

1 AN ACT concerning liquor.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Liquor Control Act of 1934 is amended by
5 changing Sections 6-5, 6-6, and 6-11 as follows:

6 (235 ILCS 5/6-5) (from Ch. 43, par. 122)

7 Sec. 6-5. Except as otherwise provided in this Section, it
8 is unlawful for any person having a retailer's license or any
9 officer, associate, member, representative or agent of such
10 licensee to accept, receive or borrow money, or anything else
11 of value, or accept or receive credit (other than merchandising
12 credit in the ordinary course of business for a period not to
13 exceed 30 days) directly or indirectly from any manufacturer,
14 importing distributor or distributor of alcoholic liquor, or
15 from any person connected with or in any way representing, or
16 from any member of the family of, such manufacturer, importing
17 distributor, distributor or wholesaler, or from any
18 stockholders in any corporation engaged in manufacturing,
19 distributing or wholesaling of such liquor, or from any
20 officer, manager, agent or representative of said
21 manufacturer. Except as provided below, it is unlawful for any
22 manufacturer or distributor or importing distributor to give or
23 lend money or anything of value, or otherwise loan or extend

1 credit (except such merchandising credit) directly or
2 indirectly to any retail licensee or to the manager,
3 representative, agent, officer or director of such licensee. A
4 manufacturer, distributor or importing distributor may furnish
5 free advertising, posters, signs, brochures, hand-outs, or
6 other promotional devices or materials to any unit of
7 government owning or operating any auditorium, exhibition
8 hall, recreation facility or other similar facility holding a
9 retailer's license, provided that the primary purpose of such
10 promotional devices or materials is to promote public events
11 being held at such facility. A unit of government owning or
12 operating such a facility holding a retailer's license may
13 accept such promotional devices or materials designed
14 primarily to promote public events held at the facility. No
15 retail licensee delinquent beyond the 30 day period specified
16 in this Section shall solicit, accept or receive credit,
17 purchase or acquire alcoholic liquors, directly or indirectly
18 from any other licensee, and no manufacturer, distributor or
19 importing distributor shall knowingly grant or extend credit,
20 sell, furnish or supply alcoholic liquors to any such
21 delinquent retail licensee; provided that the purchase price of
22 all beer sold to a retail licensee shall be paid by the retail
23 licensee in cash on or before delivery of the beer, and unless
24 the purchase price payable by a retail licensee for beer sold
25 to him in returnable bottles shall expressly include a charge
26 for the bottles and cases, the retail licensee shall, on or

1 before delivery of such beer, pay the seller in cash a deposit
2 in an amount not less than the deposit required to be paid by
3 the distributor to the brewer; but where the brewer sells
4 direct to the retailer, the deposit shall be an amount no less
5 than that required by the brewer from his own distributors; and
6 provided further, that in no instance shall this deposit be
7 less than 50 cents for each case of beer in pint or smaller
8 bottles and 60 cents for each case of beer in quart or
9 half-gallon bottles; and provided further, that the purchase
10 price of all beer sold to an importing distributor or
11 distributor shall be paid by such importing distributor or
12 distributor in cash on or before the 15th day (Sundays and
13 holidays excepted) after delivery of such beer to such
14 purchaser; and unless the purchase price payable by such
15 importing distributor or distributor for beer sold in
16 returnable bottles and cases shall expressly include a charge
17 for the bottles and cases, such importing distributor or
18 distributor shall, on or before the 15th day (Sundays and
19 holidays excepted) after delivery of such beer to such
20 purchaser, pay the seller in cash a required amount as a
21 deposit to assure the return of such bottles and cases. Nothing
22 herein contained shall prohibit any licensee from crediting or
23 refunding to a purchaser the actual amount of money paid for
24 bottles, cases, kegs or barrels returned by the purchaser to
25 the seller or paid by the purchaser as a deposit on bottles,
26 cases, kegs or barrels, when such containers or packages are

1 returned to the seller. Nothing herein contained shall prohibit
2 any manufacturer, importing distributor or distributor from
3 extending usual and customary credit for alcoholic liquor sold
4 to customers or purchasers who live in or maintain places of
5 business outside of this State when such alcoholic liquor is
6 actually transported and delivered to such points outside of
7 this State.

8 A manufacturer, distributor, or importing distributor may
9 furnish free social media advertising to a retail licensee if
10 the social media advertisement does not contain the retail
11 price of any alcoholic liquor and the social media
12 advertisement complies with any applicable guidance issued by
13 the Alcohol and Tobacco Tax and Trade Bureau of the United
14 States Department of the Treasury. Nothing in this Section
15 shall prohibit a retailer from communicating with a
16 manufacturer, distributor, or importing distributor on social
17 media or sharing media on the social media of a manufacturer,
18 distributor, or importing distributor. A retailer may request
19 free social media advertising from a manufacturer,
20 distributor, or importing distributor. For the purposes of this
21 Section, "social media" means a service, platform, or site
22 where users communicate with one another and share media, such
23 as pictures, videos, music, and blogs, with other users free of
24 charge.

25 No right of action shall exist for the collection of any
26 claim based upon credit extended to a distributor, importing

1 distributor or retail licensee contrary to the provisions of
2 this Section.

3 Every manufacturer, importing distributor and distributor
4 shall submit or cause to be submitted, to the State Commission,
5 in triplicate, not later than Thursday of each calendar week, a
6 verified written list of the names and respective addresses of
7 each retail licensee purchasing spirits or wine from such
8 manufacturer, importing distributor or distributor who, on the
9 first business day of that calendar week, was delinquent beyond
10 the above mentioned permissible merchandising credit period of
11 30 days; or, if such is the fact, a verified written statement
12 that no retail licensee purchasing spirits or wine was then
13 delinquent beyond such permissible merchandising credit period
14 of 30 days.

15 Every manufacturer, importing distributor and distributor
16 shall submit or cause to be submitted, to the State Commission,
17 in triplicate, a verified written list of the names and
18 respective addresses of each previously reported delinquent
19 retail licensee who has cured such delinquency by payment,
20 which list shall be submitted not later than the close of the
21 second full business day following the day such delinquency was
22 so cured.

23 Such written verified reports required to be submitted by
24 this Section shall be posted by the State Commission in each of
25 its offices in places available for public inspection not later
26 than the day following receipt thereof by the Commission. The

1 reports so posted shall constitute notice to every
2 manufacturer, importing distributor and distributor of the
3 information contained therein. Actual notice to manufacturers,
4 importing distributors and distributors of the information
5 contained in any such posted reports, however received, shall
6 also constitute notice of such information.

7 The 30 day merchandising credit period allowed by this
8 Section shall commence with the day immediately following the
9 date of invoice and shall include all successive days including
10 Sundays and holidays to and including the 30th successive day.

11 In addition to other methods allowed by law, payment by
12 check during the period for which merchandising credit may be
13 extended under the provisions of this Section shall be
14 considered payment. All checks received in payment for
15 alcoholic liquor shall be promptly deposited for collection. A
16 post dated check or a check dishonored on presentation for
17 payment shall not be deemed payment.

18 A retail licensee shall not be deemed to be delinquent in
19 payment for any alleged sale to him of alcoholic liquor when
20 there exists a bona fide dispute between such retailer and a
21 manufacturer, importing distributor or distributor with
22 respect to the amount of indebtedness existing because of such
23 alleged sale.

24 A delinquent retail licensee who engages in the retail
25 liquor business at 2 or more locations shall be deemed to be
26 delinquent with respect to each such location.

1 The license of any person who violates any provision of
2 this Section shall be subject to suspension or revocation in
3 the manner provided by this Act.

4 If any part or provision of this Article or the application
5 thereof to any person or circumstances shall be adjudged
6 invalid by a court of competent jurisdiction, such judgment
7 shall be confined by its operation to the controversy in which
8 it was mentioned and shall not affect or invalidate the
9 remainder of this Article or the application thereof to any
10 other person or circumstance and to this and the provisions of
11 this Article are declared severable.

12 (Source: P.A. 83-762.)

13 (235 ILCS 5/6-6) (from Ch. 43, par. 123)

14 Sec. 6-6. Except as otherwise provided in this Act no
15 manufacturer or distributor or importing distributor shall,
16 directly or indirectly, sell, supply, furnish, give or pay for,
17 or loan or lease, any furnishing, fixture or equipment on the
18 premises of a place of business of another licensee authorized
19 under this Act to sell alcoholic liquor at retail, either for
20 consumption on or off the premises, nor shall he or she,
21 directly or indirectly, pay for any such license, or advance,
22 furnish, lend or give money for payment of such license, or
23 purchase or become the owner of any note, mortgage, or other
24 evidence of indebtedness of such licensee or any form of
25 security therefor, nor shall such manufacturer, or

1 distributor, or importing distributor, directly or indirectly,
2 be interested in the ownership, conduct or operation of the
3 business of any licensee authorized to sell alcoholic liquor at
4 retail, nor shall any manufacturer, or distributor, or
5 importing distributor be interested directly or indirectly or
6 as owner or part owner of said premises or as lessee or lessor
7 thereof, in any premises upon which alcoholic liquor is sold at
8 retail.

9 No manufacturer or distributor or importing distributor
10 shall, directly or indirectly or through a subsidiary or
11 affiliate, or by any officer, director or firm of such
12 manufacturer, distributor or importing distributor, furnish,
13 give, lend or rent, install, repair or maintain, to or for any
14 retail licensee in this State, any signs or inside advertising
15 materials except as provided in this Section and Section 6-5.
16 With respect to retail licensees, other than any government
17 owned or operated auditorium, exhibition hall, recreation
18 facility or other similar facility holding a retailer's license
19 as described in Section 6-5, a manufacturer, distributor, or
20 importing distributor may furnish, give, lend or rent and
21 erect, install, repair and maintain to or for any retail
22 licensee, for use at any one time in or about or in connection
23 with a retail establishment on which the products of the
24 manufacturer, distributor or importing distributor are sold,
25 the following signs and inside advertising materials as
26 authorized in subparts (i), (ii), (iii), and (iv):

1 (i) Permanent outside signs shall be limited to one
2 outside sign, per brand, in place and in use at any one
3 time, costing not more than \$893, exclusive of erection,
4 installation, repair and maintenance costs, and permit
5 fees and shall bear only the manufacturer's name, brand
6 name, trade name, slogans, markings, trademark, or other
7 symbols commonly associated with and generally used in
8 identifying the product including, but not limited to,
9 "cold beer", "on tap", "carry out", and "packaged liquor".

10 (ii) Temporary outside signs shall be limited to one
11 temporary outside sign per brand. Examples of temporary
12 outside signs are banners, flags, pennants, streamers, and
13 other items of a temporary and non-permanent nature. Each
14 temporary outside sign must include the manufacturer's
15 name, brand name, trade name, slogans, markings,
16 trademark, or other symbol commonly associated with and
17 generally used in identifying the product. Temporary
18 outside signs may also include, for example, the product,
19 price, packaging, date or dates of a promotion and an
20 announcement of a retail licensee's specific sponsored
21 event, if the temporary outside sign is intended to promote
22 a product, and provided that the announcement of the retail
23 licensee's event and the product promotion are held
24 simultaneously. However, temporary outside signs may not
25 include names, slogans, markings, or logos that relate to
26 the retailer. Nothing in this subpart (ii) shall prohibit a

1 distributor or importing distributor from bearing the cost
2 of creating or printing a temporary outside sign for the
3 retail licensee's specific sponsored event or from bearing
4 the cost of creating or printing a temporary sign for a
5 retail licensee containing, for example, community
6 goodwill expressions, regional sporting event
7 announcements, or seasonal messages, provided that the
8 primary purpose of the temporary outside sign is to
9 highlight, promote, or advertise the product. In addition,
10 temporary outside signs provided by the manufacturer to the
11 distributor or importing distributor may also include, for
12 example, subject to the limitations of this Section,
13 preprinted community goodwill expressions, sporting event
14 announcements, seasonal messages, and manufacturer
15 promotional announcements. However, a distributor or
16 importing distributor shall not bear the cost of such
17 manufacturer preprinted signs.

18 (iii) Permanent inside signs, whether visible from the
19 outside or the inside of the premises, include, but are not
20 limited to: alcohol lists and menus that may include names,
21 slogans, markings, or logos that relate to the retailer;
22 neons; illuminated signs; clocks; table lamps; mirrors;
23 tap handles; decalcomanias; window painting; and window
24 trim. All permanent inside signs in place and in use at any
25 one time shall cost in the aggregate not more than \$2000
26 per manufacturer. A permanent inside sign must include the

1 manufacturer's name, brand name, trade name, slogans,
2 markings, trademark, or other symbol commonly associated
3 with and generally used in identifying the product.
4 However, permanent inside signs may not include names,
5 slogans, markings, or logos that relate to the retailer.
6 For the purpose of this subpart (iii), all permanent inside
7 signs may be displayed in an adjacent courtyard or patio
8 commonly referred to as a "beer garden" that is a part of
9 the retailer's licensed premises.

10 (iv) Temporary inside signs shall include, but are not
11 limited to, lighted chalk boards, acrylic table tent
12 beverage or hors d'oeuvre list holders, banners, flags,
13 pennants, streamers, and inside advertising materials such
14 as posters, placards, bowling sheets, table tents, inserts
15 for acrylic table tent beverage or hors d'oeuvre list
16 holders, sports schedules, or similar printed or
17 illustrated materials; however, such items, for example,
18 as coasters, trays, napkins, glassware and cups shall not
19 be deemed to be inside signs or advertising materials and
20 may only be sold to retailers. All temporary inside signs
21 and inside advertising materials in place and in use at any
22 one time shall cost in the aggregate not more than \$325 per
23 manufacturer. Nothing in this subpart (iv) prohibits a
24 distributor or importing distributor from paying the cost
25 of printing or creating any temporary inside banner or
26 inserts for acrylic table tent beverage or hors d'oeuvre

1 list holders for a retail licensee, provided that the
2 primary purpose for the banner or insert is to highlight,
3 promote, or advertise the product. For the purpose of this
4 subpart (iv), all temporary inside signs and inside
5 advertising materials may be displayed in an adjacent
6 courtyard or patio commonly referred to as a "beer garden"
7 that is a part of the retailer's licensed premises.

8 A "cost adjustment factor" shall be used to periodically
9 update the dollar limitations prescribed in subparts (i),
10 (iii), and (iv). The Commission shall establish the adjusted
11 dollar limitation on an annual basis beginning in January,
12 1997. The term "cost adjustment factor" means a percentage
13 equal to the change in the Bureau of Labor Statistics Consumer
14 Price Index or 5%, whichever is greater. The restrictions
15 contained in this Section 6-6 do not apply to signs, or
16 promotional or advertising materials furnished by
17 manufacturers, distributors or importing distributors to a
18 government owned or operated facility holding a retailer's
19 license as described in Section 6-5.

20 No distributor or importing distributor shall directly or
21 indirectly or through a subsidiary or affiliate, or by any
22 officer, director or firm of such manufacturer, distributor or
23 importing distributor, furnish, give, lend or rent, install,
24 repair or maintain, to or for any retail licensee in this
25 State, any signs or inside advertising materials described in
26 subparts (i), (ii), (iii), or (iv) of this Section except as

1 the agent for or on behalf of a manufacturer, provided that the
2 total cost of any signs and inside advertising materials
3 including but not limited to labor, erection, installation and
4 permit fees shall be paid by the manufacturer whose product or
5 products said signs and inside advertising materials advertise
6 and except as follows:

7 A distributor or importing distributor may purchase from or
8 enter into a written agreement with a manufacturer or a
9 manufacturer's designated supplier and such manufacturer or
10 the manufacturer's designated supplier may sell or enter into
11 an agreement to sell to a distributor or importing distributor
12 permitted signs and advertising materials described in
13 subparts (ii), (iii), or (iv) of this Section for the purpose
14 of furnishing, giving, lending, renting, installing,
15 repairing, or maintaining such signs or advertising materials
16 to or for any retail licensee in this State. Any purchase by a
17 distributor or importing distributor from a manufacturer or a
18 manufacturer's designated supplier shall be voluntary and the
19 manufacturer may not require the distributor or the importing
20 distributor to purchase signs or advertising materials from the
21 manufacturer or the manufacturer's designated supplier.

22 A distributor or importing distributor shall be deemed the
23 owner of such signs or advertising materials purchased from a
24 manufacturer or a manufacturer's designated supplier.

25 The provisions of Public Act 90-373 concerning signs or
26 advertising materials delivered by a manufacturer to a

1 distributor or importing distributor shall apply only to signs
2 or advertising materials delivered on or after August 14, 1997.

3 A manufacturer, distributor, or importing distributor may
4 furnish free social media advertising to a retail licensee if
5 the social media advertisement does not contain the retail
6 price of any alcoholic liquor and the social media
7 advertisement complies with any applicable guidance issued by
8 the Alcohol and Tobacco Tax and Trade Bureau of the United
9 States Department of the Treasury. Nothing in this Section
10 shall prohibit a retailer from communicating with a
11 manufacturer, distributor, or importing distributor on social
12 media or sharing media on the social media of a manufacturer,
13 distributor, or importing distributor. A retailer may request
14 free social media advertising from a manufacturer,
15 distributor, or importing distributor. For the purposes of this
16 Section, "social media" means a service, platform, or site
17 where users communicate with one another and share media, such
18 as pictures, videos, music, and blogs, with other users free of
19 charge.

20 No person engaged in the business of manufacturing,
21 importing or distributing alcoholic liquors shall, directly or
22 indirectly, pay for, or advance, furnish, or lend money for the
23 payment of any license for another. Any licensee who shall
24 permit or assent, or be a party in any way to any violation or
25 infringement of the provisions of this Section shall be deemed
26 guilty of a violation of this Act, and any money loaned

1 contrary to a provision of this Act shall not be recovered
2 back, or any note, mortgage or other evidence of indebtedness,
3 or security, or any lease or contract obtained or made contrary
4 to this Act shall be unenforceable and void.

5 This Section shall not apply to airplane licensees
6 exercising powers provided in paragraph (i) of Section 5-1 of
7 this Act.

8 (Source: P.A. 98-756, eff. 7-16-14.)

9 (235 ILCS 5/6-11)

10 Sec. 6-11. Sale near churches, schools, and hospitals.

11 (a) No license shall be issued for the sale at retail of
12 any alcoholic liquor within 100 feet of any church, school
13 other than an institution of higher learning, hospital, home
14 for aged or indigent persons or for veterans, their spouses or
15 children or any military or naval station, provided, that this
16 prohibition shall not apply to hotels offering restaurant
17 service, regularly organized clubs, or to restaurants, food
18 shops or other places where sale of alcoholic liquors is not
19 the principal business carried on if the place of business so
20 exempted is not located in a municipality of more than 500,000
21 persons, unless required by local ordinance; nor to the renewal
22 of a license for the sale at retail of alcoholic liquor on
23 premises within 100 feet of any church or school where the
24 church or school has been established within such 100 feet
25 since the issuance of the original license. In the case of a

1 church, the distance of 100 feet shall be measured to the
2 nearest part of any building used for worship services or
3 educational programs and not to property boundaries.

4 (b) Nothing in this Section shall prohibit the issuance of
5 a retail license authorizing the sale of alcoholic liquor to a
6 restaurant, the primary business of which is the sale of goods
7 baked on the premises if (i) the restaurant is newly
8 constructed and located on a lot of not less than 10,000 square
9 feet, (ii) the restaurant costs at least \$1,000,000 to
10 construct, (iii) the licensee is the titleholder to the
11 premises and resides on the premises, and (iv) the construction
12 of the restaurant is completed within 18 months of the
13 effective date of this amendatory Act of 1998.

14 (c) Nothing in this Section shall prohibit the issuance of
15 a retail license authorizing the sale of alcoholic liquor
16 incidental to a restaurant if (1) the primary business of the
17 restaurant consists of the sale of food where the sale of
18 liquor is incidental to the sale of food and the applicant is a
19 completely new owner of the restaurant, (2) the immediately
20 prior owner or operator of the premises where the restaurant is
21 located operated the premises as a restaurant and held a valid
22 retail license authorizing the sale of alcoholic liquor at the
23 restaurant for at least part of the 24 months before the change
24 of ownership, and (3) the restaurant is located 75 or more feet
25 from a school.

26 (d) In the interest of further developing Illinois' economy

1 in the area of commerce, tourism, convention, and banquet
2 business, nothing in this Section shall prohibit issuance of a
3 retail license authorizing the sale of alcoholic beverages to a
4 restaurant, banquet facility, grocery store, or hotel having
5 not fewer than 150 guest room accommodations located in a
6 municipality of more than 500,000 persons, notwithstanding the
7 proximity of such hotel, restaurant, banquet facility, or
8 grocery store to any church or school, if the licensed premises
9 described on the license are located within an enclosed mall or
10 building of a height of at least 6 stories, or 60 feet in the
11 case of a building that has been registered as a national
12 landmark, or in a grocery store having a minimum of 56,010
13 square feet of floor space in a single story building in an
14 open mall of at least 3.96 acres that is adjacent to a public
15 school that opened as a boys technical high school in 1934, or
16 in a grocery store having a minimum of 31,000 square feet of
17 floor space in a single story building located a distance of
18 more than 90 feet but less than 100 feet from a high school
19 that opened in 1928 as a junior high school and became a senior
20 high school in 1933, and in each of these cases if the sale of
21 alcoholic liquors is not the principal business carried on by
22 the licensee.

23 For purposes of this Section, a "banquet facility" is any
24 part of a building that caters to private parties and where the
25 sale of alcoholic liquors is not the principal business.

26 (e) Nothing in this Section shall prohibit the issuance of

1 a license to a church or private school to sell at retail
2 alcoholic liquor if any such sales are limited to periods when
3 groups are assembled on the premises solely for the promotion
4 of some common object other than the sale or consumption of
5 alcoholic liquors.

6 (f) Nothing in this Section shall prohibit a church or
7 church affiliated school located in a home rule municipality or
8 in a municipality with 75,000 or more inhabitants from locating
9 within 100 feet of a property for which there is a preexisting
10 license to sell alcoholic liquor at retail. In these instances,
11 the local zoning authority may, by ordinance adopted
12 simultaneously with the granting of an initial special use
13 zoning permit for the church or church affiliated school,
14 provide that the 100-foot restriction in this Section shall not
15 apply to that church or church affiliated school and future
16 retail liquor licenses.

17 (g) Nothing in this Section shall prohibit the issuance of
18 a retail license authorizing the sale of alcoholic liquor at
19 premises within 100 feet, but not less than 90 feet, of a
20 public school if (1) the premises have been continuously
21 licensed to sell alcoholic liquor for a period of at least 50
22 years, (2) the premises are located in a municipality having a
23 population of over 500,000 inhabitants, (3) the licensee is an
24 individual who is a member of a family that has held the
25 previous 3 licenses for that location for more than 25 years,
26 (4) the principal of the school and the alderman of the ward in

1 which the school is located have delivered a written statement
2 to the local liquor control commissioner stating that they do
3 not object to the issuance of a license under this subsection
4 (g), and (5) the local liquor control commissioner has received
5 the written consent of a majority of the registered voters who
6 live within 200 feet of the premises.

7 (h) Notwithstanding any provision of this Section to the
8 contrary, nothing in this Section shall prohibit the issuance
9 or renewal of a license authorizing the sale of alcoholic
10 liquor within premises and at an outdoor patio area attached to
11 premises that are located in a municipality with a population
12 in excess of 300,000 inhabitants and that are within 100 feet
13 of a church if:

14 (1) the sale of alcoholic liquor at the premises is
15 incidental to the sale of food,

16 (2) the sale of liquor is not the principal business
17 carried on by the licensee at the premises,

18 (3) the premises are less than 1,000 square feet,

19 (4) the premises are owned by the University of
20 Illinois,

21 (5) the premises are immediately adjacent to property
22 owned by a church and are not less than 20 nor more than 40
23 feet from the church space used for worship services, and

24 (6) the principal religious leader at the place of
25 worship has indicated his or her support for the issuance
26 of the license in writing.

1 (i) Notwithstanding any provision in this Section to the
2 contrary, nothing in this Section shall prohibit the issuance
3 or renewal of a license to sell alcoholic liquor at a premises
4 that is located within a municipality with a population in
5 excess of 300,000 inhabitants and is within 100 feet of a
6 church, synagogue, or other place of worship if:

7 (1) the primary entrance of the premises and the
8 primary entrance of the church, synagogue, or other place
9 of worship are at least 100 feet apart, on parallel
10 streets, and separated by an alley; and

11 (2) the principal religious leader at the place of
12 worship has not indicated his or her opposition to the
13 issuance or renewal of the license in writing.

14 (j) Notwithstanding any provision in this Section to the
15 contrary, nothing in this Section shall prohibit the issuance
16 of a retail license authorizing the sale of alcoholic liquor at
17 a theater that is within 100 feet of a church if (1) the church
18 owns the theater, (2) the church leases the theater to one or
19 more entities, and (3) the theater is used by at least 5
20 different not-for-profit theater groups.

21 (k) Notwithstanding any provision in this Section to the
22 contrary, nothing in this Section shall prohibit the issuance
23 or renewal of a license authorizing the sale of alcoholic
24 liquor at a premises that is located within a municipality with
25 a population in excess of 1,000,000 inhabitants and is within
26 100 feet of a school if:

1 (1) the primary entrance of the premises and the
2 primary entrance of the school are parallel, on different
3 streets, and separated by an alley;

4 (2) the southeast corner of the premises are at least
5 350 feet from the southwest corner of the school;

6 (3) the school was built in 1978;

7 (4) the sale of alcoholic liquor at the premises is
8 incidental to the sale of food;

9 (5) the sale of alcoholic liquor is not the principal
10 business carried on by the licensee at the premises;

11 (6) the applicant is the owner of the restaurant and
12 has held a valid license authorizing the sale of alcoholic
13 liquor for the business to be conducted on the premises at
14 a different location for more than 7 years; and

15 (7) the premises is at least 2,300 square feet and sits
16 on a lot that is between 6,100 and 6,150 square feet.

17 (1) Notwithstanding any provision in this Section to the
18 contrary, nothing in this Section shall prohibit the issuance
19 or renewal of a license authorizing the sale of alcoholic
20 liquor at a premises that is located within a municipality with
21 a population in excess of 1,000,000 inhabitants and is within
22 100 feet of a church or school if:

23 (1) the primary entrance of the premises and the
24 closest entrance of the church or school is at least 90
25 feet apart and no greater than 95 feet apart;

26 (2) the shortest distance between the premises and the

1 church or school is at least 80 feet apart and no greater
2 than 85 feet apart;

3 (3) the applicant is the owner of the restaurant and on
4 November 15, 2006 held a valid license authorizing the sale
5 of alcoholic liquor for the business to be conducted on the
6 premises for at least 14 different locations;

7 (4) the sale of alcoholic liquor at the premises is
8 incidental to the sale of food;

9 (5) the sale of alcoholic liquor is not the principal
10 business carried on by the licensee at the premises;

11 (6) the premises is at least 3,200 square feet and sits
12 on a lot that is between 7,150 and 7,200 square feet; and

13 (7) the principal religious leader at the place of
14 worship has not indicated his or her opposition to the
15 issuance or renewal of the license in writing.

16 (m) Notwithstanding any provision in this Section to the
17 contrary, nothing in this Section shall prohibit the issuance
18 or renewal of a license authorizing the sale of alcoholic
19 liquor at a premises that is located within a municipality with
20 a population in excess of 1,000,000 inhabitants and is within
21 100 feet of a church if:

22 (1) the premises and the church are perpendicular, and
23 the primary entrance of the premises faces South while the
24 primary entrance of the church faces West and the distance
25 between the two entrances is more than 100 feet;

26 (2) the shortest distance between the premises lot line

1 and the exterior wall of the church is at least 80 feet;

2 (3) the church was established at the current location
3 in 1916 and the present structure was erected in 1925;

4 (4) the premises is a single story, single use building
5 with at least 1,750 square feet and no more than 2,000
6 square feet;

7 (5) the sale of alcoholic liquor at the premises is
8 incidental to the sale of food;

9 (6) the sale of alcoholic liquor is not the principal
10 business carried on by the licensee at the premises; and

11 (7) the principal religious leader at the place of
12 worship has not indicated his or her opposition to the
13 issuance or renewal of the license in writing.

14 (n) Notwithstanding any provision in this Section to the
15 contrary, nothing in this Section shall prohibit the issuance
16 or renewal of a license authorizing the sale of alcoholic
17 liquor at a premises that is located within a municipality with
18 a population in excess of 1,000,000 inhabitants and is within
19 100 feet of a school if:

20 (1) the school is a City of Chicago School District 299
21 school;

22 (2) the school is located within subarea E of City of
23 Chicago Residential Business Planned Development Number
24 70;

25 (3) the sale of alcoholic liquor is not the principal
26 business carried on by the licensee on the premises;

1 (4) the sale of alcoholic liquor at the premises is
2 incidental to the sale of food; and

3 (5) the administration of City of Chicago School
4 District 299 has expressed, in writing, its support for the
5 issuance of the license.

6 (o) Notwithstanding any provision of this Section to the
7 contrary, nothing in this Section shall prohibit the issuance
8 or renewal of a retail license authorizing the sale of
9 alcoholic liquor at a premises that is located within a
10 municipality in excess of 1,000,000 inhabitants and within 100
11 feet of a church if:

12 (1) the sale of alcoholic liquor at the premises is
13 incidental to the sale of food;

14 (2) the sale of alcoholic liquor is not the principal
15 business carried on by the licensee at the premises;

16 (3) the premises is located on a street that runs
17 perpendicular to the street on which the church is located;

18 (4) the primary entrance of the premises is at least
19 100 feet from the primary entrance of the church;

20 (5) the shortest distance between any part of the
21 premises and any part of the church is at least 60 feet;

22 (6) the premises is between 3,600 and 4,000 square feet
23 and sits on a lot that is between 3,600 and 4,000 square
24 feet; and

25 (7) the premises was built in the year 1909.

26 For purposes of this subsection (o), "premises" means a

1 place of business together with a privately owned outdoor
2 location that is adjacent to the place of business.

3 (p) Notwithstanding any provision in this Section to the
4 contrary, nothing in this Section shall prohibit the issuance
5 or renewal of a license authorizing the sale of alcoholic
6 liquor at a premises that is located within a municipality with
7 a population in excess of 1,000,000 inhabitants and within 100
8 feet of a church if:

9 (1) the shortest distance between the backdoor of the
10 premises, which is used as an emergency exit, and the
11 church is at least 80 feet;

12 (2) the church was established at the current location
13 in 1889; and

14 (3) liquor has been sold on the premises since at least
15 1985.

16 (q) Notwithstanding any provision of this Section to the
17 contrary, nothing in this Section shall prohibit the issuance
18 or renewal of a license authorizing the sale of alcoholic
19 liquor within a premises that is located in a municipality with
20 a population in excess of 1,000,000 inhabitants and within 100
21 feet of a church-owned property if:

22 (1) the premises is located within a larger building
23 operated as a grocery store;

24 (2) the area of the premises does not exceed 720 square
25 feet and the area of the larger building exceeds 18,000
26 square feet;

1 (3) the larger building containing the premises is
2 within 100 feet of the nearest property line of a
3 church-owned property on which a church-affiliated school
4 is located;

5 (4) the sale of liquor is not the principal business
6 carried on within the larger building;

7 (5) the primary entrance of the larger building and the
8 premises and the primary entrance of the church-affiliated
9 school are on different, parallel streets, and the distance
10 between the 2 primary entrances is more than 100 feet;

11 (6) the larger building is separated from the
12 church-owned property and church-affiliated school by an
13 alley;

14 (7) the larger building containing the premises and the
15 church building front are on perpendicular streets and are
16 separated by a street; and

17 (8) (Blank).

18 (r) Notwithstanding any provision of this Section to the
19 contrary, nothing in this Section shall prohibit the issuance,
20 renewal, or maintenance of a license authorizing the sale of
21 alcoholic liquor incidental to the sale of food within a
22 restaurant established in a premises that is located in a
23 municipality with a population in excess of 1,000,000
24 inhabitants and within 100 feet of a church if:

25 (1) the primary entrance of the church and the primary
26 entrance of the restaurant are at least 100 feet apart;

1 (2) the restaurant has operated on the ground floor and
2 lower level of a multi-story, multi-use building for more
3 than 40 years;

4 (3) the primary business of the restaurant consists of
5 the sale of food where the sale of liquor is incidental to
6 the sale of food;

7 (4) the sale of alcoholic liquor is conducted primarily
8 in the below-grade level of the restaurant to which the
9 only public access is by a staircase located inside the
10 restaurant; and

11 (5) the restaurant has held a license authorizing the
12 sale of alcoholic liquor on the premises for more than 40
13 years.

14 (s) Notwithstanding any provision of this Section to the
15 contrary, nothing in this Section shall prohibit renewal of a
16 license authorizing the sale of alcoholic liquor at a premises
17 that is located within a municipality with a population more
18 than 5,000 and less than 10,000 and is within 100 feet of a
19 church if:

20 (1) the church was established at the location within
21 100 feet of the premises after a license for the sale of
22 alcoholic liquor at the premises was first issued;

23 (2) a license for sale of alcoholic liquor at the
24 premises was first issued before January 1, 2007; and

25 (3) a license for the sale of alcoholic liquor on the
26 premises has been continuously in effect since January 1,

1 2007, except for interruptions between licenses of no more
2 than 90 days.

3 (t) Notwithstanding any provision of this Section to the
4 contrary, nothing in this Section shall prohibit the issuance
5 or renewal of a license authorizing the sale of alcoholic
6 liquor incidental to the sale of food within a restaurant that
7 is established in a premises that is located in a municipality
8 with a population in excess of 1,000,000 inhabitants and within
9 100 feet of a school and a church if:

10 (1) the restaurant is located inside a five-story
11 building with over 16,800 square feet of commercial space;

12 (2) the area of the premises does not exceed 31,050
13 square feet;

14 (3) the area of the restaurant does not exceed 5,800
15 square feet;

16 (4) the building has no less than 78 condominium units;

17 (5) the construction of the building in which the
18 restaurant is located was completed in 2006;

19 (6) the building has 10 storefront properties, 3 of
20 which are used for the restaurant;

21 (7) the restaurant will open for business in 2010;

22 (8) the building is north of the school and separated
23 by an alley; and

24 (9) the principal religious leader of the church and
25 either the alderman of the ward in which the school is
26 located or the principal of the school have delivered a

1 written statement to the local liquor control commissioner
2 stating that he or she does not object to the issuance of a
3 license under this subsection (t).

4 (u) Notwithstanding any provision in this Section to the
5 contrary, nothing in this Section shall prohibit the issuance
6 or renewal of a license to sell alcoholic liquor at a premises
7 that is located within a municipality with a population in
8 excess of 1,000,000 inhabitants and within 100 feet of a school
9 if:

10 (1) the premises operates as a restaurant and has been
11 in operation since February 2008;

12 (2) the applicant is the owner of the premises;

13 (3) the sale of alcoholic liquor is incidental to the
14 sale of food;

15 (4) the sale of alcoholic liquor is not the principal
16 business carried on by the licensee on the premises;

17 (5) the premises occupy the first floor of a 3-story
18 building that is at least 90 years old;

19 (6) the rear lot of the school and the rear corner of
20 the building that the premises occupy are separated by an
21 alley;

22 (7) the distance from the southwest corner of the
23 property line of the school and the northeast corner of the
24 building that the premises occupy is at least 16 feet, 5
25 inches;

26 (8) the distance from the rear door of the premises to

1 the southwest corner of the property line of the school is
2 at least 93 feet;

3 (9) the school is a City of Chicago School District 299
4 school;

5 (10) the school's main structure was erected in 1902
6 and an addition was built to the main structure in 1959;
7 and

8 (11) the principal of the school and the alderman in
9 whose district the premises are located have expressed, in
10 writing, their support for the issuance of the license.

11 (v) Notwithstanding any provision in this Section to the
12 contrary, nothing in this Section shall prohibit the issuance
13 or renewal of a license authorizing the sale of alcoholic
14 liquor at a premises that is located within a municipality with
15 a population in excess of 1,000,000 inhabitants and is within
16 100 feet of a school if:

17 (1) the total land area of the premises for which the
18 license or renewal is sought is more than 600,000 square
19 feet;

20 (2) the premises for which the license or renewal is
21 sought has more than 600 parking stalls;

22 (3) the total area of all buildings on the premises for
23 which the license or renewal is sought exceeds 140,000
24 square feet;

25 (4) the property line of the premises for which the
26 license or renewal is sought is separated from the property

1 line of the school by a street;

2 (5) the distance from the school's property line to the
3 property line of the premises for which the license or
4 renewal is sought is at least 60 feet;

5 (6) as of the effective date of this amendatory Act of
6 the 97th General Assembly, the premises for which the
7 license or renewal is sought is located in the Illinois
8 Medical District.

9 (w) Notwithstanding any provision in this Section to the
10 contrary, nothing in this Section shall prohibit the issuance
11 or renewal of a license to sell alcoholic liquor at a premises
12 that is located within a municipality with a population in
13 excess of 1,000,000 inhabitants and within 100 feet of a church
14 if:

15 (1) the sale of alcoholic liquor at the premises is
16 incidental to the sale of food;

17 (2) the sale of alcoholic liquor is not the principal
18 business carried on by the licensee at the premises;

19 (3) the premises occupy the first floor and basement of
20 a 2-story building that is 106 years old;

21 (4) the premises is at least 7,000 square feet and
22 located on a lot that is at least 11,000 square feet;

23 (5) the premises is located directly west of the
24 church, on perpendicular streets, and separated by an
25 alley;

26 (6) the distance between the property line of the

1 premises and the property line of the church is at least 20
2 feet;

3 (7) the distance between the primary entrance of the
4 premises and the primary entrance of the church is at least
5 130 feet; and

6 (8) the church has been at its location for at least 40
7 years.

8 (x) Notwithstanding any provision of this Section to the
9 contrary, nothing in this Section shall prohibit the issuance
10 or renewal of a license authorizing the sale of alcoholic
11 liquor at a premises that is located within a municipality with
12 a population in excess of 1,000,000 inhabitants and within 100
13 feet of a church if:

14 (1) the sale of alcoholic liquor is not the principal
15 business carried on by the licensee at the premises;

16 (2) the church has been operating in its current
17 location since 1973;

18 (3) the premises has been operating in its current
19 location since 1988;

20 (4) the church and the premises are owned by the same
21 parish;

22 (5) the premises is used for cultural and educational
23 purposes;

24 (6) the primary entrance to the premises and the
25 primary entrance to the church are located on the same
26 street;

1 (7) the principal religious leader of the church has
2 indicated his support of the issuance of the license;

3 (8) the premises is a 2-story building of approximately
4 23,000 square feet; and

5 (9) the premises houses a ballroom on its ground floor
6 of approximately 5,000 square feet.

7 (y) Notwithstanding any provision of this Section to the
8 contrary, nothing in this Section shall prohibit the issuance
9 or renewal of a license authorizing the sale of alcoholic
10 liquor at a premises that is located within a municipality with
11 a population in excess of 1,000,000 inhabitants and within 100
12 feet of a school if:

13 (1) the sale of alcoholic liquor is not the principal
14 business carried on by the licensee at the premises;

15 (2) the sale of alcoholic liquor at the premises is
16 incidental to the sale of food;

17 (3) according to the municipality, the distance
18 between the east property line of the premises and the west
19 property line of the school is 97.8 feet;

20 (4) the school is a City of Chicago School District 299
21 school;

22 (5) the school has been operating since 1959;

23 (6) the primary entrance to the premises and the
24 primary entrance to the school are located on the same
25 street;

26 (7) the street on which the entrances of the premises

1 and the school are located is a major diagonal
2 thoroughfare;

3 (8) the premises is a single-story building of
4 approximately 2,900 square feet; and

5 (9) the premises is used for commercial purposes only.

6 (z) Notwithstanding any provision of this Section to the
7 contrary, nothing in this Section shall prohibit the issuance
8 or renewal of a license authorizing the sale of alcoholic
9 liquor at a premises that is located within a municipality with
10 a population in excess of 1,000,000 inhabitants and within 100
11 feet of a mosque if:

12 (1) the sale of alcoholic liquor is not the principal
13 business carried on by the licensee at the premises;

14 (2) the licensee shall only sell packaged liquors at
15 the premises;

16 (3) the licensee is a national retail chain having over
17 100 locations within the municipality;

18 (4) the licensee has over 8,000 locations nationwide;

19 (5) the licensee has locations in all 50 states;

20 (6) the premises is located in the North-East quadrant
21 of the municipality;

22 (7) the premises is a free-standing building that has
23 "drive-through" pharmacy service;

24 (8) the premises has approximately 14,490 square feet
25 of retail space;

26 (9) the premises has approximately 799 square feet of

1 pharmacy space;

2 (10) the premises is located on a major arterial street
3 that runs east-west and accepts truck traffic; and

4 (11) the alderman of the ward in which the premises is
5 located has expressed, in writing, his or her support for
6 the issuance of the license.

7 (aa) Notwithstanding any provision of this Section to the
8 contrary, nothing in this Section shall prohibit the issuance
9 or renewal of a license authorizing the sale of alcoholic
10 liquor at a premises that is located within a municipality with
11 a population in excess of 1,000,000 inhabitants and within 100
12 feet of a church if:

13 (1) the sale of alcoholic liquor is not the principal
14 business carried on by the licensee at the premises;

15 (2) the licensee shall only sell packaged liquors at
16 the premises;

17 (3) the licensee is a national retail chain having over
18 100 locations within the municipality;

19 (4) the licensee has over 8,000 locations nationwide;

20 (5) the licensee has locations in all 50 states;

21 (6) the premises is located in the North-East quadrant
22 of the municipality;

23 (7) the premises is located across the street from a
24 national grocery chain outlet;

25 (8) the premises has approximately 16,148 square feet
26 of retail space;

1 (9) the premises has approximately 992 square feet of
2 pharmacy space;

3 (10) the premises is located on a major arterial street
4 that runs north-south and accepts truck traffic; and

5 (11) the alderman of the ward in which the premises is
6 located has expressed, in writing, his or her support for
7 the issuance of the license.

8 (bb) Notwithstanding any provision of this Section to the
9 contrary, nothing in this Section shall prohibit the issuance
10 or renewal of a license authorizing the sale of alcoholic
11 liquor at a premises that is located within a municipality with
12 a population in excess of 1,000,000 inhabitants and within 100
13 feet of a church if:

14 (1) the sale of alcoholic liquor is not the principal
15 business carried on by the licensee at the premises;

16 (2) the sale of alcoholic liquor at the premises is
17 incidental to the sale of food;

18 (3) the primary entrance to the premises and the
19 primary entrance to the church are located on the same
20 street;

21 (4) the premises is across the street from the church;

22 (5) the street on which the premises and the church are
23 located is a major arterial street that runs east-west;

24 (6) the church is an elder-led and Bible-based Assyrian
25 church;

26 (7) the premises and the church are both single-story

1 buildings;

2 (8) the storefront directly west of the church is being
3 used as a restaurant; and

4 (9) the distance between the northern-most property
5 line of the premises and the southern-most property line of
6 the church is 65 feet.

7 (cc) Notwithstanding any provision of this Section to the
8 contrary, nothing in this Section shall prohibit the issuance
9 or renewal of a license authorizing the sale of alcoholic
10 liquor at a premises that is located within a municipality with
11 a population in excess of 1,000,000 inhabitants and within 100
12 feet of a school if:

13 (1) the sale of alcoholic liquor is not the principal
14 business carried on by the licensee at the premises;

15 (2) the licensee shall only sell packaged liquors at
16 the premises;

17 (3) the licensee is a national retail chain;

18 (4) as of October 25, 2011, the licensee has 1,767
19 stores operating nationwide, 87 stores operating in the
20 State, and 10 stores operating within the municipality;

21 (5) the licensee shall occupy approximately 124,000
22 square feet of space in the basement and first and second
23 floors of a building located across the street from a
24 school;

25 (6) the school opened in August of 2009 and occupies
26 approximately 67,000 square feet of space; and

1 (7) the building in which the premises shall be located
2 has been listed on the National Register of Historic Places
3 since April 17, 1970.

4 (dd) Notwithstanding any provision in this Section to the
5 contrary, nothing in this Section shall prohibit the issuance
6 or renewal of a license authorizing the sale of alcoholic
7 liquor within a full-service grocery store at a premises that
8 is located within a municipality with a population in excess of
9 1,000,000 inhabitants and is within 100 feet of a school if:

10 (1) the premises is constructed on land that was
11 purchased from the municipality at a fair market price;

12 (2) the premises is constructed on land that was
13 previously used as a parking facility for public safety
14 employees;

15 (3) the sale of alcoholic liquor is not the principal
16 business carried on by the licensee at the premises;

17 (4) the main entrance to the store is more than 100
18 feet from the main entrance to the school;

19 (5) the premises is to be new construction;

20 (6) the school is a private school;

21 (7) the principal of the school has given written
22 approval for the license;

23 (8) the alderman of the ward where the premises is
24 located has given written approval of the issuance of the
25 license;

26 (9) the grocery store level of the premises is between

1 60,000 and 70,000 square feet; and

2 (10) the owner and operator of the grocery store
3 operates 2 other grocery stores that have alcoholic liquor
4 licenses within the same municipality.

5 (ee) Notwithstanding any provision in this Section to the
6 contrary, nothing in this Section shall prohibit the issuance
7 or renewal of a license authorizing the sale of alcoholic
8 liquor within a full-service grocery store at a premises that
9 is located within a municipality with a population in excess of
10 1,000,000 inhabitants and is within 100 feet of a school if:

11 (1) the premises is constructed on land that once
12 contained an industrial steel facility;

13 (2) the premises is located on land that has undergone
14 environmental remediation;

15 (3) the premises is located within a retail complex
16 containing retail stores where some of the stores sell
17 alcoholic beverages;

18 (4) the principal activity of any restaurant in the
19 retail complex is the sale of food, and the sale of
20 alcoholic liquor is incidental to the sale of food;

21 (5) the sale of alcoholic liquor is not the principal
22 business carried on by the grocery store;

23 (6) the entrance to any business that sells alcoholic
24 liquor is more than 100 feet from the entrance to the
25 school;

26 (7) the alderman of the ward where the premises is

1 located has given written approval of the issuance of the
2 license; and

3 (8) the principal of the school has given written
4 consent to the issuance of the license.

5 (ff) Notwithstanding any provision of this Section to the
6 contrary, nothing in this Section shall prohibit the issuance
7 or renewal of a license authorizing the sale of alcoholic
8 liquor at a premises that is located within a municipality with
9 a population in excess of 1,000,000 inhabitants and within 100
10 feet of a school if:

11 (1) the sale of alcoholic liquor is not the principal
12 business carried on at the premises;

13 (2) the sale of alcoholic liquor at the premises is
14 incidental to the operation of a theater;

15 (3) the premises is a one and one-half-story building
16 of approximately 10,000 square feet;

17 (4) the school is a City of Chicago School District 299
18 school;

19 (5) the primary entrance of the premises and the
20 primary entrance of the school are at least 300 feet apart
21 and no more than 400 feet apart;

22 (6) the alderman of the ward in which the premises is
23 located has expressed, in writing, his support for the
24 issuance of the license; and

25 (7) the principal of the school has expressed, in
26 writing, that there is no objection to the issuance of a

1 license under this subsection (ff).

2 (gg) Notwithstanding any provision of this Section to the
3 contrary, nothing in this Section shall prohibit the issuance
4 or renewal of a license authorizing the sale of alcoholic
5 liquor incidental to the sale of food within a restaurant or
6 banquet facility established in a premises that is located in a
7 municipality with a population in excess of 1,000,000
8 inhabitants and within 100 feet of a church if:

9 (1) the sale of alcoholic liquor is not the principal
10 business carried on by the licensee at the premises;

11 (2) the property on which the church is located and the
12 property on which the premises are located are both within
13 a district originally listed on the National Register of
14 Historic Places on February 14, 1979;

15 (3) the property on which the premises are located
16 contains one or more multi-story buildings that are at
17 least 95 years old and have no more than three stories;

18 (4) the building in which the church is located is at
19 least 120 years old;

20 (5) the property on which the church is located is
21 immediately adjacent to and west of the property on which
22 the premises are located;

23 (6) the western boundary of the property on which the
24 premises are located is no less than 118 feet in length and
25 no more than 122 feet in length;

26 (7) as of December 31, 2012, both the church property

1 and the property on which the premises are located are
2 within 250 feet of City of Chicago Business-Residential
3 Planned Development Number 38;

4 (8) the principal religious leader at the place of
5 worship has indicated his or her support for the issuance
6 of the license in writing; and

7 (9) the alderman in whose district the premises are
8 located has expressed his or her support for the issuance
9 of the license in writing.

10 For the purposes of this subsection, "banquet facility"
11 means the part of the building that is located on the floor
12 above a restaurant and caters to private parties and where the
13 sale of alcoholic liquors is not the principal business.

14 (hh) Notwithstanding any provision of this Section to the
15 contrary, nothing in this Section shall prohibit the issuance
16 or renewal of a license authorizing the sale of alcoholic
17 liquor within a hotel and at an outdoor patio area attached to
18 the hotel that are located in a municipality with a population
19 in excess of 1,000,000 inhabitants and that are within 100 feet
20 of a hospital if:

21 (1) the sale of alcoholic liquor is not the principal
22 business carried on by the licensee at the hotel;

23 (2) the hotel is located within the City of Chicago
24 Business Planned Development Number 468; and

25 (3) the hospital is located within the City of Chicago
26 Institutional Planned Development Number 3.

1 (ii) Notwithstanding any provision of this Section to the
2 contrary, nothing in this Section shall prohibit the issuance
3 or renewal of a license authorizing the sale of alcoholic
4 liquor within a restaurant and at an outdoor patio area
5 attached to the restaurant that are located in a municipality
6 with a population in excess of 1,000,000 inhabitants and that
7 are within 100 feet of a church if:

8 (1) the sale of alcoholic liquor at the premises is not
9 the principal business carried on by the licensee and is
10 incidental to the sale of food;

11 (2) the restaurant has been operated on the street
12 level of a 2-story building located on a corner lot since
13 2008;

14 (3) the restaurant is between 3,700 and 4,000 square
15 feet and sits on a lot that is no more than 6,200 square
16 feet;

17 (4) the primary entrance to the restaurant and the
18 primary entrance to the church are located on the same
19 street;

20 (5) the street on which the restaurant and the church
21 are located is a major east-west street;

22 (6) the restaurant and the church are separated by a
23 one-way northbound street;

24 (7) the church is located to the west of and no more
25 than 65 feet from the restaurant; and

26 (8) the principal religious leader at the place of

1 worship has indicated his or her consent to the issuance of
2 the license in writing.

3 (jj) Notwithstanding any provision of this Section to the
4 contrary, nothing in this Section shall prohibit the issuance
5 or renewal of a license authorizing the sale of alcoholic
6 liquor at premises located within a municipality with a
7 population in excess of 1,000,000 inhabitants and within 100
8 feet of a church if:

9 (1) the sale of alcoholic liquor is not the principal
10 business carried on by the licensee at the premises;

11 (2) the sale of alcoholic liquor is incidental to the
12 sale of food;

13 (3) the premises are located east of the church, on
14 perpendicular streets, and separated by an alley;

15 (4) the distance between the primary entrance of the
16 premises and the primary entrance of the church is at least
17 175 feet;

18 (5) the distance between the property line of the
19 premises and the property line of the church is at least 40
20 feet;

21 (6) the licensee has been operating at the premises
22 since 2012;

23 (7) the church was constructed in 1904;

24 (8) the alderman of the ward in which the premises is
25 located has expressed, in writing, his or her support for
26 the issuance of the license; and

1 (9) the principal religious leader of the church has
2 delivered a written statement that he or she does not
3 object to the issuance of a license under this subsection
4 (jj).

5 (kk) Notwithstanding any provision of this Section to the
6 contrary, nothing in this Section shall prohibit the issuance
7 or renewal of a license authorizing the sale of alcoholic
8 liquor at a premises that is located within a municipality with
9 a population in excess of 1,000,000 inhabitants and within 100
10 feet of a school if:

11 (1) the sale of alcoholic liquor is not the principal
12 business carried on by the licensee at the premises;

13 (2) the licensee shall only sell packaged liquors on
14 the premises;

15 (3) the licensee is a national retail chain;

16 (4) as of February 27, 2013, the licensee had 1,778
17 stores operating nationwide, 89 operating in this State,
18 and 11 stores operating within the municipality;

19 (5) the licensee shall occupy approximately 169,048
20 square feet of space within a building that is located
21 across the street from a tuition-based preschool; and

22 (6) the alderman of the ward in which the premises is
23 located has expressed, in writing, his or her support for
24 the issuance of the license.

25 (ll) Notwithstanding any provision of this Section to the
26 contrary, nothing in this Section shall prohibit the issuance

1 or renewal of a license authorizing the sale of alcoholic
2 liquor at a premises that is located within a municipality with
3 a population in excess of 1,000,000 inhabitants and within 100
4 feet of a school if:

5 (1) the sale of alcoholic liquor is not the principal
6 business carried on by the licensee at the premises;

7 (2) the licensee shall only sell packaged liquors on
8 the premises;

9 (3) the licensee is a national retail chain;

10 (4) as of February 27, 2013, the licensee had 1,778
11 stores operating nationwide, 89 operating in this State,
12 and 11 stores operating within the municipality;

13 (5) the licensee shall occupy approximately 191,535
14 square feet of space within a building that is located
15 across the street from an elementary school; and

16 (6) the alderman of the ward in which the premises is
17 located has expressed, in writing, his or her support for
18 the issuance of the license.

19 (mm) Notwithstanding any provision of this Section to the
20 contrary, nothing in this Section shall prohibit the issuance
21 or renewal of a license authorizing the sale of alcoholic
22 liquor within premises and at an outdoor patio or sidewalk
23 cafe, or both, attached to premises that are located in a
24 municipality with a population in excess of 1,000,000
25 inhabitants and that are within 100 feet of a hospital if:

26 (1) the primary business of the restaurant consists of

1 the sale of food where the sale of liquor is incidental to
2 the sale of food;

3 (2) as a restaurant, the premises may or may not offer
4 catering as an incidental part of food service;

5 (3) the primary business of the restaurant is conducted
6 in space owned by a hospital or an entity owned or
7 controlled by, under common control with, or that controls
8 a hospital, and the chief hospital administrator has
9 expressed his or her support for the issuance of the
10 license in writing; and

11 (4) the hospital is an adult acute care facility
12 primarily located within the City of Chicago Institutional
13 Planned Development Number 3.

14 (nn) Notwithstanding any provision of this Section to the
15 contrary, nothing in this Section shall prohibit the issuance
16 or renewal of a license authorizing the sale of alcoholic
17 liquor at a premises that is located within a municipality with
18 a population in excess of 1,000,000 inhabitants and within 100
19 feet of a church if:

20 (1) the sale of alcoholic liquor is not the principal
21 business carried out on the premises;

22 (2) the sale of alcoholic liquor at the premises is
23 incidental to the operation of a theater;

24 (3) the premises are a building that was constructed in
25 1913 and opened on May 24, 1915 as a vaudeville theater,
26 and the premises were converted to a motion picture theater

1 in 1935;

2 (4) the church was constructed in 1889 with a stone
3 exterior;

4 (5) the primary entrance of the premises and the
5 primary entrance of the church are at least 100 feet apart;
6 and

7 (6) the principal religious leader at the place of
8 worship has indicated his or her consent to the issuance of
9 the license in writing; and

10 (7) the alderman in whose ward the premises are located
11 has expressed his or her support for the issuance of the
12 license in writing.

13 (oo) Notwithstanding any provision of this Section to the
14 contrary, nothing in this Section shall prohibit the issuance
15 or renewal of a license authorizing the sale of alcoholic
16 liquor at a premises that is located within a municipality with
17 a population in excess of 1,000,000 inhabitants and within 100
18 feet of a mosque, church, or other place of worship if:

19 (1) the primary entrance of the premises and the
20 primary entrance of the mosque, church, or other place of
21 worship are perpendicular and are on different streets;

22 (2) the primary entrance to the premises faces West and
23 the primary entrance to the mosque, church, or other place
24 of worship faces South;

25 (3) the distance between the 2 primary entrances is at
26 least 100 feet;

1 (4) the mosque, church, or other place of worship was
2 established in a location within 100 feet of the premises
3 after a license for the sale of alcohol at the premises was
4 first issued;

5 (5) the mosque, church, or other place of worship was
6 established on or around January 1, 2011;

7 (6) a license for the sale of alcohol at the premises
8 was first issued on or before January 1, 1985;

9 (7) a license for the sale of alcohol at the premises
10 has been continuously in effect since January 1, 1985,
11 except for interruptions between licenses of no more than
12 90 days; and

13 (8) the premises are a single-story, single-use
14 building of at least 3,000 square feet and no more than
15 3,380 square feet.

16 (pp) Notwithstanding any provision of this Section to the
17 contrary, nothing in this Section shall prohibit the issuance
18 or renewal of a license authorizing the sale of alcoholic
19 liquor incidental to the sale of food within a restaurant or
20 banquet facility established on premises that are located in a
21 municipality with a population in excess of 1,000,000
22 inhabitants and within 100 feet of at least one church if:

23 (1) the sale of liquor shall not be the principal
24 business carried on by the licensee at the premises;

25 (2) the premises are at least 2,000 square feet and no
26 more than 10,000 square feet and is located in a

1 single-story building;

2 (3) the property on which the premises are located is
3 within an area that, as of 2009, was designated as a
4 Renewal Community by the United States Department of
5 Housing and Urban Development;

6 (4) the property on which the premises are located and
7 the properties on which the churches are located are on the
8 same street;

9 (5) the property on which the premises are located is
10 immediately adjacent to and east of the property on which
11 at least one of the churches is located;

12 (6) the property on which the premises are located is
13 across the street and southwest of the property on which
14 another church is located;

15 (7) the principal religious leaders of the churches
16 have indicated their support for the issuance of the
17 license in writing; and

18 (8) the alderman in whose ward the premises are located
19 has expressed his or her support for the issuance of the
20 license in writing.

21 For purposes of this subsection (pp), "banquet facility"
22 means the part of the building that caters to private parties
23 and where the sale of alcoholic liquors is not the principal
24 business.

25 (qq) Notwithstanding any provision of this Section to the
26 contrary, nothing in this Section shall prohibit the issuance

1 or renewal of a license authorizing the sale of alcoholic
2 liquor on premises that are located within a municipality with
3 a population in excess of 1,000,000 inhabitants and within 100
4 feet of a church or school if:

5 (1) the primary entrance of the premises and the
6 closest entrance of the church or school are at least 200
7 feet apart and no greater than 300 feet apart;

8 (2) the shortest distance between the premises and the
9 church or school is at least 66 feet apart and no greater
10 than 81 feet apart;

11 (3) the premises are a single-story, steel-framed
12 commercial building with at least 18,042 square feet, and
13 was constructed in 1925 and 1997;

14 (4) the owner of the business operated within the
15 premises has been the general manager of a similar
16 supermarket within one mile from the premises, which has
17 had a valid license authorizing the sale of alcoholic
18 liquor since 2002, and is in good standing with the City of
19 Chicago;

20 (5) the principal religious leader at the place of
21 worship has indicated his or her support to the issuance or
22 renewal of the license in writing;

23 (6) the alderman of the ward has indicated his or her
24 support to the issuance or renewal of the license in
25 writing; and

26 (7) the principal of the school has indicated his or

1 her support to the issuance or renewal of the license in
2 writing.

3 (rr) Notwithstanding any provision of this Section to the
4 contrary, nothing in this Section shall prohibit the issuance
5 or renewal of a license authorizing the sale of alcoholic
6 liquor at premises located within a municipality with a
7 population in excess of 1,000,000 inhabitants and within 100
8 feet of a club that leases space to a school if:

9 (1) the sale of alcoholic liquor is not the principal
10 business carried out on the premises;

11 (2) the sale of alcoholic liquor at the premises is
12 incidental to the operation of a grocery store;

13 (3) the premises are a building of approximately 1,750
14 square feet and is rented by the owners of the grocery
15 store from a family member;

16 (4) the property line of the premises is approximately
17 68 feet from the property line of the club;

18 (5) the primary entrance of the premises and the
19 primary entrance of the club where the school leases space
20 are at least 100 feet apart;

21 (6) the director of the club renting space to the
22 school has indicated his or her consent to the issuance of
23 the license in writing; and

24 (7) the alderman in whose district the premises are
25 located has expressed his or her support for the issuance
26 of the license in writing.

1 (ss) Notwithstanding any provision of this Section to the
2 contrary, nothing in this Section shall prohibit the issuance
3 or renewal of a license authorizing the sale of alcoholic
4 liquor at premises located within a municipality with a
5 population in excess of 1,000,000 inhabitants and within 100
6 feet of a church if:

7 (1) the premises are located within a 15 unit building
8 with 13 residential apartments and 2 commercial spaces, and
9 the licensee will occupy both commercial spaces;

10 (2) a restaurant has been operated on the premises
11 since June 2011;

12 (3) the restaurant currently occupies 1,075 square
13 feet, but will be expanding to include 975 additional
14 square feet;

15 (4) the sale of alcoholic liquor is not the principal
16 business carried on by the licensee at the premises;

17 (5) the premises are located south of the church and on
18 the same street and are separated by a one-way westbound
19 street;

20 (6) the primary entrance of the premises is at least 93
21 feet from the primary entrance of the church;

22 (7) the shortest distance between any part of the
23 premises and any part of the church is at least 72 feet;

24 (8) the building in which the restaurant is located was
25 built in 1910;

26 (9) the alderman of the ward in which the premises are

1 located has expressed, in writing, his or her support for
2 the issuance of the license; and

3 (10) the principal religious leader of the church has
4 delivered a written statement that he or she does not
5 object to the issuance of a license under this subsection
6 (ss).

7 (tt) Notwithstanding any provision of this Section to the
8 contrary, nothing in this Section shall prohibit the issuance
9 or renewal of a license authorizing the sale of alcoholic
10 liquor at premises located within a municipality with a
11 population in excess of 1,000,000 inhabitants and within 100
12 feet of a church if:

13 (1) the sale of alcoholic liquor is not the principal
14 business carried on by the licensee at the premises;

15 (2) the sale of alcoholic liquor is incidental to the
16 sale of food;

17 (3) the sale of alcoholic liquor at the premises was
18 previously authorized by a package goods liquor license;

19 (4) the premises are at least 40,000 square feet with
20 25 parking spaces in the contiguous surface lot to the
21 north of the store and 93 parking spaces on the roof;

22 (5) the shortest distance between the lot line of the
23 parking lot of the premises and the exterior wall of the
24 church is at least 80 feet;

25 (6) the distance between the building in which the
26 church is located and the building in which the premises

1 are located is at least 180 feet;

2 (7) the main entrance to the church faces west and is
3 at least 257 feet from the main entrance of the premises;
4 and

5 (8) the applicant is the owner of 10 similar grocery
6 stores within the City of Chicago and the surrounding area
7 and has been in business for more than 30 years.

8 (uu) Notwithstanding any provision of this Section to the
9 contrary, nothing in this Section shall prohibit the issuance
10 or renewal of a license authorizing the sale of alcoholic
11 liquor at premises located within a municipality with a
12 population in excess of 1,000,000 inhabitants and within 100
13 feet of a church if:

14 (1) the sale of alcoholic liquor is not the principal
15 business carried on by the licensee at the premises;

16 (2) the sale of alcoholic liquor is incidental to the
17 operation of a grocery store;

18 (3) the premises are located in a building that is
19 approximately 68,000 square feet with 157 parking spaces on
20 property that was previously vacant land;

21 (4) the main entrance to the church faces west and is
22 at least 500 feet from the entrance of the premises, which
23 faces north;

24 (5) the church and the premises are separated by an
25 alley;

26 (6) the applicant is the owner of 9 similar grocery

1 stores in the City of Chicago and the surrounding area and
2 has been in business for more than 40 years; and

3 (7) the alderman of the ward in which the premises are
4 located has expressed, in writing, his or her support for
5 the issuance of the license.

6 (vv) Notwithstanding any provision of this Section to the
7 contrary, nothing in this Section shall prohibit the issuance
8 or renewal of a license authorizing the sale of alcoholic
9 liquor at premises located within a municipality with a
10 population in excess of 1,000,000 inhabitants and within 100
11 feet of a church if:

12 (1) the sale of alcoholic liquor is the principal
13 business carried on by the licensee at the premises;

14 (2) the sale of alcoholic liquor is primary to the sale
15 of food;

16 (3) the premises are located south of the church and on
17 perpendicular streets and are separated by a driveway;

18 (4) the primary entrance of the premises is at least
19 100 feet from the primary entrance of the church;

20 (5) the shortest distance between any part of the
21 premises and any part of the church is at least 15 feet;

22 (6) the premises are less than 100 feet from the church
23 center, but greater than 100 feet from the area within the
24 building where church services are held;

25 (7) the premises are 25,830 square feet and sit on a
26 lot that is 0.48 acres;

1 (8) the premises were once designated as a Korean
2 American Presbyterian Church and were once used as a
3 Masonic Temple;

4 (9) the premises were built in 1910;

5 (10) the alderman of the ward in which the premises are
6 located has expressed, in writing, his or her support for
7 the issuance of the license; and

8 (11) the principal religious leader of the church has
9 delivered a written statement that he or she does not
10 object to the issuance of a license under this subsection
11 (vv).

12 For the purposes of this subsection (vv), "premises" means
13 a place of business together with a privately owned outdoor
14 location that is adjacent to the place of business.

15 (wv) Notwithstanding any provision of this Section to the
16 contrary, nothing in this Section shall prohibit the issuance
17 or renewal of a license authorizing the sale of alcoholic
18 liquor at premises located within a municipality with a
19 population in excess of 1,000,000 inhabitants and within 100
20 feet of a school if:

21 (1) the school is located within Sub Area III of City
22 of Chicago Residential-Business Planned Development Number
23 523, as amended; and

24 (2) the premises are located within Sub Area I, Sub
25 Area II, or Sub Area IV of City of Chicago
26 Residential-Business Planned Development Number 523, as

1 amended.

2 (xx) Notwithstanding any provision of this Section to the
3 contrary, nothing in this Section shall prohibit the issuance
4 or renewal of a license authorizing the sale of alcoholic
5 liquor at premises located within a municipality with a
6 population in excess of 1,000,000 inhabitants and within 100
7 feet of a church if:

8 (1) the sale of wine or wine-related products is the
9 exclusive business carried on by the licensee at the
10 premises;

11 (2) the primary entrance of the premises and the
12 primary entrance of the church are at least 100 feet apart
13 and are located on different streets;

14 (3) the building in which the premises are located and
15 the building in which the church is located are separated
16 by an alley;

17 (4) the premises consists of less than 2,000 square
18 feet of floor area dedicated to the sale of wine or
19 wine-related products;

20 (5) the premises are located on the first floor of a
21 2-story building that is at least 99 years old and has a
22 residential unit on the second floor; and

23 (6) the principal religious leader at the church has
24 indicated his or her support for the issuance or renewal of
25 the license in writing.

26 (yy) Notwithstanding any provision of this Section to the

1 contrary, nothing in this Section shall prohibit the issuance
2 or renewal of a license authorizing the sale of alcoholic
3 liquor at premises located within a municipality with a
4 population in excess of 1,000,000 inhabitants and within 100
5 feet of a church if:

6 (1) the sale of alcoholic liquor at the premises is
7 incidental to the sale of food;

8 (2) the premises are located in a single-story building
9 of primarily brick construction containing at least 6
10 commercial units constructed before 1940;

11 (3) the premises are located in a B3-2 zoning district;

12 (4) the premises are less than 4,000 square feet;

13 (5) the church established its congregation in 1891 and
14 completed construction of the church building in 1990;

15 (6) the premises are located south of the church;

16 (7) the premises and church are located on the same
17 street and are separated by a one-way westbound street; and

18 (8) the principal religious leader of the church has
19 not indicated his or her opposition to the issuance or
20 renewal of the license in writing.

21 (Source: P.A. 97-9, eff. 6-14-11; 97-12, eff. 6-14-11; 97-634,
22 eff. 12-16-11; 97-774, eff. 7-13-12; 97-780, eff. 7-13-12;
23 97-806, eff. 7-13-12; 97-1166, eff. 3-1-13; 98-274, eff.
24 8-9-13; 98-463, eff. 8-16-13; 98-571, eff. 8-27-13; 98-592,
25 eff. 11-15-13; 98-1092, eff. 8-26-14; 98-1158, eff. 1-9-15.)

26 Section 99. Effective date. This Act takes effect upon

1 becoming law.