



Agenda Cover Memorandum

Meeting Date: March 21, 2016

Meeting Type: COW (Committee of the Whole) City Council Budget Workshop

Item Title: Approve the final reading of Ordinance Amending the Liquor Code to Create a New Complementary Service Liquor License and Adopt a Renewal Late Fee

Action Requested:

<input checked="" type="checkbox"/>	Approval	<input type="checkbox"/>	For discussion
<input type="checkbox"/>	Feedback requested	<input type="checkbox"/>	For your information

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Background:

The City has enacted local liquor licensing regulations for the sale at retail and service of alcoholic beverages in the City. Recently, the City learned that one or more consumer service businesses have been allowing customers to bring their own alcoholic beverages into their retail premises and/or have been serving complimentary alcoholic beverages to customers. The City's current liquor license regulations do not allow these practices (the existing BYOB license only applies to restaurants). After being notified of the liquor license restrictions, one of the nail salons expressed an interest in continuing to allow the consumption of beer and wine by customers as a complementary service and asked if the City would consider an amendment to its liquor license regulations. Likewise, art studios and other consumer service businesses have adopted similar practices.

The attached ordinance would create a new complementary service liquor license that would allow a consumer services business to allow the consumption of beer and wine by its customers either through BYOB or as a complement to the principal services provided by the business. In response to questions from the last City Council meeting, the ordinance has been revised to specifically exclude food service businesses (e.g. restaurants) and packaged liquor stores from being eligible for this license to avoid creating a loophole. The ordinance also reinstates a penalty for late renewal applications that had been inadvertently left out of the last liquor ordinance amendments.

Brief discussion ensued at the March 7, 2016 City Council meeting regarding the annual fee of \$500 for the new complementary service liquor license. No action was taken to change the fee. Council is being asked to approve the final reading of ordinance as presented.

Recommendation:

Approve the final reading of Ordinance Amending the Liquor Code to Create a New Complementary Service Liquor License and Adopt a Renewal Late Fee

Attachments:

- Draft Ordinance

CITY OF PARK RIDGE

ORDINANCE NO. 2016- _____

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PARK RIDGE
AMENDING ARTICLE 12, CHAPTER 6 OF THE MUNICIPAL CODE OF PARK RIDGE
TO CREATE A NEW COMPLEMENTARY SERVICE LIQUOR LICENSE
AND PROVIDE A LATE FEE FOR RENEWALS**

WHEREAS, the City of Park Ridge is an Illinois home rule municipal corporation organized and operating pursuant to Article VII of the Illinois Constitution of 1970; and

WHEREAS, the City has adopted certain liquor license regulations designed to protect the health, safety and welfare, which regulations are codified at Article 12, Chapter 6 of the Park Ridge Municipal Code (“Liquor Code”); and

WHEREAS, the Illinois Liquor Control Act, 235 ILCS 5/1-1. et seq. (“Act”), describes the minimum regulation of liquor license establishments in the State of Illinois; and

WHEREAS, Section 4-1 of the Act, 235 ILCS 5/4-1, empowers the Mayor and City Council to establish such conditions, regulations and restrictions upon the issuance of local liquor licenses not inconsistent with law as the public good and convenience may require; and

WHEREAS, in addition, 65 ILCS 5/11-42-10.1 authorizes municipalities to license and regulate businesses operating as a public accommodation that permit the consumption of alcoholic liquor on the business premises; and

WHEREAS, the Mayor and City Council desire to update and revise the City’s Liquor Code and add a new liquor license class to allow alcoholic beverages to be served as a complement to public service businesses, as described in this Ordinance, and to reinstate the late fee penalty for renewal applications; and

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Park Ridge, Cook County, Illinois, pursuant to its home rule authority provided under Article VII of the Illinois Constitution of 1970 as follows:

SECTION 1: Paragraph 3, "Specialty licenses," of Subsection A, "Licenses," of Section 12-6-6, "Classifications and Fees" of Chapter 6, "Alcoholic Liquors," of Article 12, "Businesses and Occupations," of the Park Ridge Municipal Code is hereby amended as follows:

3. Specialty licenses:

Class S-1	Home Delivery	\$1,000.00
Class S-2	Bring Your Own Bottle (BYOB)	\$1,000.00
Class S-3	Off-Site Dispensing	\$ 750.00
Class S-4	Complementary Service	\$ 500.00
Class S-4 Class S-5	License with Special Conditions	As set by City Council

SECTION 2: Subsection III, "Class S Licenses (Specialty)," of Section 12-6-7, "Descriptions and Restrictions" of Chapter 6, "Alcoholic Liquors," of Article 12, "Businesses and Occupations," of the Park Ridge Municipal Code is hereby amended by renumbering paragraph D as new paragraph E, and creating a new paragraph D and amending paragraph E, as follows:

D. Complementary Service: Class S-4 shall authorize a business engaged in providing non-food goods or services to the public to allow the consumption of beer and wine by its patrons that: (1) is brought to the premises of the business by the patron (BYOB) and/or (2) is served by the business; as a complement to the patron's purchase of goods or services offered by the business (complementary service). A class S-4 license shall be subject to the following regulations:

1. The licensee may provide patrons of the business with individual servings of wine or beer in glasses at no charge, or may provide glasses and ice for patrons who bring their own beer or wine to the premises.

2. No wine or beer may be served to or consumed by persons on the business premises except as a complement to the patron's contemporaneous purchase or consumption of goods and services made available to the public by the licensee.

3. The complementary service or consumption of beer or wine at the licensed premises is limited to not more than three servings of alcoholic beverages by a patron during any single calendar day, regardless of whether the beverage is provided by the licensee or brought to the licensed premises by the patron. No alcoholic beverages other than beer or wine are permitted.

4. It shall be unlawful for the licensee, its agents, and employees to permit any patron to leave the licensed premises with

an open container of wine or beer regardless of whether the container is provided by the licensee or brought to the licensed premises by the patron.

5. The licensee must maintain general liability insurance coverage as required by section 12-6-16.

6. In no case shall the sale or consumption of alcoholic liquor take place outside of the normal business hours of the business.

7. An S-4 license shall not be issued to any business which operates primarily as a packaged liquor store or restaurant.

DE. License With Special Conditions: Class ~~S-4~~**S-5**, the corporate authorities may, from time to time, create conditional licenses which are based on the license classifications set forth above, but which contain additional conditions and restrictions. These licenses with special conditions, while created by the City Council, shall remain subject to issuance by the Commissioner.

SECTION 3: Section 12-6-10, "Renewal of License" of Chapter 6, "Alcoholic Liquors," of Article 12, "Businesses and Occupations," of the Park Ridge Municipal Code is hereby amended as follows:

12-6-10: RENEWAL OF LICENSE

Any Licensee may apply to renew a license. This renewal privilege shall not be construed as a vested right, but shall be completely subject to the Commissioner's right of review of the Licensee's background and history of operation in the State of Illinois. No license shall be renewed unless the State license number appears on the face of the application. Any Licensee that submits its renewal application to the City after the deadline set forth in the renewal notice will be assessed a late fee penalty of \$100.00.

SECTION 4: This Ordinance shall be in full force and effect from and after its passage, approval and publication according to law.

SECTION 5: The City Clerk is hereby authorized and directed to publish said Ordinance in pamphlet form according to law.

Adopted by the City Council of the City of Park Ridge, Illinois this ____ day of _____, 2016.

VOTE:

AYES: _____

NAYS: _____

ABSENT: _____

Approved by me this
____ day of _____, 2016.

Acting Mayor Marty Maloney

Attest:

City Clerk