

ORDINANCE NO. 18-_____

**AN ORDINANCE AMENDING TITLE 3 (BUSINESS AND LICENSE REGULATIONS),
CHAPTER 3 (LIQUOR AND TOBACCO CONTROL), SECTION 3 (DEFINITIONS) AND
SECTION 11 (LIQUOR LICENSE AND PERMIT CLASSIFICATIONS)
OF THE NAPERVILLE MUNICIPAL CODE**

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NAPERVILLE, DUPAGE AND WILL COUNTIES, ILLINOIS, in exercise of its home rule powers that:

SECTION 1: Title 3 (Business and License Regulations), Chapter 3 (Liquor and Tobacco Control), Section 3 (Definitions) of the Naperville Municipal Code is hereby amended by adding the underlined language as follows:

3-3-3: - DEFINITIONS: For the purposes of this Chapter, the following words and phrases shall have the following meanings:

ALCOHOLIC LIQUOR through
ALTERNATIVE NICOTINE PRODUCT

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BEER:	A beverage obtained by the alcoholic fermentation of an infusion or concoction of barley or other grain, malt, hops in water, including <u>cider</u> , beer, ale, stout, lager, porter and the like.
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BREWERY PUB through
VENDING MACHINE

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WINE OR VINOUS BEVERAGES:	Any alcoholic beverage obtained by the fermentation of the natural contents of fruits, or vegetables, containing sugar, including such beverages when fortified by the addition of alcohol or "spirits"; <u>includes Mead</u> .
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SECTION 2: Title 3 (Business and License Regulations), Chapter 3 (Liquor and Tobacco Control), Section 11 (Liquor License and Permit Classifications) of the Naperville Municipal Code is hereby amended by adding the underlined language as follows:

3-3-11: - LIQUOR LICENSE AND PERMIT CLASSIFICATIONS:

The following are classes of liquor licenses and permits with an annual license and permit fee as indicated:

- 1. On-Premises Consumption Liquor Licenses: through
- 2. Off-Premises Consumption Liquor Licenses: * * *
- 3. Permits:

	<u>Catering and/or Bartending Services Permit</u>
Requirements of Premises	<u>Catering Permit: Required any time perishable food is prepared, served, or sold to the public by any caterer located outside the City limits doing business in the City.</u> <u>Bartending Services Permit: Required any time bartending services are sold to the public by any bartender or bartender services company located within or outside the City limits doing business in the City.</u>
Consumption	On premises at event.
Container Requirements	None.
Food Service	None.
Type of Liquor Service	
Annual Fee	\$1,000.00
Other	Servers must attend a City BASSET class.

Complimentary Beer/Wine Permit * * *

	<u>Dispenser Permit</u>
Requirements of Premises	<u>Required for licensed establishments to use customer operated dispensing devices. Permit holder is required to actively and passively monitor customer operated dispenser pours and the consumption of customer operated dispenser poured alcohol.</u> <u>Class B and Class J license holders only.</u>
Consumption	<u>On premises.</u>

Container Requirements	<u>A maximum serving of no more than twenty-four (24) ounces of beer or six (6) ounces of wine per pour.</u>
Food Service	<u>Full menu, including entrees, side dishes, fully staffed kitchen until 9:00 p.m. (Sun.—Thurs.), 10:00 p.m. (Fri.—Sat.) required.</u>
Type of Liquor Service	<u>Beer and wine only.</u>
Annual Fee	<u>\$500.00</u>
Other	<p><u>Permits are capped at two (2) permits for licensed establishments located in the Downtown and four (4) permits for licensed establishment not located in the Downtown.</u></p> <p><u>The customer must purchase all alcohol served from customer operated dispensing devices via a programmable, preauthorized access card programmed to allow the dispensing of individual servings of no more than twenty-four (24) ounces of beer or six (6) ounces of wine. The permit holder must be able to inactivate the access card if necessary to prevent violations of the municipal code.</u></p> <p><u>The permit holder must provide constant video monitoring of the customer operated dispensing devices at all times during which the licensed establishment is open to the public. The permit holder must keep recorded footage from the video monitoring for at least ninety (90) days and must provide the footage, upon request, to any agent of the local Liquor and Tobacco Control Commissioner or other authorized law enforcement agent.</u></p> <p><u>The permit holder must provide and maintain one (1) BASSET certified employee to serve as an attendant monitoring the customer operated dispensing devices for every thirty-five (35) customers operating the dispensing devices within an establishment. The attendant(s) must remain stationed within a reasonable distance and within the sightline of the customer operated dispensing devices and monitor the service of alcohol guarding against over and under age service, as well as any other applicable regulations. The permit holder must not allow additional customers to enter the licensed premises unless it is able to appropriately staff attendants.</u></p>

	<u>The permit holder and any on-premises manager will be joint and severally liable for any municipal code violations concerning this permit.</u>
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**Entertainment Permit through
Temporary Permit**

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SECTION 3: This Ordinance shall be in full force and effect upon its passage and approval.

PASSED this _____ day of _____, 2018.

AYES:

NAYS:

ABSENT:

APPROVED this _____ day of _____, 2018.

Steve Chirico
Mayor

ATTEST:

Pam Gallahue, Ph.D.
City Clerk