



## Legislation Text

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File #: 18-520B, Version: 1

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### **CITY COUNCIL AGENDA ITEM**

#### **ACTION REQUESTED:**

Pass the ordinance amending Sections 3 and 11 of Title 3, Chapter 3, of the Naperville Municipal Code adding a Bartending Services Permit and Dispenser Permit.

**DEPARTMENT:** Legal Department

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

#### **BOARD/COMMISSION REVIEW:**

The Bartending Services Permit was approved by the Liquor Commission on February 8, 2018. The Dispenser Permit was approved by the Liquor Commission on June 7, 2018.

#### **BACKGROUND:**

The City currently has one licensed establishment in the Downtown, SixtyFour A Wine Bar, which allows customers to self-serve themselves wine by using an automated card. Red Arrow Tap Room, slated to open in the Downtown at 216 S. Washington Street, will feature a beer wall giving patrons an opportunity to fill their own glass using a pour card. Both establishments are eligible for a Class B Liquor License. After the City was approached by Red Arrow Tap Room, the Liquor Commission determined that additional requirements were necessary to regulate businesses allowing for the self-service of alcohol.

#### **DISCUSSION:**

The Naperville Municipal Code does not presently have any regulations concerning the self-service of liquor by patrons of establishment. The proposed additions set serving size restrictions, limit self-service to beer or wine, require that the permit holder be able to inactive the access card, require video monitoring of dispensing devices, and a BASSET certified employee to monitor the customer operated dispensing devices. It also clarifies the liability of the permit holder, caps the amount of permits available, and limits the availability of the dispenser permit to Class B - Restaurant and Tavern and Class J - Hotel/Motel and Tavern license holders.

The Bartending Services Permit adds regulations to the Liquor Code requiring entities providing private bartending services to obtain a permit from the City to ensure that private bartenders are Naperville BASSET trained.

The proposed dispenser permit has been reviewed and approved by Wine 64 and Red Arrow Tap Room. Staff also shared the proposed amendments with the Naperville Chamber of Commerce for review and feedback. The Naperville Chamber of Commerce provided some comments, which have been addressed or incorporated into the ordinance where possible.

The dispenser and bartending service permits serve the interest of the City and its residents by

establishing regulations pertaining to the self-service of beer or wine and ensuring that private bartending services are complying with the requirements of the Naperville Municipal Code.

On June 19, 2018, City Council conducted the first reading of the Bartending Services and Dispenser Permits. Concerns were raised concerning the videotaping requirement of the Dispenser Permit, but no consensus was reached. After reviewing the concerns raised, the language in the ordinance was tightened to allow only authorized law enforcement agents to request video footage.

**FISCAL IMPACT:**

This ordinance will have a fiscal impact associated with the increased revenue received from the dispenser and bartending services permit fees.