



Legislation Details (With Text)

**File #:** 21-0758      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 6/3/2021      **In control:** City Council

**On agenda:** 6/15/2021      **Final action:** 6/15/2021

**Title:** Waive the first reading and pass the ordinance amending Section 3-3-11 (Liquor License and Permit Classifications) of Chapter 3 (Liquor and Tobacco Control) the Naperville Municipal Code expanding the Class R - Legitimate Theater House license to allow service during live theater and events onsite (requires six positive votes)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Legitimate Theater House Amendment, 2. Liquor Commission Meeting Minutes 040821 FINAL

Date	Ver.	Action By	Action	Result
6/15/2021	1	City Council	waived the first reading and passed	

**CITY COUNCIL AGENDA ITEM**

**ACTION REQUESTED:**

Waive the first reading and pass the ordinance amending Section 3-3-11 (Liquor License and Permit Classifications) of Chapter 3 (Liquor and Tobacco Control) the Naperville Municipal Code expanding the Class R - Legitimate Theater House license to allow service during live theater and events onsite (requires six positive votes)

**DEPARTMENT:** Legal Department

**SUBMITTED BY:** Jennifer Lutzke, Senior Assistant City Attorney

**BOARD/COMMISSION REVIEW:**

On April 8, 2021, the Liquor Commission unanimously approved the proposed amendments.

**BACKGROUND:**

The Legitimate Theater House (Class R) license allows for the sale of beer and wine for onsite consumption at theatrical presentations utilizing live actors. At present, there are two Class R licensees:

1. Center Stage, located on Quincy Avenue
2. Chartwell's at Wentz Concert Hall, located on Chicago Avenue

The Class R license currently limits sales and service of liquor to the lobby and places hourly restrictions on sales and service to one hour prior to the start of a performance and no later than one-half hour before the end of a performance. There is no cap on the number of Class R licenses.

**DISCUSSION:**

On April 8, 2021, Center Stage petitioned the Liquor Commission to expand the types of service allowed under its current license. Center Stage frequently hosts rental events with live bands, birthday parties, live stage performance and other celebrations. Center Stage requested to expand the liquor license to allow service of alcoholic liquor at all rental and live theater events. Due to the low number of licenses impacted by the requested change, and positive record of Center Stage with regard to liquor service, the Liquor Commission approved the recommendation. Final minutes from the April 8, 2021 Liquor Commission meeting are attached.

**FISCAL IMPACT:**

Corresponding increase in sales taxes related to any additional sales permitted by this amendment.