon completion of training, statements will be signed acknowledging the responsibilities and laws concerning the sale of alcohol. *TACOCHELA* will provide all employees with materials and supplies to comply with all regulations, while serving alcohol.

## **Acceptable Identification**

When ordering an alcoholic beverage at *TACOCHELA*, employees will only accept the following types of photo identification:

- IL or Out of State issued Identification Cards
- IL or Out of State issued Drivers License
- Government issued Passport
- Government issued Military ID

We will not accept the Illinois state vertical ID for persons under 21

## **Carding**

*TACOCHELA* provides employees with tools and resources to verify customer identification and aids to follow legal procedures when selling alcohol.

- Proof of Age Sticker provided by Illinois Liquor Control Commission on display
- *We Card Hard* signage displayed at register, front of restaurant in customer view and in employee backroom

- Hardcopy of the US ID Checking Guide, on site at all times
- Copies of Illinois Secretary of State Drivers License and ID card designs and features
- UV light on site to help verify ID hologram patterns
- Surgeon General warning of Alcohol and Pregnancy Sign displayed
- Team support when an employee needs assistance or second opinion

Key security features when carding: Seal of State  
 D.O.B. listed in two locations  
 Expiration date  
 Guilloche pattern /UV and hologram  
 Review photo and match to customer

If absolute confirmation cannot be made from these key features, refer to ID checking guides or utilize UV light. If identification appears to be fake or tampered with, a second form will be requested or alcohol will be denied immediately.

### **Awareness**

Employees at *TACOCHELA* are only allowed to serve one alcoholic beverage to each customer, per order, after proper identification has been approved. If we have reason to believe a customer has been drinking prior to their visit at *TACOCHELA*, and/or clearly intoxicated, we will exercise our legal right to refuse alcohol.

Employees on staff, at all times, must take note of customers with lengthy stays and multiple alcohol beverage orders. Alcohol absorption and consumption varies with individuals and should not be judged based on body weight or age. Water is free and easily accessible to all *TACOCHELA* customers. Signals and changes in behavior to watch for, including but not limited to:

- loud speech or laughing
- argumentative
- foul language
- nuisance to others
- frequent washroom visits

At this stage, a tally of drinks will be noted and decision to deny future alcohol sales to the individual will be considered. Another team member will be notified of the situation and help monitor customer behavior accordingly. *TACOCHELA* employees will follow the SET technique to recognize drinking levels. 5 or more alcoholic drinks for men and 4 or more drinks for woman in a 1-2 hour time frame constitutes as binge drinking.

Incident reports will be made if there is an issue or concern with a customers alcohol consumption. Incident reports will be made and filed for reference.

*TACOCHELA* employees are only permitted to sell alcoholic beverages during Downers Grove legal serving hours and our business hours. Legal serving hours are:  
 Monday through Thursday 8:00 a.m. to 1:00 a.m., the following day  
 Friday and Saturday 8:00 a.m. to 2:00 a.m. the following day  
 Sunday 9:00 a.m. to 1:00 a.m. the following day

*TACOCHELA* business hours are:  
Monday- Thursday 8:00 a.m. - 11:00 p.m.  
Friday & Saturday 8:00 a.m. - 1:00 a.m.  
Sunday 9:00 a.m. - 12:00 a.m.

Last call for alcohol will be 30-60 min before closing time. *TACOCHELA* will not be participating in or offering Happy Hour.

Downers Grove Police Department tests establishments at random, to determine if they are following liquor handling policies and guidelines. Minors are sent in to attempt to purchase alcohol, at minimum, twice per year. Failure to follow State, local and business laws will be subject to citations, fines, suspensions and disciplinary hearings.

When individuals are arrested for DUI, Downers Grove Police Department records names of establishments where the drinking took place prior to the arrest. An establishment receiving multiple notifications will be subject to license renewal hearing where liquor serving policies will be up for review.

### **Prevention**

Service meetings will be conducted daily to ensure all *TACOCHELA* policies and procedures are executed during business hours. Signs of alcohol laws in employee backroom and front of house will aid as visual reminders. Employee handbook with liquor handling guidelines is available on site for reference. *TACOCHELA* is subscribed to the Illinois Liquor Control Commission to receive updates and news regarding liquor laws. BASSET training is a requirement upon employment at *TACOCHELA* for selling alcohol, and will be updated upon expiration. Manager(s) will conduct table checks to customers consuming alcohol and remind them of our water fountain as a prevention measure.

*TACOCHELA* Liquor Handling policies and State and Village Ordinances will result in fines and termination.

### **Accountability**

Phone numbers for taxi cab companies in the area of Downers Grove will be on hand for staff to utilize in case a patron needs assistance getting home, under the influence of alcohol or not. If needed, *TACOCHELA* staff will offer and/or provide a patron(s) with food immediately if they have had too much to drink.

### **Liquor Product Description**

"Wine" means any alcoholic beverage obtained by the normal alcoholic fermentation of the juice of sound, ripe grapes, fruits, berries or other agricultural products.

"Beer" means an alcoholic beverage usually made from malted cereal *grain* (as barley), flavored with hops, and brewed by slow fermentation

*see attachment for alcohol percentage for standard drinks*

## ACKNOWLEDGMENT FORM

Employee Name \_\_\_\_\_  
Address \_\_\_\_\_  
Telephone Number \_\_\_\_\_  
Date of Birth \_\_\_\_\_ Place of Birth \_\_\_\_\_  
Employee Classification \_\_\_\_\_

I, the undersigned, have read the Downers Grove Liquor License Guidelines and the Downers Grove Municipal Code, Chapter 3, and specifically Section 3-25 which deals with the sale of alcoholic beverages to minors, etc., and agree to comply with its specifications.

I acknowledge that I personally have the discretionary right to refuse sales of alcoholic beverages to anyone I feel is underage or intoxicated, and I, therefore, accept full responsibility for my actions.

As of today, **I am at least 21 years of age** and understand that I may take orders for alcoholic beverages, as well as serve/sell the product to customers for on premise consumption and ring up sales for off-premise consumption, only after determining that person placing the order is of legal drinking age - 21 years of age or older. I have read and understand the I.D. guidelines as outlined in the Downers Grove Liquor License Guidelines.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

OR

As of today, **I am at least 19 years of age** and understand that I may serve alcoholic beverages to customers for consumption on the premises only, after another employee at my place of employment (over the age of 21) determines that person placing the order is of legal drinking age - 21 years of age or older. I understand that I may not attend bar; draw, pour or mix any alcoholic beverages. I understand that I may not register (ring up) by mechanical means the sale of alcoholic liquor at any time at an off-premise licensed establishment. I have read and understand the I.D. guidelines as outlined in the Downers Grove Liquor License Guidelines.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date



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In this Section

Alcohol Facts & Statistics

What Is A Standard Drink?

Drinking Levels Defined

## What Is A Standard Drink?

Many people are surprised to learn what counts as a drink. The amount of liquid in your glass, can, or bottle does not necessarily match up to how much alcohol is actually in your drink. Different types of beer, wine, or malt liquor can have very different amounts of alcohol content. For example, many light beers have almost as much alcohol as regular beer – about 85% as much. Here’s another way to put it:

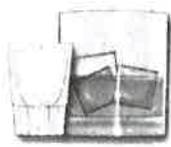
- Regular beer: 5% alcohol content
- Some light beers: 4.2% alcohol content

That’s why it’s important to know how much alcohol your drink contains. In the United States, one "standard" drink contains roughly 14 grams of pure alcohol, which is found in:

- 12 ounces of regular beer, which is usually about 5% alcohol
- 5 ounces of wine, which is typically about 12% alcohol
- 1.5 ounces of distilled spirits, which is about 40% alcohol

### How do you know how much alcohol is in your drink?

Even though they come in different sizes, the drinks below are each examples of *one standard drink*:

<b>12 fl oz of regular beer</b>	=	<b>8–9 fl oz of malt liquor</b> (shown in a 12 oz glass)	=	<b>5 fl oz of table wine</b>	=	<b>1.5 fl oz shot of 80-proof distilled spirits</b> (gin, rum, tequila, vodka, whiskey, etc.)
						
about 5% alcohol		about 7% alcohol		about 12% alcohol		40% alcohol

The percent of "pure" alcohol, expressed here as alcohol by volume (alc/vol), varies by beverage.

The percent of "pure" alcohol, expressed here as alcohol by volume (alc/vol), varies by beverage.

Although the "standard" drink amounts are helpful for following health guidelines, they may not reflect customary serving sizes. In addition, while the alcohol concentrations listed are "typical," there is considerable variability in alcohol content within each type of beverage (e.g., beer, wine, distilled spirits).

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<b>BLOOD ALCOHOL CONTENT (BAC)</b>										
<b>Table for Male (M) / Female (F)</b>										
<b>Number of Drinks</b>		<b>Body Weight in Pounds</b>								<b>Driving Condition</b>
		<b>100</b>	<b>120</b>	<b>140</b>	<b>160</b>	<b>180</b>	<b>200</b>	<b>220</b>	<b>240</b>	
<b>0</b>	<b>M</b>	.00	.00	.00	.00	.00	.00	.00	.00	Only Safe Driving Limit
	<b>F</b>	.00	.00	.00	.00	.00	.00	.00	.00	
<b>1</b>	<b>M</b>	.06	.05	.04	.04	.03	.03	.03	.02	Driving Skills Impaired
	<b>F</b>	.07	.06	.05	.04	.04	.03	.03	.03	
<b>2</b>	<b>M</b>	.12	.10	.09	.07	.07	.06	.05	.05	
	<b>F</b>	.13	.11	.09	.08	.07	.07	.06	.06	
<b>3</b>	<b>M</b>	.18	.15	.13	.11	.10	.09	.08	.07	
	<b>F</b>	.20	.17	.14	.12	.11	.10	.09	.08	
<b>4</b>	<b>M</b>	.24	.20	.17	.15	.13	.12	.11	.10	Legally Intoxicated
	<b>F</b>	.26	.22	.19	.17	.15	.13	.12	.11	
<b>5</b>	<b>M</b>	.30	.25	.21	.19	.17	.15	.14	.12	
	<b>F</b>	.33	.28	.24	.21	.18	.17	.15	.14	

Subtract .01% for each 40 minutes of drinking.  
 1 drink = 1.5 oz. 80 proof liquor, 12 oz. 5% beer, or 5 oz. 12% wine.  
**Fewer than 5 persons out of 100 will exceed these values.**

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# GOVERNMENT WARNING

According to the Surgeon General,  
women should not drink alcoholic  
beverages during pregnancy  
because of the risk of birth defects.

If you need assistance for substance abuse,  
please call the Office of Alcoholism and  
Substance Abuse (OASA) at 1.800.843.6154.

**Illinois Liquor Control Commission**

Posting of this sign, in plain view, is required of all Illinois retail liquor licensees in accordance with Public Acts 86-823, 96-387, and Section 5/6-24a of the Illinois Liquor Control Act.



## Illinois Liquor Control Commission

Be prepared to show **PROOF OF AGE.**

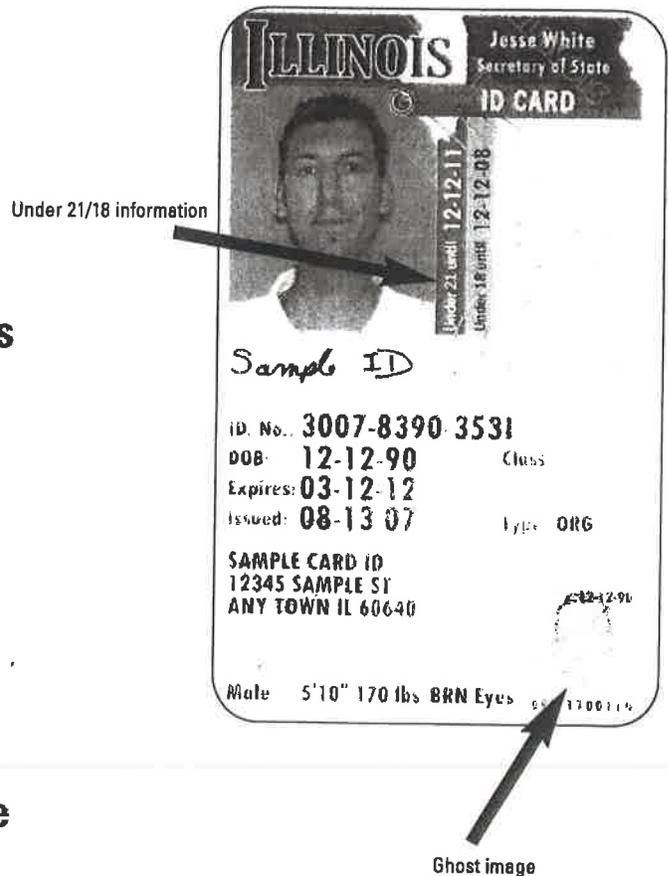
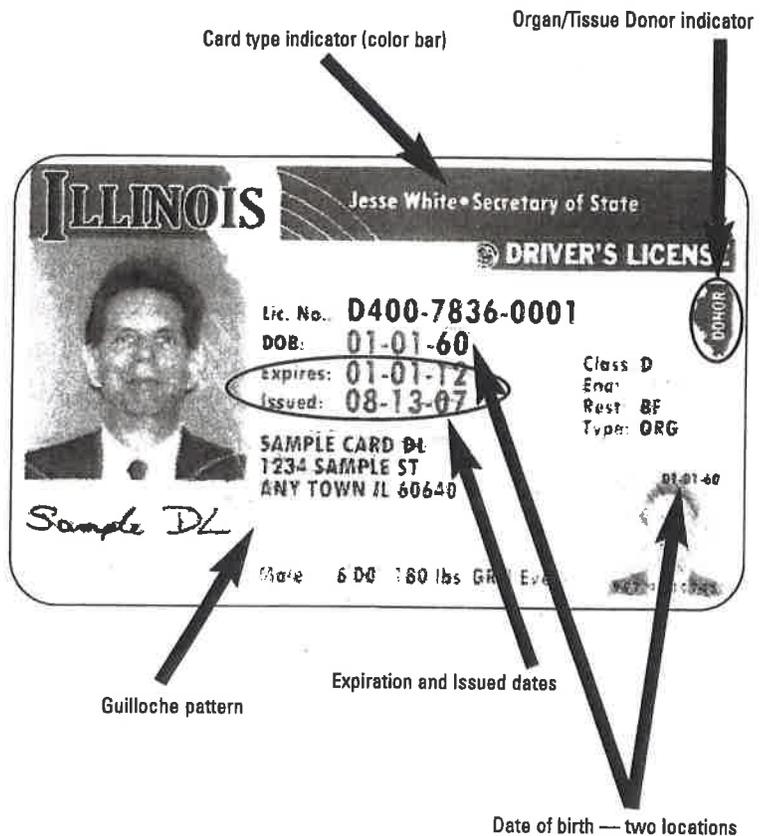
To be sold or served alcoholic beverages on these premises,  
your birthday must be on or before today's date in

# 1996

TO BE DISPLAYED DURING 2017

It is **ILLEGAL** to provide alcohol to a person under age 21,  
or for a minor to use a fake ID.

# Driver's License/ID Card Security Features



## Driver's License Features

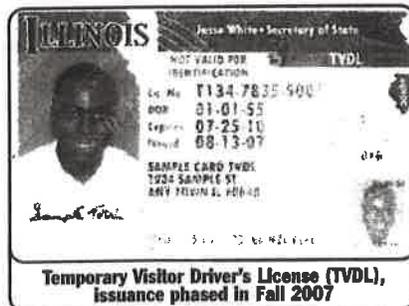
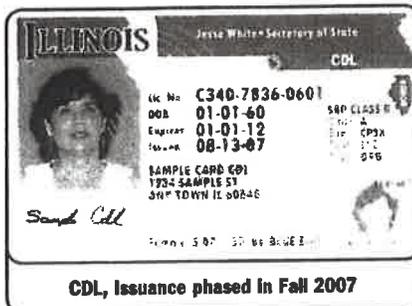
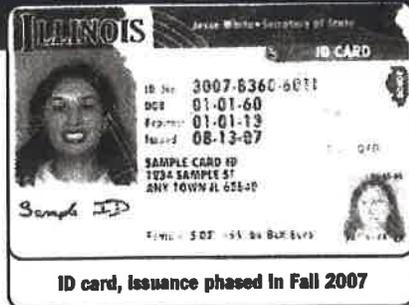
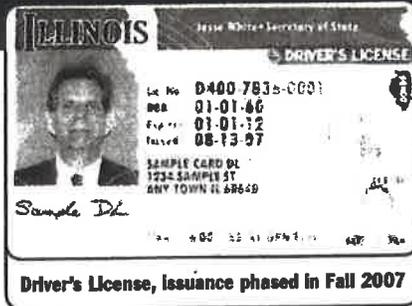
- Card type indicator  
Red — Driver's License and CDL  
Green — ID Card  
Purple — TVDL
- Guilloche pattern in background
- Date of birth in two locations
- Ghost image of photo
- Organ/Tissue Donor indicator
- UV, hologram, microtext and more

## Additional Features — Under 21 Driver's License

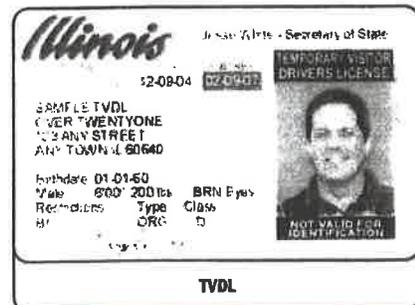
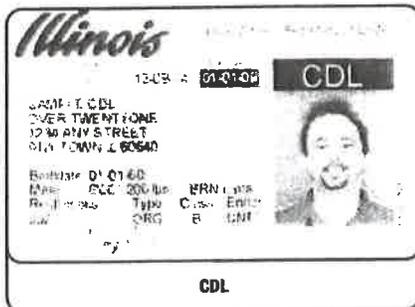
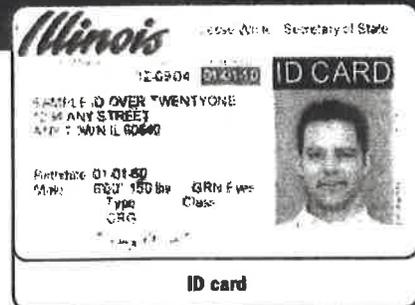
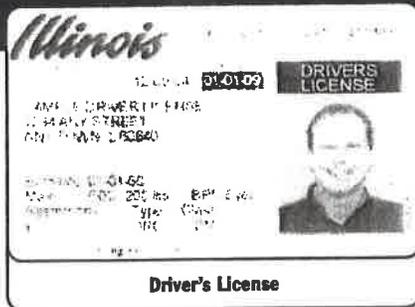
- All security features listed above
- Under 21/18 dates
- Vertical design

# Valid Over 21 Driver's Licenses/ID Cards

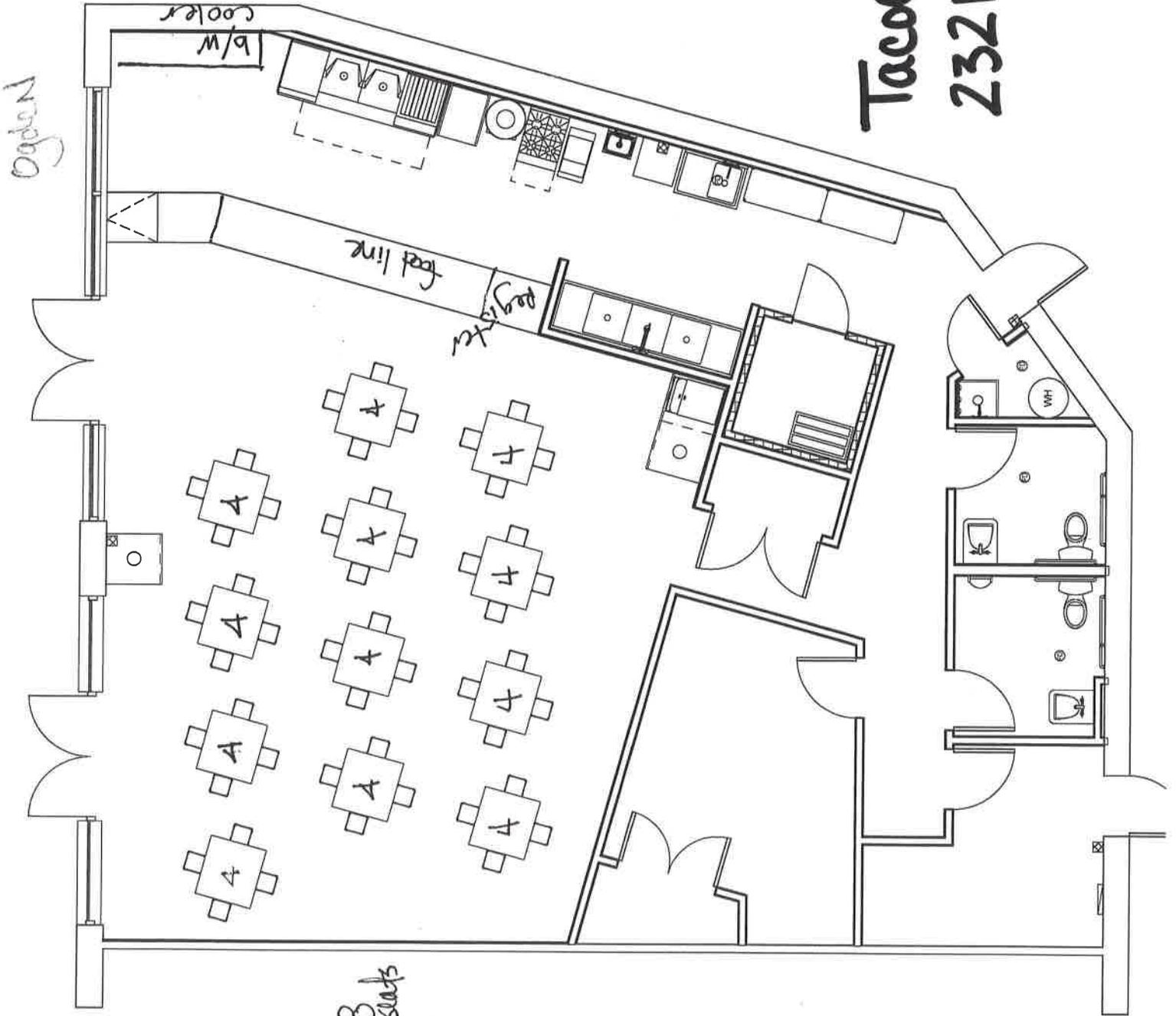
## NEW to be phased in Fall 2007



## OLD to be phased out upon individual expiration dates



# Tacocheles 2321 Ogden



12 4-tops = 48  
seats

No physical bar

## **VI      New Business**

### **Ordinance Discussion**



**VILLAGE OF DOWNERS GROVE  
REPORT FOR THE LIQUOR COMMISSION  
APRIL 6, 2017 AGENDA**

<b>SUBJECT:</b>	<b>TYPE:</b>	<b>SUBMITTED BY:</b>
Board & Brush of Illinois, LLC D/B/A: Board & Brush Creative Studio Address: 5151 Main Street	Request for the Creation of a new Liquor License Classification	Carol Kuchynka Liaison to the Liquor Commission

**REQUEST**

The applicant is requesting the creation of a new liquor license which will permit the sale of beer and wine for on-premise consumption at Board & Brush Creative Studio located at 5151 Main Street.

**NOTICE**

The request has been filed in conformance with applicable procedural and public hearing requirements. Board & Brush has fulfilled the necessary requirements of Section 3.9 of the Municipal Code.

**GENERAL INFORMATION**

Officer(s): Curt Selby & Julie Selby

Manager: Ms. Kary Connolly

Requestor: Board & Brush of Illinois, LLC d/b/a Board & Brush Creative Studio  
5151 Main Street  
Downers Grove, IL 60515

**PROPERTY INFORMATION**

**EXISTING LAND USE:** Commercial  
**PROPERTY SIZE:** (1,100 square feet)

**ANALYSIS**

**Submittals**

This report is based on the following documents, which are on file with the Legal Department:

1. Letter of Request
2. Business Overview
3. Draft Ordinance
4. Proposed Fee Administrative Regulation
5. Surrounding Community Information

**Compliance with the liquor ordinance**

Pursuant to Section 3-9 of the Municipal Code:

(f) *Request for creation of new license classification.* A written request shall be made to the Local Liquor Commissioner specifying the nature and type of liquor license sought, along with a business plan and/or operation plan outlining the type(s) of activities to occur on such premises. The license sought shall be in substantial conformance with the nature and intent and requirements of the Village's Liquor Code. If the Local Liquor Commissioner determines that the requested classification is warranted, he may forward such request to staff for processing. A public hearing may be required before the Local Liquor Commission to consider the creation of all new license classifications.

(g) *One time license fee.* A request for the creation of a new liquor license classification shall be subject to a one time license fee as set forth in Administrative Regulation entitled "User-Fee, License and Fine Schedule" which shall be intended to cover staff time and administrative costs for processing such request. Payment of such fee shall not guarantee the creation of such license classification.

**License conditions**

**3.3 Definitions.**

For the purposes of this Chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

Arts & Crafts Studio. A place kept, used, maintained and advertised or held out as a place in which the public may participate in activities, including, but not limited to, painting, ceramics, woodworking and craft design/construction projects utilizing fibers, metals, wood and/or glass.

**3.13 Classification of licenses.**

Such licenses shall be, and are hereby, divided into the following classes:

**Class "AS" Arts & Crafts Studio Licenses**

"AS" Arts & Crafts licenses shall authorize the on-premise consumption of beer and wine where the primary business is that of an Arts & Crafts Studio as defined herein. The following provisions shall apply:

Seventy five percent (75%) of the retail area of the facility shall be exclusively devoted to craft making activities.

No more than one (1) service bar shall be allowed on the premises. Such service bar shall not have seats or stools for patrons at which to sit.

Beer and wine may be served one half (1/2) hour prior to each craft making session and shall terminate at the conclusion of each session.

Beer and wine service shall be limited to patrons participating in craft making activities and shall not be allowed at any time a regularly scheduled or pre-scheduled craft making session are not in actual operation.

The public may participate in regularly scheduled class sessions by pre-registering, walk-in or by invitation to pre-scheduled private party function(s).

It is intended that the service of beer and wine is merely an adjunct to the operation of an Arts & Crafts Studio and shall not be advertised or otherwise held out to be a drinking establishment.

Nudity shall not be allowed during any activity, design, exhibition or instruction.

Such premises may include an area where food is prepared, including hot or cold sandwiches, appetizers, tapas, baked goods or other similar foods.

**3.15. Limitation on number of licenses.**

The number of licenses in each classification as defined in Section 3-13 which it shall be lawful to issue shall be limited so that the licenses in force and effect at any time shall not exceed the following numbers:

<b>License Classification</b>	<b>Amount of licenses not to Exceed</b>
<u>"AS" (Arts &amp; Crafts Studio)</u>	<u>2</u>

**Recommendation**

Based upon testimony presented at the April 6, 2017 hearing, if said request is consistent with the Liquor Code and meets the criteria for the creation of a new licenses classification, staff requests the following:

A recommendation from the Commission to forward a draft ordinance to the Village Council for the creation of an Arts & Crafts Studio, beer and wine only, on-premise consumption liquor license classification and related provisions thereto.



March 7, 2017

Dear Mayor Tully,

Please accept this letter confirming the formal interest of Board & Brush Creative Studio in opening a corporate owned studio in downtown Downers Grove, IL. Board & Brush Creative Studio is the fastest growing DIY Franchise businesses in the county ([www.boardandbrush.com](http://www.boardandbrush.com)). My wife Julie opened the original studio in Hartland, WI, in March of 2015 and as of today, we have recently announced our 55th studio opening and we are operating in 20 different states. Of the 55 studios, 9 are corporately owned and operated.

I personally manage our corporate owned studios and hire talented individuals to handle the day to day activities in each location. Our first corporate location in Illinois opened in New Lenox, IL in April 2016 and we have been very pleased with the success of this business and the generous welcome we received from the Village of New Lenox and Mayor Baldermann.

We have found a location at 5151 Main St. in Downers Grove that we feel would be an ideal location for a mid-size studio. We generally offer workshops 3-5 evenings a week and then have afternoon classes most Saturdays and some Sundays. We define our business as a wood & wine workshop, so the ability to have wine and malt beverages available during workshops is a requirement. This can either be accomplished by securing wine and malt beverage licenses from the municipality or by allowing customers to bring their own (BYO).

I would welcome the opportunity to meet with you to learn more about the business licensing process in Downers Grove and to discuss our business model and answer any questions you might have.

I look forward to hearing from you soon.

Sincerely,

A handwritten signature in black ink, appearing to read "Curt Selby".

Curtis Selby

Vice President

Board & Brush Creative Studio

[curt@boardandbrush.com](mailto:curt@boardandbrush.com)

(937) 271-3442



www.downers.us

March 29, 2017

**COMMUNITY RESPONSE  
CENTER**

630.434.CALL (2255)

**CIVIC CENTER**

801 Burlington Avenue  
Downers Grove

Illinois 60515-4782

630.434.5500

TDD 630.434.5511

FAX 630.434.5571

**FIRE DEPARTMENT  
ADMINISTRATION**

5420 Main Street

Downers Grove

Illinois 60515-4834

630.434.5980

FAX 630.434.5998

**POLICE DEPARTMENT**

825 Burlington Avenue

Downers Grove

Illinois 60515-4783

630.434.5600

FAX 630.434.5690

**PUBLIC WORKS  
DEPARTMENT**

5101 Walnut Avenue

Downers Grove

Illinois 60515-4046

630.434.5460

FAX 630.434.5495

Mr. Curtis Selby  
Board & Brush of Illinois, LLC  
800 Blue Spruce Circle  
Hartland, WI 53029

*Re: Request for Creation of New Liquor License Classification*

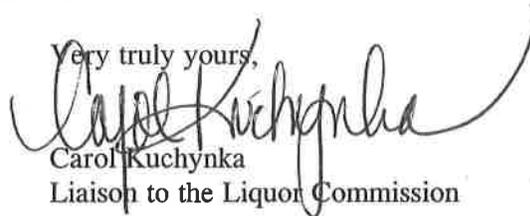
Dear Mr. Selby:

The Liquor Commission of the Village of Downers Grove will meet on Thursday, April 6, 2017, at 6:30 p.m. in the Village Hall Council Chambers to hear information concerning your request for the creation of a liquor license classification to allow the consumption of beer and wine at the Board & Brush Studio.

A discussion will be held concerning your request as a part of this meeting. I encourage you to attend this meeting at which time you will have an opportunity to comment in support of your proposal. In addition, the Liquor Commission will be particularly interested in hearing about your activities, experience and procedures as they relate to the sale of alcoholic beverages.

You may withdraw your request at any time prior to the public discussion. If you have any questions, please contact me at 434-5542.

Very truly yours,



Carol Kuchynka  
Liaison to the Liquor Commission

VILLAGE OF DOWNERS GROVE

cc: Kary Connolly

a:\Board&Brush\prelim-hrng-nts



March 21, 2017

Carol Kuchynka  
Staff Liaison  
Village of Downers Grove  
Downers Grove, IL 60515

Dear Carol,

Per your request I am attaching a business overview and information related to our liquor license application for our current business in New Lenox, IL. The Village of New Lenox created a new liquor classification for our business that allows us to sell wine and beer during our workshops without the requirement of selling food.

We originally intended to pursue a BYO license in New Lenox, however, after meeting with Mayor Baldermann we all decided that pursuing the new classification made the most sense as that was our preference.

We are open to either option in Downers Grove and I can make myself available to provide whatever additional information is necessary to facilitate the process.

Enclosed is a check in the amount of \$2984.00 for the fee to begin this process. I will say that I was surprised to learn that this fee was required as there was no similar requirement in New Lenox. I simply met with the Mayor and Village Clerk who then put the ball in motion with the Village Attorney. We then attended a council meeting and once the motion was approved, paid \$250 for the license application fee and \$1000 for the actual license.

Despite the above, we are still very interested in moving forward and excited about Board & Brush Downers Grove. Please let me know what additional information is required.

Sincerely,

A handwritten signature in black ink, appearing to read "Curt Selby". The signature is fluid and cursive.

Curtis Selby  
Vice President  
Board & Brush Creative Studio  
curt@boardandbrush.com  
(937) 271-3442



## **Board and Brush – Downers Grove Business Overview**

### **Key Facts:**

Legal Name of Business: Board & Brush of Illinois, LLC  
Trade Name of Business: Board and Brush Downers Grove  
Business Address: 5151 Main St. Downers Grove, IL  
Phone Numbers: (937) 271-3442  
Email: [curt@boardandbrush.com](mailto:curt@boardandbrush.com) / Local TBD  
Owners: Curt & Julie Selby  
Executive Studio Manager: Kary Connolly  
Nature of Business: Creative Art Studio  
Website: [www.boardandbrush.com](http://www.boardandbrush.com)

### **Mission Statement:**

*Hone your own passion for décor & DIY projects; we hand you the tools & direction, you create the friendships and craft.*

### **Business Overview:**

Board & Brush Creative Studio is here to guide your inner DIY! Our workshops provide guided instruction and a relaxed environment. Just bring your creativity and a willingness to learn and you will build a wooden décor piece from scratch that is worthy of your walls.

At Board & Brush Creative Studio, our goal is to turn you into a woodworking master by encouraging you to understand and appreciate the beauty of raw materials...the wood, the knots, the color variations and the simple imperfections will make your board unique. Distressing, sanding with the grain, and staining are a few of the important steps we will guide you through to make your décor piece one that will look as though it has been with you for years. Our custom stencil process allows you to personalize your piece with your surname, monogram, the year of your special event, or the names of your beloved children...the possibilities are endless and our design choices are expansive.

### **Our Start:**

What started as a "Girls Night Out" with wine and crafts in one of the founder's basement, quickly turned into a business idea and then reality in March of 2015. Since then the original studio has flourished and Board & Brush Creative Studio is the fastest growing DIY wood-sign entertainment chain in the country. We have grown very quickly and now have 61 studios in 21 different states!

### **Studio Set-Up**

Our approximate 1100 square foot Downer Grove studio will be the 2<sup>nd</sup> corporate owned studio in Illinois. It will be equipped with 4-5 8ft by 4ft crafting tables which will allow us to seat 24-30 participants. During our instructor based workshop, participants use sandpaper, hammers, mallets, electric drills, and painting tools, stains and paints. Our wood is custom cut at the lumberyard for our studio. Our Executive Studio Manager is the only on-site person authorized to cut wood for unusual circumstances and this would be done prior to class.

Our studio schedule will vary based on demand with workshops offered mainly in the evening and lasting approximately 3 hours. Birthday parties, corporate events, and other private events will be scheduled per specific customer requests.

Participants will pay a flat fee of \$65 for adult workshops, \$35 for our teen or “tween” workshops, and \$25 for children’s workshops. This includes all materials and instruction to take home a finished product.

We plan to apply for either: 1) an alcohol permit that would allow the sale of wine and beer along with non-alcoholic beverages during workshops OR 2) a BYO permit that would allow participants to bring in their own beer or wine for consumption during workshops. In our other studios where we sell alcohol, we average 1.5 alcoholic drinks (wine or beer) per person during a 3-hour workshop. Participants either approach our “bar” area and ask for a drink or our instructors take orders at the studio tables and serve the customer. Once the workshop is over, the customers promptly leave the premises and there is no “lounging around” or continued drinking. Our evening workshops normally start at 6:30 pm and are normally over by 9:30 pm. Our staff works from 5:30 pm until 10 pm or 10:30 pm. We do not plan to sell food during the workshops, but regularly have snacks such as pretzels, and chips, and nuts available to munch on at no charge. We do allow our customers to bring in food for private events (either hand made or catered / carry out restaurant food). This would mirror our other corporate owned studio located in New Lenox, IL where we have a beer and wine license and are not permitted to sell food.

### **Our Customers:**

Our target market is primarily women in the age group of 30-65 looking for a unique social and creative experience. We also target:

- Customers looking for a unique custom gift.
- Women wanting to learn woodworking and design
- Interior decorators and gift buyers
- People shopping for their own homes
- Party planners or moms of children
- Corporations looking for team building events
- Bridal Showers and Bachelorette Parties
- Organizations looking for private events

Find your nearest franchised studio above or select from the list below to book your next workshop.

*Studios marked with an \* are coming soon!*

<b>ARIZONA</b>	<b>GEORGIA</b>	<b>MASSACHUSETTS</b>	<b>TENNESSEE</b>
Flagstaff, AZ*	Athens, GA*	Amesbury, MA*	Memphis, TN
Gilbert, AZ	Johns Creek, GA		Murfreesboro, TN
Glendale, AZ	Madison, GA	<b>MINNESOTA</b>	Nashville, TN
Prescott, AZ	Peachtree City, GA	St. Louis Park, MN	
Scottsdale, AZ*		<b>MISSOURI</b>	<b>TEXAS</b>
	<b>ILLINOIS</b>	Cape Girardeau, MO	Belton, TX
<b>ARKANSAS</b>	New Lenox, IL		Cedar Park, TX
Little Rock, AR	Roscoe, IL	<b>NEVADA</b>	Colleyville, TX
	<b>INDIANA</b>	Reno, NV*	Fort Worth, TX
<b>COLORADO</b>	Brownsburg, IN		Lubbock, TX
Boulder, CO	Crown Point, IN	<b>NEW JERSEY</b>	Magnolia, TX
Denver, CO	Huntertown, IN*	Cherry Hill, NJ	Mansfield, TX
	Roanoke, IN		Plano, TX
<b>CONNECTICUT</b>	Valparaiso, IN	<b>OHIO</b>	San Antonio, TX
Monroe, CT	Westfield, IN	Cincinnati, OH	
Southington, CT		New Albany, OH	<b>WISCONSIN</b>
	<b>IOWA</b>	Powell, OH	Elm Grove, WI
<b>FLORIDA</b>	Clive, IA	Sylvania, OH	Green Bay, WI
Clearwater, FL*		Tipp City, OH	Hartland, WI
Fort Myers, FL	<b>KANSAS</b>		Lake Geneva, WI
Naples, FL*	Lenexa, KS	<b>OKLAHOMA</b>	Mount Horeb, WI
		Norman, OK	Neenah, WI*
	<b>KENTUCKY</b>	Oklahoma City, OK	Oak Creek, WI*
	Louisville, KY		Sheboygan, WI
			Sun Prairie, WI

WELCOME TO  
*Board & Brush*  
creative studio



# *Board & Brush*

## WOOD SIGN WORKSHOPS TO GUIDE YOUR INNER DIY





Our DIY workshops teach you techniques that you can use for creating décor pieces for your home. Board & Brush Creative Studio mainly uses wood elements for our projects, but we offer a wide variety of other materials in our DIY workshops.....glass, chalkboard, canvas pillows and slate. We even have workshops that combine building wooden projects with horticultural instruction including forcing bulbs and window garden planting.

We are your place to build on-trend, yet farmhouse classic, inspirational pieces of décor for your home. Our Studios offer a vintage, timeless look with accents of black and weathered wood to help culture your inner DIY design skills.

Just bring your creativity and a willingness to learn and you will build a wooden sign piece from scratch that is worthy of your walls. Come alone or bring your friends and family to share in our wood sign workshops. You will have a creative experience you won't forget!

**Our wood sign workshops and DIY projects are always changing, so every time you return, your creation will be a new and distinctive piece of art.**

A FEW OF OUR NEWEST & MOST POPULAR DESIGNS



[View All](#)

# *Have a question?*

**WE'D LOVE TO HEAR FROM YOU!**



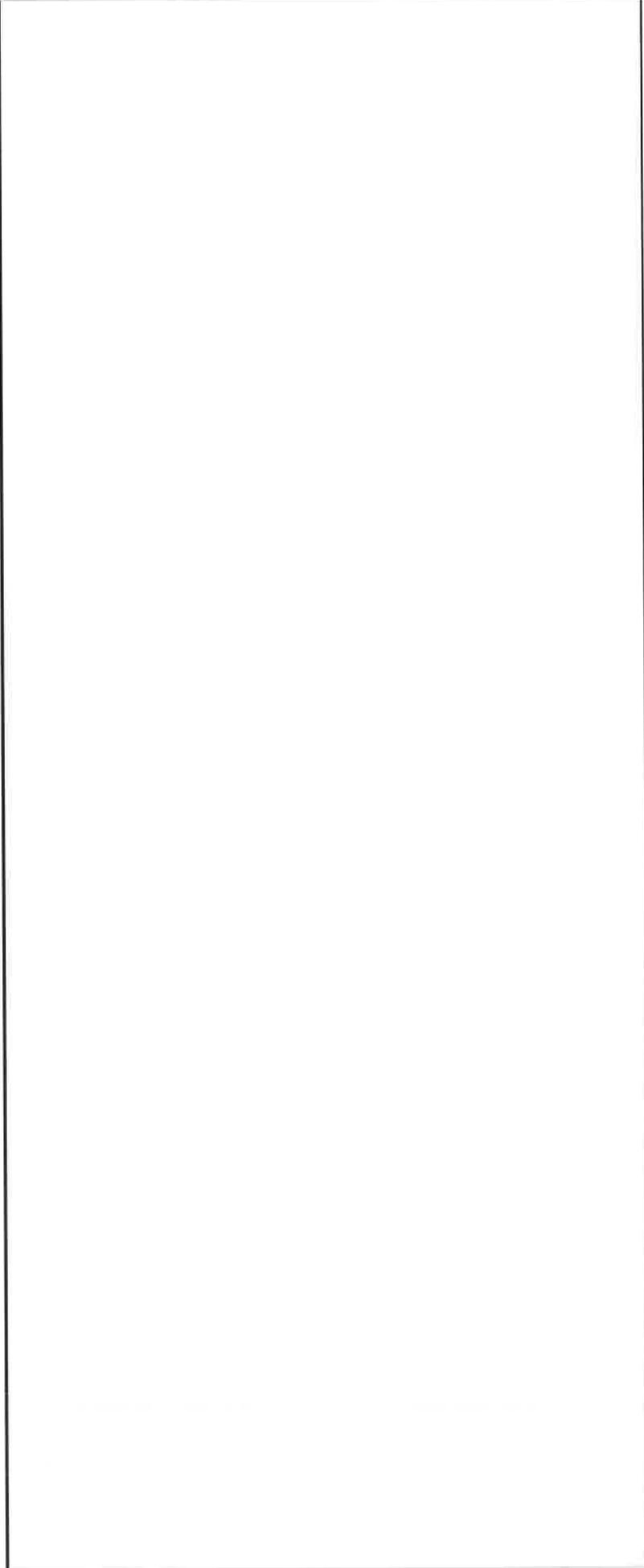
Which Studio Would You Like to Contact?

How can we help? (required)

Your Name (required)

Your Email (required)

Subject



*Board & Brush*

## **WOOD SIGN WORKSHOPS & WINE**

The original & fastest-growing DIY wood-sign entertainment chain in the nation!



**At Board & Brush Creative Studio, our goal is to turn you into a 'DIY master' by encouraging you to understand and appreciate the beauty of raw materials.....the wood, the knots, the color variations and the simple imperfections that will make your wood sign unique.** Distressing, sanding with the grain and staining are a few of the important steps we will guide you through to make your décor piece one that will look as though it has been with you for years....like a vintage heirloom.

Never used a hammer, sand paper or a power tool?  
 Never added picture hangers to a home décor sign to hang on your wall? Never waxed wood to protect it from the elements and make it glisten in the light?

Don't worry .....we will teach you all of these skills. **In fact, when you leave each DIY workshop we won't be surprised if we find you in the hardware store filling up your own toolbox!**

In addition, our custom stencil process allows you to personalize your piece with your surname, monogram, the year of your special event or the names of your beloved children....the possibilities are endless and our design choices are expansive. We work with top graphic designers from all over the country to provide you with the most up to date, inspiring designs that will adorn your walls for years to come. We believe 'classy and classic' will always have a place in your home.

So enjoy a glass of wine with your girlfriends, your spouse, your family, your co-workers or anyone else you decide to bring along while you hone in on your inner woodworking skills.

**HOW WE BECAME BOARD AND BRUSH:**



Our wood sign workshops started as a 'Girl's Night Out' with wine and crafts in the founder's basement and quickly turned into a business idea and then a reality in March of 2015. The founder of the company shares a passion for creating home décor and DIY projects. Woodworking techniques and skills combined with the latest trends and custom graphics is what created the DIY Board & Brush Creative Studios concept.

Board & Brush offers a wide variety of hands-on experiences from workshops, private parties, bridal showers, bachelorette gatherings, children's birthday bashes, corporate events, and fundraisers. All projects are a flat fee and include everything you will need to leave with a beautiful, classic wooden piece to adorn your walls.

## **MISSION STATEMENT**

Hone your own passion for décor & DIY projects; we hand you the tools & direction, you create the friendships and craft.

# MEET OUR FOUNDER



## JULIE SELBY

Julie has always believed that anything can be turned into a DIY project with a little creativity and elbow grease. She loves sharing this spirit with others through her wood sign workshops.

Julie worked for Lincoln Financial Group for 15 years as a financial writer and lead marketing analyst before becoming a 'stay at home mom'. For the past 15 years as a 'stay at home mom' she has worked as a freelance financial and grant writer for various companies and non-profit institutions and owned a candle wholesale company that was later acquired.

ORDINANCE NO. \_\_\_\_\_

**DRAFT**

**AN ORDINANCE CREATING A LIQUOR LICENSE  
CLASSIFICATION FOR ART STUDIOS**

BE IT ORDAINED by the Village Council of the Village of Downers Grove in DuPage County, Illinois, as follows: (Additions are indicated by shading/underline; deletions by ~~strikeout~~):

**Section 1. That Section 3.3 is hereby amended to read as follows:**

**3.3 Definitions.**

For the purposes of this Chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

*Act.* The Illinois Liquor Control Act of 1934, as now or hereafter amended.

*Alcoholic liquor.* Any spirits, wine, beer, ale or other liquid containing more than one-half of one percent of alcohol by volume, which is fit for beverage purposes. Beverages sold as beer, ale or other designation commonly applied to malt beverages containing more than one-half (1/2) of one percent (1%) of alcohol by volume shall be presumed to be alcoholic liquor for purposes of this Chapter.

*Arts & Crafts Studio.* A place kept, used, maintained and advertised or held out as a place in which the public may participate in activities, including, but not limited to, painting, ceramics, woodworking and craft design/construction projects utilizing fibers, metals, wood and/or glass.

*Alcoholic Liquor product identification sign.* Any sign, including any placard, banner, poster, streamer, balloon or other attention getting device, which is designed or used to advertise, promote or identify a particular brand of alcoholic liquor. This includes, but is not limited to, those signs commonly referred to as "beer signs" and may involve electronic or neon displays.

*Billiard Hall.* A place kept, used, maintained, advertised or held out to the public as a place in which the public may participate in a game of skill commonly known as pool. Such establishment shall have a guest seating capacity, excluding outdoor areas, of not less than one hundred (100). Such establishment shall be limited to patrons twenty-one (21) years of age and older.

*Bowling Alley.* A place kept, used, maintained, advertised or held out to the public as a place in which the public may participate in the game commonly known as bowling. Such establishment shall have a guest seating capacity, excluding outdoor areas, of not less than one hundred twenty-five (125).

*Brew Pub/Restaurant.* A place kept, used, maintained, advertised or held out to the public as a place where meals are regularly served and where beer is produced upon the premises. Such establishment shall operate as a restaurant and bar/lounge seating shall be limited to twenty percent (20%) of the entire seating for the establishment.

*Brewing Facility.* A place kept, used, maintained, advertised or held out to the public as a place in which the primary business is the distribution, manufacture, packaging, sale and storage of craft beer produced on the premises in compliance with Federal and State laws.

*Catering Business.* A business which provides and serves alcoholic liquor at locations not owned or leased by the catering business for consumption at such location.

*Catered event.* A dinner, banquet, party or other similar event at which alcoholic liquor is provided for consumption on the premises by a Catering Business.

*Club.* A corporation organized under the laws of this State, not for pecuniary profit, solely for the promotion of some common objective other than the sale or consumption of alcoholic liquors, kept, used and maintained by its members through the payment of annual dues, and owning, hiring or leasing a building or space in a building, of such extent and character as may be suitable and adequate for the reasonable comfortable use and accommodation of its members and their bona fide guests and provided

## Art Studio

with suitable and adequate kitchen and dining room space and equipment and maintaining a sufficient number of employees for cooking, preparing and serving food and meals for its members and their bona fide guests. Provided, the sale or offer of alcoholic liquor for sale to the public by the club, except as provided in Section 3.32 of this Chapter is not permitted, and further provided, that the affairs and management of the club 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 profits 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. The term club shall not include any "men's or women's club" as defined herein.

*Contracted theater rental.* A prearranged function in which an entity enters into a rental agreement or contract for the use of a theater for events, film viewing/critique or theater production/box office events.

*Convenience Store.* A place kept, used, maintained, advertised or held out to the public as a place in which the sale of food, beverages, medications, household products, cosmetic items and reading materials are provided. No more than twenty-five percent (25%) of the retail sale square footage area shall be devoted to the sale of alcoholic liquor and tobacco products.

*Entertainment/Restaurant facility.* A place kept, used, maintained, advertised or held out to the public as a restaurant and where dancing, live entertainment or recreational activities such as those which are included in the definition of a recreational facility, are available.

*Fashion show.* The modeling, showing or other presentation of lingerie or other garments for the purpose of entertaining or for sale of the garment, where the person so modeling the garment appears in a nude or semi-nude state.

*Gaming Facility.* A place kept, used, maintained, advertised or held out to the public as a place in which the public may participate for a fee in organized, competitive video gaming, online and through the use of video gaming consoles, excluding video gaming that involves gambling of any type. Such facility shall have a retail game sales area. Such facility shall have a guest seating capacity, excluding outdoor areas, of not less than thirty-five (35).

*Grocery Store.* A place kept, used, maintained, advertised or held out to the public as a place where the primary business consists of the direct retail sale of items such as meats, cereals, grains, produce, baked goods, dairy products, canned and frozen prepared food products, beverages, cleaning supplies, pet food and supplies, over the counter medicines, personal products, household goods and similar items are available to be purchased by the consumer. No more than twenty-five percent (25%) of the retail sale square footage area shall be devoted to the sale of alcoholic liquor and tobacco products.

*Hotel.* A building or group of buildings used in conjunction with one another as a lodging facility providing sleeping accommodations for compensation to travelers and guests, whether transient, permanent or residential and in which one hundred or more rooms are provided for such purpose.

*Men's or women's club.* A place kept, used, maintained, advertised or held out to the public as a place which offers entertainment where any person may appear in a nude or semi-nude state, or offers the customer a role playing interaction, including but not limited to servers, hosts, hostesses, dancers, singers, models or other performance artists.

*Nude or nudity or a state of nudity.* The appearance of a human bare buttock, anus, genitals, or female breast; or, a state of dress which fails to opaquely cover a human buttock, anus, genitals, or areola of the female breast.

*Semi-nude.* A state of dress in which clothing covers no more than the genitals, pubic region, and areolae of the female breast, as well as portions of the body covered by supporting straps or devices.

*Original package.* Any bottle, flask, jug, can, barrel, keg, or other receptacle or container whatsoever, used, corked or capped, sealed and labeled by the manufacturer of alcoholic liquor, to contain and to convey any alcoholic liquor.

*Outdoor sales.* The sale or consumption of alcoholic liquor in an area adjacent to an existing licensed

## Art Studio

business which is wholly or partially contained upon private or public property.

*Private function.* A prearranged private party, function, or event for a specific personal, social or business occasion, either by invitation or reservation and not open to the general public, where the guests in attendance are served in an area designated and used exclusively for the private party, function or event and where the licensee is not the host of said function.

*Regularly scheduled motion pictures or films.* Motion pictures or films scheduled to be shown at previously arranged and advertised times and open to the general public. Regularly scheduled motion pictures or films shall not include any motion pictures or films shown as a result of a contracted theater rental, as defined in this section.

*Recreational facility.* A place kept, used, maintained, advertised or held out to the public as a place in which the public may participate in activities, including but not limited to bowling, gaming, billiards, and indoor simulated golf, as defined herein. Such establishment shall include an area where food is prepared on the premises and food service shall be available during operation. It shall be unlawful for any licensee holding a license for a recreational facility to sell or offer for sale at retail, any alcoholic liquor on such premises at any time when the regular and complete business of the recreational facility is not staffed, in actual operation, and open to the public for business, except that such sales may be made during a one (1) hour period immediately following the close of regular recreational facility operations in such premises. Bar/lounge seating shall be no more than twenty percent (20%) of the total seating provided for patrons of the establishment.

*Restaurant.* A place kept, used, maintained, advertised or held out to the public as a place with the service of food and drink, and where meals are regularly served, without sleeping accommodations, and where adequate provision is made for sanitary kitchen and dining room equipment and capacity and a sufficient number of employees to prepare and serve food for its customers. It being the intent of this paragraph that the primary business conducted on premises to be licensed as restaurants hereunder shall be the service of food and drink. Food service shall be available at all times liquor sales are being conducted. Menus shall be on the table, presented to each patron as they are seated or be posted in such a manner to be easily readable by the patrons of the restaurant. Provided, the kitchen may not cease operating prior to one hour before closing. Bar/lounge seating shall be no more than twenty percent (20%) of the total seating provided for patrons of the establishment.

*Retail sale.* The sale for use or consumption, and not for resale.

*Retail sale square footage area.* The area or space in an establishment devoted for the retail sale of goods or products offered for consumer purchase and shall not include storage freezers, storage coolers, warehouse, office areas or areas that are not open to the general public.

*Retirement Facility.* A multi-family dwelling complex and health center where meal service and recreational activities are provided to occupants fifty-five (55) years of age or older.

*Role playing interaction.* An arrangement, service or program where a server, host, hostess, dancer, singer, model or other performance artist, engages a customer in a meeting or conversation involving, depicting, participating in, or relating to any "specified sexual activities" as defined and set forth in Chapter 8 of the Municipal Code.

*Sale. (to Sell)* Any transfer, exchange or barter, in any manner or by any means whatsoever, for a consideration and not for resale, including all sales made by any person whether as principal, proprietor, agent, servant or employee, and including, but not limited to, all of the following acts when done for consideration:

- (1) The selling of alcoholic liquor.
- (2) The delivery of alcoholic liquor, without additional charge, with a meal or with entertainment or the providing of samples of alcoholic liquor as part of a promotion or sales device of any kind.
- (3) The dispensing of alcoholic liquor.
- (4) The providing of mix, ice, water or glasses for the purposes of mixing drinks containing alcoholic liquor for consumption on the same premises.

## Art Studio

- (5) The pouring of alcoholic liquor.
- (6) The providing of "set-ups" containing alcoholic liquor.
- (7) The giving away of alcoholic liquor.

However, it shall not be considered a "Sale" when:

- (1) alcoholic liquor is provided as part of a religious ceremony; or
- (2) at private functions as defined herein that are held by the host and where the guests are not charged for the alcoholic liquor consumed.

*Theater.* A place kept, used, maintained, advertised or held out to the public as a place within the DB Downtown Business District regularly used for showing motion pictures/films or conducting theatrical, musical or live performances or events with a seating capacity of nine hundred (900) or more persons.

*Theater production/box office events.* Theatrical, musical, live performances or special events in which tickets are sold to the general public. These productions shall not include regularly scheduled motion pictures or films.

*Wine Boutique.* A place kept, used, maintained, advertised or held out to the public as a place where the retail sale of wine and beer, tastings and education seminars/classes are conducted on a regular basis and on-site consumption of wine and beer is allowed.

*Wine Shop.* A place kept, used, maintained, advertised or held out to the public as a place where the retail sale of wine and beer for off-premise consumption, tastings and education seminars/classes are conducted on a regular basis. (Ord. No. 244, § 1; Ord. No. 1741, § 1; Ord. No. 1749, § 1; Ord. No. 2388, § 1; Ord. No. 2450, § 1; Ord. No. 2541, § 1; Ord. No. 2735, § 1; Ord. No. 2847, § 1; Ord. No. 3164, § 1.)  
NOTE:

### **Section 2. That Section 3.13 is hereby amended to read as follows:**

#### **3.13 Classification of licenses.**

Such licenses shall be, and are hereby, divided into the following classes:

##### **Class "AS" Arts & Crafts Studio Licenses**

"AS" Arts & Crafts licenses shall authorize the on-premise consumption of beer and wine where the primary business is that of an Arts & Crafts Studio as defined herein. The following provisions shall apply:

Seventy five percent (75%) of the retail area of the facility shall be exclusively devoted to craft making activities.

No more than one (1) service bar shall be allowed on the premises. Such service bar shall not have seats or stools for patrons at which to sit.

Beer and wine may be served one half (1/2) hour prior to each craft making session and shall terminate at the conclusion of each session.

Beer and wine service shall be limited to patrons participating in craft making activities and shall not be allowed at any time a regularly scheduled or pre-scheduled craft making session are not in actual operation.

The public may participate in regularly scheduled class sessions by pre-registering, walk-in or by invitation to pre-scheduled private party function(s).

It is intended that the service of beer and wine is merely an adjunct to the operation of an Arts & Crafts Studio and shall not be advertised or otherwise held out to be a drinking establishment.

Nudity shall not be allowed during any activity, design, exhibition or instruction.

Such premises may include an area where food is prepared, including hot or cold sandwiches, appetizers, tapas, baked goods or other similar foods.

##### **Class "B" Brew Pub/Restaurant Licenses**

## Art Studio

"B-1" Brew pub/restaurant licenses shall authorize the retail sale of alcoholic liquor and beer produced on the premises for on-site consumption and the retail sale of beer in original packages, unopened only, produced on the licensed premises for off-premise consumption.

### **Class "BF" Brewing Facility Licenses**

"BF" licenses shall authorize the on-premise consumption and retail sale of craft beer where the premises is that of a brewing facility as defined herein. The following provisions shall apply:

No more than a total of forty-eight (48) ounces of beer shall be served for the purpose of on-site consumption, whether by the glass or by the flight, to any customer in any one (1) day with a single serving not to exceed sixteen (16) ounces,

Product sampling shall be permitted in accordance with State law at no charge,

On-premise consumption shall be limited to the retail portion of the licensed premises except during supervised tours and private events. The retail portion shall not exceed 3,000 square feet.

Patrons under the age of twenty-one (21) shall be allowed on the premises when accompanied by an individual twenty-one (21) years of age or older, however, classes and seminars shall be limited to patrons twenty-one (21) years of age or older.

### **Class "BYO" Bring Your Own Licenses**

"BYO" licenses shall authorize the consumption of beer and wine which has been brought onto the premises by a patron or patrons twenty-one (21) years of age or older for on-site consumption where the premises is that of a restaurant as defined herein. The following provisions shall apply:

BYO shall be permitted in conjunction with the purchase and consumption of a meal while seated at a table and served by wait staff;

No more than one (1) 750ml bottle of wine per patron or no more than 36 ounces of beer per patron (unopened) shall be permitted to be brought into the premises;

BYO shall be allowed only during the restaurant hours of operation and only along with and during regular food service;

BYO licensees may provide glass ware and ice to patrons; may uncork, pour and control its consumption and may charge a corkage fee;

Employees who have successfully completed a certified training program may perform corkage/serving duties. Such employees must be at least nineteen (19) years of age or older and shall serve in accordance with all State and local laws;

BYO licensees shall provide a certificate of insurance reflecting coverage for dram shop or equivalent liability for BYO service;

At a patron's request, the licensee shall re-seal any unconsumed portion of wine in accordance with State law;

BYO licensees are prohibited from storing alcoholic liquor on the premises, unless as otherwise provided by a separate license classification validly held by the licensee;

Packaged and on-site sales of alcoholic liquor is prohibited, unless as otherwise provided by a separate license classification validly held by the licensee;

BYO licensees shall be liable for violations of this Chapter in the same manner as the holder of any other classification of liquor license, including but not limited to violations for service to minors and the over-serving of patrons.

### **Class "C" Club (Private) Licenses**

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"C-1"- Private club licenses shall authorize the retail sale of alcoholic liquor for consumption on the premises where the business is that of a club as defined herein.

### **Class "E" Entertainment/Restaurant Facility Licenses**

"E-1" Entertainment/Restaurant Facility licenses shall authorize the sale of alcoholic liquor for consumption on the licensed premises where the primary business is an entertainment/restaurant facility as defined herein, of not less than twelve thousand (12,000) square feet. Such facility shall have dining on the premises with a guest seating capacity, excluding outdoor areas, of not less than one hundred twenty-five (125). Such facility shall have an area where food is prepared on the premises. An area or area(s) may be devoted to dancing, live entertainment or recreational activities. Physical bar seating shall be limited to twenty percent (20%) of the total amount of dining seats provided.

Such facility shall be limited to patrons twenty-one (21) years of age and older.

A monthly report shall be submitted to the Village describing any planned events or scheduled entertainment by the licensee.

The licensee shall provide the Village with a detailed security plan for the facility, including, but not limited to, a policy, security procedures and security staffing provisions. Twenty-four (24) hour emergency contact information shall be provided to the Village's Police and Fire Departments.

This license shall be subject to any other additional conditions and/or restrictions imposed by the Local Liquor Commissioner either at the time of initial issuance or renewal of the license.

### **Class "G" Golf Course.**

"G" Golf course licenses shall authorize the retail sale of beer and wine for consumption on the licensed premises operated by the Downers Grove Park District. Sales shall be authorized in the clubhouse, an outdoor area and upon the golf course. Sales of beer and wine from a motorized food and beverage cart operating on the public golf course are authorized provided not more than fifty percent (50%) of the designated storage/display capacity shall be devoted to the display and sale of beer and wine. No more than one (1) such motorized food and beverage cart shall be on the course and in operation at any one time. Non-alcoholic beverages and food shall at all times be stocked and available for sale in such cart.

### **Class "H" Hotel Licenses**

"H-1" Hotel licenses shall authorize the retail sale of alcoholic liquor for consumption on the premises of a hotel as defined herein, and the retail packaged sale of beer and wine in original packages to hotel patrons. This shall include sales occurring at facilities, or as part of activities, normally operated as an integral part of the hotel, such as, but not necessarily limited to, restaurants, cocktail lounges, room service and banquets. Provided, the licensed premises shall have at least one restaurant with a seating capacity of not less than one hundred twenty-five (125) operated as an integral part of the hotel.

### **Class "K" Catering Licenses**

"K-1" Catering licenses shall authorize the sale of alcoholic liquor in connection with the operation of an off-site catering business as defined herein that serves alcoholic liquor in connection with the catering of foods for private functions and for consumption only on the premises where the food is catered. The sale

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of alcoholic liquor shall be incidental to the food service and if the catered event does not qualify as a private function, a special event license shall also be required for the location of the catered event. No cash bar shall be permitted. No alcoholic liquor shall be served at a single location for more than eight (8) consecutive hours. A licensee shall submit a report to the Village within thirty (30) days following each July 1 and January 1 setting forth the location of each event the licensee has catered within the Village and the number of hours for which liquor and food were served at such events during the six (6) months prior. In addition, such report shall describe any planned events currently scheduled by the licensee.

"K-2" Catering licenses shall authorize the sale of beer and wine at the Downers Grove Park District Recreation Center located at 4500 Belmont Road. Provided, a catering license may be issued to a sub-contractor who solely provides beer and wine service on behalf of and in conjunction with an off-site food catering business under contract with the Downers Grove Park District. The sub-contractor may not utilize the Class K-2 catering liquor license in any other facility in the Village, operate independently at the Recreation Center or provide beer and wine without food service being available. Service of beer and wine shall be limited to service from a designated portable bar area. No table service of wine or beer shall be allowed. In all instances, the sale of alcoholic liquor shall be incidental to the food service. No cash bar shall be permitted. No alcoholic liquor shall be served at a facility rental for more than six (6) consecutive hours. The licensee shall submit a report to the Village within thirty (30) days following each July 1 and January 1 setting forth the date, time and type of any planned events currently scheduled by the licensee in order for the Village to monitor compliance. In addition, the Village may request that the licensee include information on the dates, times and types of events at the Center during the six (6) months prior.

### **Class "O" On-Premise Consumption, Outdoor Licenses**

"O" Outdoor licenses shall authorize the sale and consumption of alcoholic liquor in an enclosed outdoor seating area. This license may only be issued to establishments holding a valid Class B, C, E, P-O, REC, RF, R or W license and shall be limited to the conditions of the respective license classification issued to the establishment. The main and principal operation of the outdoor area shall be for dining purposes and food must be available in the outdoor dining area at all times and shall be subject to the provisions set forth in Section 3.30. Operation of the outdoor area for a Class C license is limited to private party rentals and shall be subject to the provisions set forth in Section 3.32.

### **Class "P" Off-Premise Consumption Licenses**

"P-1" Packaged liquor licenses shall authorize the retail sale on the premises specified, which shall not include premises of less than three thousand six hundred (3,600) square feet, of alcoholic liquor in packages with the seals unbroken, only, and not for consumption on the premises, except that tastings shall be permitted on such premises in accordance with State law. Such licenses shall be only authorized in locations where the sale of packaged liquor is the primary business and/or in locations where the primary business is that of a grocery store or convenience store as defined herein.

"P-2" Packaged liquor licenses shall authorize the retail sale on the premises specified, of beer and wine in original packages, unopened only, and not for consumption on the premises, except that tastings shall be permitted on such premises in accordance with State law. Such licenses shall be only authorized in locations where the primary business is that of a grocery store, wine shop or convenience store as defined herein.

### **Class "P-O" On Premise and Off Premise Consumption Licenses**

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"P-O" Packaged liquor licenses shall authorize the retail sale of alcoholic liquor. Such licenses shall be only authorized in locations where a grocery store is the primary business.

(1) The sale of alcoholic liquor, in original packages, unopened only, shall be permitted subject to the following conditions:

- a. No more than ten percent (10%) of the retail sale square footage area shall be devoted to the sale of tobacco products.
- b. Free tastings, classes or seminars shall be permitted on such premises in accordance with State law.
- c. Alcohol sold in original packages and intended for off-premise consumption shall not be opened or consumed on the premises or in any designated seating/serving area.

(2) The sale of alcoholic liquor shall also be permitted for consumption on the premises subject to the following conditions:

- a. The premises shall exceed five thousand five hundred (5,500) square feet.
- b. The seating/serving area for customers consuming alcohol on the premises shall not exceed twenty percent (20%) of the retail square footage area of the premises or three thousand (3,000) square feet, whichever is less.
- c. Consumption of alcoholic liquor on the premises shall be limited to the designated seating/serving area and signage shall be posted that patrons may not leave the area with open alcohol.
- d. Such premises shall include an area where food is prepared and regularly served, including hot or cold sandwiches, appetizers, tapas, baked goods or other similar foods.
- e. It is intended that the service of alcoholic liquor is merely an adjunct to the operation of a grocery store and shall not be advertised or otherwise held out to be a drinking establishment.

### **Class "REC", Recreational Facility, On Premise Consumption Licenses**

"REC-1" Recreational Facility licenses shall authorize the retail sale of alcoholic liquor for consumption on the licensed premises, where the primary business is a recreational facility as defined herein.

"REC-2" Recreational Facility licenses shall authorize the retail sale of beer and wine for consumption on the licensed premises, where the primary business is a recreational facility, as defined herein.

### **Class "R" Restaurant, On Premise Consumption, Indoor Licenses**

"R-1" Restaurant licenses shall authorize the sale of alcoholic liquor for consumption on the licensed premises, where the primary business is that of a restaurant, as defined herein.

"R-2" Restaurant licenses shall authorize the retail sale of beer and wine for consumption on the licensed premises, where the primary business is that of a restaurant, as defined herein.

### **Class "RF" Retirement Facility Licenses**

"RF"- Retirement Facility licenses shall authorize the sale of alcoholic liquor for consumption on the premises to temporary or permanent residents of a retirement facility and their bona fide guests. On-site consumption shall be allowed within the confines of dining rooms and outdoor patio areas where meals

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are regularly served. No packaged sales of alcoholic liquor shall be allowed. The facility shall not be permitted to advertise or promote the sale of alcoholic liquor nor offer alcoholic liquor for sale to the public.

Private functions shall be allowed in common areas as part of regular activities integral to the facility. Marketing programs conducted by the facility shall be allowed provided they are private, by invitation only, and are limited to age-appropriate prospective clientele.

### **Class "S" Special Event Licenses**

"S" Special Event licenses shall be issued for the temporary sale of alcoholic liquor during special events.

(a) It shall be unlawful for any person who does not hold a valid liquor license pursuant to the provisions of this Chapter, to dispense or cause to be dispensed alcoholic beverages at a grand opening, tasting, open house or other special event open to the public, without first having obtained a special event license from the Local Liquor Commissioner. It shall be unlawful for any person holding a valid liquor license to conduct a special event which exceeds the limitations on liquor sales or otherwise fails to meet the requirements inherent in the applicable license classification without first having obtained a special event license from the Local Liquor Commissioner.

(b) Applications for a license under the provisions of this section shall be filed on forms provided by the Village. The general application procedures set forth in Sections 3.9 and 3.12 shall not apply to licenses issued under this section except for the requirement under Section 3.9(c)(9) concerning dram shop insurance coverage. Provided, the Local Liquor Commissioner may refer any application under this section to the Local Liquor Commission for review and comment. The application shall include such information as the Local Liquor Commissioner determines is necessary to process such application and may include, but is not limited to, the estimated number of persons attending the event, the location and layout of liquor sales at the event and at the premises, the persons responsible for dispensing of alcoholic liquor, steps to be taken by applicant to protect against any violations of the Village's ordinances and information regarding the manner in which and what type of liquor shall be dispensed and consumed. Additional information and material may be required during the processing of such application related to applicant's qualifications and information provided in the original submittal, including attachments. In the event the applicant is made aware that any information or document submitted as part of this application process is inaccurate or incomplete, the applicant shall immediately notify the Village and provide appropriate corrections. Failure to accurately and completely provide, or as necessary update, required information may delay the processing of such application or result in its denial.

(c) A fee shall be paid along with the application submittal as set forth in Administrative Regulation entitled "User-Fee, License and Fine Schedule".

(d) Where the applicant is a governmental unit and/or charitable organization, the Local Liquor Commissioner may waive the fee otherwise required by this section under his sole discretion.

(e) Upon submittal of a properly completed application and payment of fee, the Local Liquor Commissioner may issue a special events license subject to such reasonable restrictions as the Local Liquor Commissioner may require to protect the public health, safety and welfare, including, but not limited to the following:

(1) No more than six (6) such special event licenses shall be issued for the same location within any calendar year.

(2) The special event license holder shall take proper precautions and fully comply with the applicable provisions of this Chapter during the special event.

(3) The special event will last no longer than three (3) days, provided that two (2) consecutive licenses can be utilized for an event which shall not exceed six (6) days.

(4) The provisions of Section 3.11(b) regarding proximity of the proposed special event

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shall not apply to licenses issued under this section.

(5) The following restrictions apply to community special events sponsored by a governmental entity:

(i) At least two (2) persons twenty-one (21) years of age or older shall be present at all times in the liquor consumption area to monitor compliance with applicable regulations and laws of the Village and State of Illinois regarding the consumption of liquor.

(ii) The licensee shall incorporate such other measures as the Local Liquor Commissioner may direct to protect the public health safety and welfare, including measures to protect against violations of the regulations and laws of the Village and State of Illinois regarding the consumption of liquor.

(6) The provisions of Section 3.30 regarding outdoor sales shall not apply to special event licenses issued under this section and a special event may include outdoor sales, service and consumption as approved by the Local Liquor Commissioner.

(7) Except as otherwise provided in this section, the applicant shall comply with all applicable provisions of the Downers Grove Municipal Code, including but not limited to, zoning, building, health and safety regulations.

(f) The Local Liquor Commissioner may issue a special event license as provided under this section to permit the sale and consumption of alcoholic liquor on public property. Provided, except for Village sponsored or co-sponsored community-wide celebrations, special events and other similar activities or functions, a temporary use license as provided in Chapter 4 of the Downers Grove Municipal Code shall be required for any special event conducted wholly or partially upon Village controlled property. An application shall be completed as provided in subsection (b) above and submitted to the Local Liquor Commissioner for decision. Provided, in addition to any other requirements which may be imposed, issuance of any special event license involving public property shall be contingent upon proof of dram shop insurance, up to the statutory limit, and such other liability insurance as the Village may from time to time direct, listing the Village, its officers and employees, as an additional insured.

(g) It is recommended that at least one (1) person on-site shall possess a certified training certificate pursuant to Section 3.33.3.

### **Class "T" Theater.**

"T" Theater licenses shall authorize the retail sale of alcoholic liquor for consumption on the licensed premises where the primary business is that of a Theater as defined herein, subject to the following conditions:

1. Sales of alcoholic liquor shall be limited to contracted theater rentals and theater production/box office events.
2. Alcoholic liquor sales shall not be allowed during regularly scheduled motion pictures or films or during events that are primarily oriented for children.
3. Sales shall be made from portable bars containing alcoholic liquor, mixes and related preparation materials. Such portable bars shall not have seats or stools for patrons at which to sit.
4. Portable bars shall be removed and/or stored out of view during all regularly scheduled motion pictures.
5. No alcoholic liquor shall be served at a single contracted theater rental for more than six (6) consecutive hours.
6. Alcoholic liquor may be served during theater production/box office events during one (1) hour prior to the event, during intermission not exceeding two (2) consecutive hours and for no more than one (1) hour after an event. However, an extension of liquor serving hours may be granted in accordance with the provisions of Section 3.31(a).
7. Food service must be available during contracted theater rentals and theater production/box office events in which alcoholic liquor service exceeds two (2) consecutive hours. However, should there

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be a suspension of liquor service for a main event or attraction (at a minimum duration of one (1) hour), such food service shall not be required.

8. The licensee shall submit a report to the Village within thirty (30) days following each July 1 and January 1 setting forth each contracted theater rental/theater production/box office event and the number of hours for which liquor was served during the six (6) months prior. In addition, such report shall describe any planned events currently scheduled by the licensee.

### **Class "W" Wine Boutique.**

"W-1" Wine Boutique licenses shall authorize the retail sale of beer and wine in original packages and for consumption of wine or beer on the premises. Tastings, classes or seminars shall be permitted on such premises in accordance with State law. Such licenses shall be only authorized in locations where the sale of wine is the primary business.

The sale of wine and beer shall be permitted for consumption on the premises subject to the following conditions:

- a. The premises shall not exceed three thousand six hundred (3,600) square feet.
- b. The seating/serving area for customers ordering wine or beer within the premises shall be limited to forty percent (40%) of the gross retail square footage, but shall not exceed seven hundred fifty (750) square feet.
- c. Such facilities shall include an area in which preparation of food is provided and food is served on the premises, including hot or cold sandwiches, appetizers, tapas or other similar foods.
- d. It is intended that the service of wine or beer is merely an adjunct to the sale of beer and wine in original packages. (Ord. No. 244, § 6; Ord. No. 279, § 1; Ord. No. 356, § 1; Ord. No. 634, § 1; Ord. No. 635, § 1; Ord. No. 1059, § 1; Ord. No. 1200, § 1; Ord. No. 1465, § 1; Ord. No. 1741, §§ 15 to 17; Ord. No. 2246, § 1; Ord. No. 2388, § 7; Ord. No. 2541, § 6; Ord. No. 2735, § 1; Ord. No. 2945, § 1; Ord. No. 2996, § 1; Ord. No. 3050, § 1; Ord. No. 3164, § 2.)

### **Section 3. That Section 3.15. is hereby amended to read as follows:**

#### **3.15. Limitation on number of licenses.**

The number of licenses in each classification as defined in Section 3-13 which it shall be lawful to issue shall be limited so that the licenses in force and effect at any time shall not exceed the following numbers:

<b>License Classification</b>	<b>Amount of licenses not to Exceed</b>
"AS" (Arts & Crafts Studio)	2
"B-1" (Brew Pub)	1
"BF" (Brewing Facility)	2
"BYO" (Bring Your Own - beer/wine)	4
"C-1" (Club, private)	6
"E" (Entertainment/Restaurant - full)	2
"G" (Golf Course)	1
"H-1" (Hotel)	Unlimited
"K-1" (Catering - full)	4
"K-2" (Catering - Park District - beer/wine)	1
"O" (Outdoor)	Unlimited
"P-1" (Packaged-full)	20
"P-2" (Packaged -beer/wine)	15
"P-O" (Packaged - full off premise and on premise consumption - Grocery Store)	3
"REC-1" (Recreational Facility - full)	3
"REC-2" (Recreational Facility - beer/wine)	1

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"R-1" (Restaurant - full)	Unlimited
"R-2" (Restaurant - beer/wine)	Unlimited
"RF" (Retirement Facility - full)	Unlimited
"S-1" (Special Event)	Unlimited
"S-2" (Special Event)	Unlimited
"T" (Theater)	1
"W-1" (Wine Boutique)	2

(Ord. No. 244, § 4a; Ord. No. 284, § 1; Ord. No. 356, § 2; Ord. No. 1059, § 1; Ord. No. 1200, § 1; Ord. No. 1395, § 1; Ord. No. 1465, § 2; Ord. No. 1741, § 21; Ord. No. 2246, § 2; Ord. No. 2541, § 8; Ord. No. 2735, § 1; Ord. No. 2861, § 3; Ord. No. 3050, § 3.)

**Section 4.** That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

**Section 5.** That this ordinance shall be in full force and effect from and after its passage and publication in the manner provided by law.

\_\_\_\_\_  
Mayor

Passed:  
Published:  
Attest: \_\_\_\_\_  
Village Clerk

Chapter 3: Alcoholic Liquor

The fee for the various classes of liquor licenses shall be as follows:

<u>Fee Title</u>	<u>Amount of Fee</u>	<u>Code Section</u>
Application Fee	\$1,674.00	3.9
Outdoor Application Fee	\$737.00	3.9
Indoor & Outdoor Application Fee	\$2,043.00	3.9
Expedited Application Fee	\$835.00	3.9
One time license fee (classification creation)	\$2,984.00	3.9
<b>License Fees:</b>		
<b>AS (Arts &amp; Crafts Studio – Beer/Wine)</b>	<b>\$2,028.00</b>	<b>3.14</b>
BYO	\$608.00	3.14
B-1 (Brew Pub – Full Alcohol)	\$3,867.00	3.14
BF (Brew Facility – Beer Packaged & On site)	\$3,867.00	3.14
C-1 (Club, private – Full Alcohol)	\$915.00	3.14
E (Entertainment/Restaurant - Full Alcohol)	\$4,897.00	3.14
G (Golf Course – Beer/Wine)	\$2,221.00	3.14
H-1 (Hotel Full Alcohol)	\$4,834.00	3.14
K-1 (Catering - Full Alcohol)	\$1,136.00	3.14
K-2 (Catering Park District – Beer/Wine)	\$1,298.00	3.14
O (Outdoor)	\$325.00	3.14
P-1 (Packaged - Full Alcohol)	\$2,468.00	3.14
P-2 (Packaged - Beer/Wine)	\$1,554.00	3.14
P-O (Packaged (Full) On site (Full) )	\$3,119.00	3.14
REC-1 (Recreational Facility - Full Alcohol)	\$4,382.00	3.14
REC-2 (Recreational Facility - Beer/Wine)	\$2,747.00	3.14
RF (Retirement Facility – Full Alcohol)	\$1,240.00	3.14
R-1 (Restaurant - Full Alcohol)	\$3,703.00	3.14
R-2 (Restaurant - Beer/Wine)	\$2,087.00	3.14
S-1 (Special Event –hearing required)	\$498.00	3.14
S-2 (Special Event – no hearing)	\$117.00	3.14
T (Theater – Full Alcohol)	\$2,028.00	3.14
W-1 (Wine Boutique – Beer/Wine)	\$1,856.00	3.14
Late Fee	\$301.00	3.14; 3.16
Extension of Liquor Serving Hours	\$66.00/request (limit - 4 per year)	3.31

## BYOB & Art Studio Licensing

Municipality	BYOB Allowed	BYOB License Required	License to Sell on Premises
Downers Grove		X BYO-restaurant only	Class AS (pending)
Arlington Heights	X (no license required) may amend		
Chicago	X (no license required)		
Evanston	X (no license required)		
Homewood			X Class 12 (no food/public accommodation)
Glen Ellyn	X Class A4 (b&w/food req'd)		
LaGrange		X Class H	
New Lenox			X Class J (any building/b&w/no food)
Naperville			X Class M (recreational facility/no food)
Plainfield			X Class V (art studio/no liq.after 11)
Schaumburg		X Class F (restaurant/b&w/food req'd)	
<p><b>*NOTE: Some events are set up at liquor licensed establishment/restaurants where alcohol is served by a licensed holder</b>  Events take place in a special room/area of the facility and separate from daily activities</p>			