



Rep. Gregory Harris

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LRB099 19501 RPS 47664 a

1 AMENDMENT TO HOUSE BILL 6125

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 6125 by replacing  
3 everything after the enacting clause with the following:

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

6 (235 ILCS 5/6-11)

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

8 (a) No license shall be issued for the sale at retail of  
9 any alcoholic liquor within 100 feet of any church, school  
10 other than an institution of higher learning, hospital, home  
11 for aged or indigent persons or for veterans, their spouses or  
12 children or any military or naval station, provided, that this  
13 prohibition shall not apply to hotels offering restaurant  
14 service, regularly organized clubs, or to restaurants, food  
15 shops or other places where sale of alcoholic liquors is not  
16 the principal business carried on if the place of business so

1 exempted is not located in a municipality of more than 500,000  
2 persons, unless required by local ordinance; nor to the renewal  
3 of a license for the sale at retail of alcoholic liquor on  
4 premises within 100 feet of any church or school where the  
5 church or school has been established within such 100 feet  
6 since the issuance of the original license. In the case of a  
7 church, the distance of 100 feet shall be measured to the  
8 nearest part of any building used for worship services or  
9 educational programs and not to property boundaries.

10 (b) Nothing in this Section shall prohibit the issuance of  
11 a retail license authorizing the sale of alcoholic liquor to a  
12 restaurant, the primary business of which is the sale of goods  
13 baked on the premises if (i) the restaurant is newly  
14 constructed and located on a lot of not less than 10,000 square  
15 feet, (ii) the restaurant costs at least \$1,000,000 to  
16 construct, (iii) the licensee is the titleholder to the  
17 premises and resides on the premises, and (iv) the construction  
18 of the restaurant is completed within 18 months of July 10,  
19 1998 (the effective date of Public Act 90-617) ~~this amendatory~~  
20 ~~Act of 1998.~~

21 (c) Nothing in this Section shall prohibit the issuance of  
22 a retail license authorizing the sale of alcoholic liquor  
23 incidental to a restaurant if (1) the primary business of the  
24 restaurant consists of the sale of food where the sale of  
25 liquor is incidental to the sale of food and the applicant is a  
26 completely new owner of the restaurant, (2) the immediately

1 prior owner or operator of the premises where the restaurant is  
2 located operated the premises as a restaurant and held a valid  
3 retail license authorizing the sale of alcoholic liquor at the  
4 restaurant for at least part of the 24 months before the change  
5 of ownership, and (3) the restaurant is located 75 or more feet  
6 from a school.

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

1 high school in 1933, and in each of these cases if the sale of  
2 alcoholic liquors is not the principal business carried on by  
3 the licensee.

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

7 (e) Nothing in this Section shall prohibit the issuance of  
8 a license to a church or private school to sell at retail  
9 alcoholic liquor if any such sales are limited to periods when  
10 groups are assembled on the premises solely for the promotion  
11 of some common object other than the sale or consumption of  
12 alcoholic liquors.

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

24 (g) Nothing in this Section shall prohibit the issuance of  
25 a retail license authorizing the sale of alcoholic liquor at  
26 premises within 100 feet, but not less than 90 feet, of a

1 public school if (1) the premises have been continuously  
2 licensed to sell alcoholic liquor for a period of at least 50  
3 years, (2) the premises are located in a municipality having a  
4 population of over 500,000 inhabitants, (3) the licensee is an  
5 individual who is a member of a family that has held the  
6 previous 3 licenses for that location for more than 25 years,  
7 (4) the principal of the school and the alderman of the ward in  
8 which the school is located have delivered a written statement  
9 to the local liquor control commissioner stating that they do  
10 not object to the issuance of a license under this subsection  
11 (g), and (5) the local liquor control commissioner has received  
12 the written consent of a majority of the registered voters who  
13 live within 200 feet of the premises.

14 (h) 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 premises and at an outdoor patio area attached to  
18 premises that are located in a municipality with a population  
19 in excess of 300,000 inhabitants and that are within 100 feet  
20 of a church if:

21 (1) the sale of alcoholic liquor at the premises is  
22 incidental to the sale of food,

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

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

26 (4) the premises are owned by the University of

1 Illinois,

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

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

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

14 (1) the primary entrance of the premises and the  
15 primary entrance of the church, synagogue, or other place  
16 of worship are at least 100 feet apart, on parallel  
17 streets, and separated by an alley; and

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

21 (j) Notwithstanding any provision in this Section to the  
22 contrary, nothing in this Section shall prohibit the issuance  
23 of a retail license authorizing the sale of alcoholic liquor at  
24 a theater that is within 100 feet of a church if (1) the church  
25 owns the theater, (2) the church leases the theater to one or  
26 more entities, and (3) the theater is used by at least 5

1 different not-for-profit theater groups.

2 (k) Notwithstanding any provision in 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 a premises that is located within a municipality with  
6 a population in excess of 1,000,000 inhabitants and is within  
7 100 feet of a school if:

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

11 (2) the southeast corner of the premises are at least  
12 350 feet from the southwest corner of the school;

13 (3) the school was built in 1978;

14 (4) the sale of alcoholic liquor at the premises is  
15 incidental to the sale of food;

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

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

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

24 (l) Notwithstanding any provision in this Section to the  
25 contrary, nothing in this Section shall prohibit the issuance  
26 or renewal of a license authorizing the sale of alcoholic

1 liquor at a premises that is located within a municipality with  
2 a population in excess of 1,000,000 inhabitants and is within  
3 100 feet of a church or school if:

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

7 (2) the shortest distance between the premises and the  
8 church or school is at least 80 feet apart and no greater  
9 than 85 feet apart;

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

14 (4) the sale of alcoholic liquor at the premises is  
15 incidental to the sale of food;

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

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

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

23 (m) Notwithstanding any provision in this Section to the  
24 contrary, nothing in this Section shall prohibit the issuance  
25 or renewal of a license authorizing the sale of alcoholic  
26 liquor at a premises that is located within a municipality with



1 a population in excess of 1,000,000 inhabitants and is within  
2 100 feet of a church if:

3 (1) the premises and the church are perpendicular, and  
4 the primary entrance of the premises faces South while the  
5 primary entrance of the church faces West and the distance  
6 between the two entrances is more than 100 feet;

7 (2) the shortest distance between the premises lot line  
8 and the exterior wall of the church is at least 80 feet;

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

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

14 (5) the sale of alcoholic liquor at the premises is  
15 incidental to the sale of food;

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

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

21 (n) 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 school is a City of Chicago School District 299  
2 school;

3           (2) the school is located within subarea E of City of  
4 Chicago Residential Business Planned Development Number  
5 70;

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

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

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

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

19           (1) the sale of alcoholic liquor at the premises is  
20 incidental to the sale of food;

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

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

25           (4) the primary entrance of the premises is at least  
26 100 feet from the primary entrance of the church;

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

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

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

7           For purposes of this subsection (o), "premises" means a  
8 place of business together with a privately owned outdoor  
9 location that is adjacent to the place of business.

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

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

19           (2) the church was established at the current location  
20 in 1889; and

21           (3) liquor has been sold on the premises since at least  
22 1985.

23          (q) Notwithstanding any provision of this Section to the  
24 contrary, nothing in this Section shall prohibit the issuance  
25 or renewal of a license authorizing the sale of alcoholic  
26 liquor within a premises that is located in a municipality with

1 a population in excess of 1,000,000 inhabitants and within 100  
2 feet of a church-owned property if:

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

5 (2) the area of the premises does not exceed 720 square  
6 feet and the area of the larger building exceeds 18,000  
7 square feet;

8 (3) the larger building containing the premises is  
9 within 100 feet of the nearest property line of a  
10 church-owned property on which a church-affiliated school  
11 is located;

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

14 (5) the primary entrance of the larger building and the  
15 premises and the primary entrance of the church-affiliated  
16 school are on different, parallel streets, and the distance  
17 between the 2 primary entrances is more than 100 feet;

18 (6) the larger building is separated from the  
19 church-owned property and church-affiliated school by an  
20 alley;

21 (7) the larger building containing the premises and the  
22 church building front are on perpendicular streets and are  
23 separated by a street; and

24 (8) (Blank).

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

1 renewal, or maintenance of a license authorizing the sale of  
2 alcoholic liquor incidental to the sale of food within a  
3 restaurant established in a premises that is located in a  
4 municipality with a population in excess of 1,000,000  
5 inhabitants and within 100 feet of a church if:

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

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

11 (3) the primary business of the restaurant consists of  
12 the sale of food where the sale of liquor is incidental to  
13 the sale of food;

14 (4) the sale of alcoholic liquor is conducted primarily  
15 in the below-grade level of the restaurant to which the  
16 only public access is by a staircase located inside the  
17 restaurant; and

18 (5) the restaurant has held a license authorizing the  
19 sale of alcoholic liquor on the premises for more than 40  
20 years.

21 (s) Notwithstanding any provision of this Section to the  
22 contrary, nothing in this Section shall prohibit renewal of a  
23 license authorizing the sale of alcoholic liquor at a premises  
24 that is located within a municipality with a population more  
25 than 5,000 and less than 10,000 and is within 100 feet of a  
26 church if:

1           (1) the church was established at the location within  
2           100 feet of the premises after a license for the sale of  
3           alcoholic liquor at the premises was first issued;

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

6           (3) a license for the sale of alcoholic liquor on the  
7           premises has been continuously in effect since January 1,  
8           2007, except for interruptions between licenses of no more  
9           than 90 days.

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

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

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

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

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

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

26               (6) the building has 10 storefront properties, 3 of

1 which are used for the restaurant;

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

3 (8) the building is north of the school and separated  
4 by an alley; and

5 (9) the principal religious leader of the church and  
6 either the alderman of the ward in which the school is  
7 located or the principal of the school have delivered a  
8 written statement to the local liquor control commissioner  
9 stating that he or she does not object to the issuance of a  
10 license under this subsection (t).

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

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

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

20 (3) the sale of alcoholic liquor is incidental to the  
21 sale of food;

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

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

26 (6) the rear lot of the school and the rear corner of

1 the building that the premises occupy are separated by an  
2 alley;

3 (7) the distance from the southwest corner of the  
4 property line of the school and the northeast corner of the  
5 building that the premises occupy is at least 16 feet, 5  
6 inches;

7 (8) the distance from the rear door of the premises to  
8 the southwest corner of the property line of the school is  
9 at least 93 feet;

10 (9) the school is a City of Chicago School District 299  
11 school;

12 (10) the school's main structure was erected in 1902  
13 and an addition was built to the main structure in 1959;  
14 and

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

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

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



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

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

6           (4) the property line of the premises for which the  
7 license or renewal is sought is separated from the property  
8 line of the school by a street;

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

12           (6) as of June 14, 2011 (the effective date of Public  
13 Act 97-9) ~~this amendatory Act of the 97th General Assembly,~~  
14 the premises for which the license or renewal is sought is  
15 located in the Illinois Medical District.

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

22           (1) the sale of alcoholic liquor at the premises is  
23 incidental to the sale of food;

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

26           (3) the premises occupy the first floor and basement of

1 a 2-story building that is 106 years old;

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

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

7 (6) the distance between the property line of the  
8 premises and the property line of the church is at least 20  
9 feet;

10 (7) the distance between the primary entrance of the  
11 premises and the primary entrance of the church is at least  
12 130 feet; and

13 (8) the church has been at its location for at least 40  
14 years.

15 (x) 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 a premises that is located within a municipality with  
19 a population in excess of 1,000,000 inhabitants and within 100  
20 feet of a church if:

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

23 (2) the church has been operating in its current  
24 location since 1973;

25 (3) the premises has been operating in its current  
26 location since 1988;

1 (4) the church and the premises are owned by the same  
2 parish;

3 (5) the premises is used for cultural and educational  
4 purposes;

5 (6) the primary entrance to the premises and the  
6 primary entrance to the church are located on the same  
7 street;

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

10 (8) the premises is a 2-story building of approximately  
11 23,000 square feet; and

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

14 (y) 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 school if:

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

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

24 (3) according to the municipality, the distance  
25 between the east property line of the premises and the west  
26 property line of the school is 97.8 feet;

1 (4) the school is a City of Chicago School District 299  
2 school;

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

4 (6) the primary entrance to the premises and the  
5 primary entrance to the school are located on the same  
6 street;

7 (7) the street on which the entrances of the premises  
8 and the school are located is a major diagonal  
9 thoroughfare;

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

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

13 (z) 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 if:

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

21 (2) the licensee shall only sell packaged liquors at  
22 the premises;

23 (3) the licensee is a national retail chain having over  
24 100 locations within the municipality;

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

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

1           (6) the premises is located in the North-East quadrant  
2 of the municipality;

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

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

7           (9) the premises has approximately 799 square feet of  
8 pharmacy space;

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

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

14           (aa) 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 on by the licensee at the premises;

22           (2) the licensee shall only sell packaged liquors at  
23 the premises;

24           (3) the licensee is a national retail chain having over  
25 100 locations within the municipality;

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

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

2 (6) the premises is located in the North-East quadrant  
3 of the municipality;

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

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

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

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

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

15 (bb) 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 a premises that is located within a municipality with  
19 a population in excess of 1,000,000 inhabitants and within 100  
20 feet of a church if:

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

23 (2) the sale of alcoholic liquor at the premises is  
24 incidental to the sale of food;

25 (3) the primary entrance to the premises and the  
26 primary entrance to the church are located on the same

1 street;

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

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

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

7 (7) the premises and the church are both single-story  
8 buildings;

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

11 (9) the distance between the northern-most property  
12 line of the premises and the southern-most property line of  
13 the church is 65 feet.

14 (cc) 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 school if:

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

22 (2) the licensee shall only sell packaged liquors at  
23 the premises;

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

25 (4) as of October 25, 2011, the licensee has 1,767  
26 stores operating nationwide, 87 stores operating in the

1 State, and 10 stores operating within the municipality;

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

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

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

11 (dd) 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 within a full-service grocery store at a premises that  
15 is located within a municipality with a population in excess of  
16 1,000,000 inhabitants and is within 100 feet of a school if:

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

19 (2) the premises is constructed on land that was  
20 previously used as a parking facility for public safety  
21 employees;

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

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

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



1 (6) the school is a private school;

2 (7) the principal of the school has given written  
3 approval for the license;

4 (8) the alderman of the ward where the premises is  
5 located has given written approval of the issuance of the  
6 license;

7 (9) the grocery store level of the premises is between  
8 60,000 and 70,000 square feet; and

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

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

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

20 (2) the premises is located on land that has undergone  
21 environmental remediation;

22 (3) the premises is located within a retail complex  
23 containing retail stores where some of the stores sell  
24 alcoholic beverages;

25 (4) the principal activity of any restaurant in the  
26 retail complex is the sale of food, and the sale of

1 alcoholic liquor is incidental to the sale of food;

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

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

7 (7) the alderman of the ward where the premises is  
8 located has given written approval of the issuance of the  
9 license; and

10 (8) the principal of the school has given written  
11 consent to the issuance of the license.

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

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

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

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

24 (4) the school is a City of Chicago School District 299  
25 school;

26 (5) the primary entrance of the premises and the

1 primary entrance of the school are at least 300 feet apart  
2 and no more than 400 feet apart;

3 (6) the alderman of the ward in which the premises is  
4 located has expressed, in writing, his support for the  
5 issuance of the license; and

6 (7) the principal of the school has expressed, in  
7 writing, that there is no objection to the issuance of a  
8 license under this subsection (ff).

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

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

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

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

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

1           (5) the property on which the church is located is  
2 immediately adjacent to and west of the property on which  
3 the premises are located;

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

7           (7) as of December 31, 2012, both the church property  
8 and the property on which the premises are located are  
9 within 250 feet of City of Chicago Business-Residential  
10 Planned Development Number 38;

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

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

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

21           (hh) Notwithstanding any provision of 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 within a hotel and at an outdoor patio area attached to  
25 the hotel that are located in a municipality with a population  
26 in excess of 1,000,000 inhabitants and that are within 100 feet

1 of a hospital if:

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

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

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

8 (ii) 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 within a restaurant and at an outdoor patio area  
12 attached to the restaurant that are located in a municipality  
13 with a population in excess of 1,000,000 inhabitants and that  
14 are within 100 feet of a church if:

15 (1) the sale of alcoholic liquor at the premises is not  
16 the principal business carried on by the licensee and is  
17 incidental to the sale of food;

18 (2) the restaurant has been operated on the street  
19 level of a 2-story building located on a corner lot since  
20 2008;

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

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

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

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

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

7           (8) 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.

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

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

18           (2) the sale of alcoholic liquor is incidental to the  
19 sale of food;

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

22           (4) the distance between the primary entrance of the  
23 premises and the primary entrance of the church is at least  
24 175 feet;

25           (5) the distance between the property line of the  
26 premises and the property line of the church is at least 40

1 feet;

2 (6) the licensee has been operating at the premises  
3 since 2012;

4 (7) the church was constructed in 1904;

5 (8) 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; and

8 (9) 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 (jj).

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

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

20 (2) the licensee shall only sell packaged liquors on  
21 the premises;

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

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

26 (5) the licensee shall occupy approximately 169,048

1 square feet of space within a building that is located  
2 across the street from a tuition-based preschool; and

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

6 (11) 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 school 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 on  
15 the premises;

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

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

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

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

26 (mm) 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 within premises and at an outdoor patio or sidewalk  
4 cafe, or both, attached to premises that are located in a  
5 municipality with a population in excess of 1,000,000  
6 inhabitants and that are within 100 feet of a hospital if:

7 (1) the primary business of the restaurant consists of  
8 the sale of food where the sale of liquor is incidental to  
9 the sale of food;

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

12 (3) the primary business of the restaurant is conducted  
13 in space owned by a hospital or an entity owned or  
14 controlled by, under common control with, or that controls  
15 a hospital, and the chief hospital administrator has  
16 expressed his or her support for the issuance of the  
17 license in writing; and

18 (4) the hospital is an adult acute care facility  
19 primarily located within the City of Chicago Institutional  
20 Planned Development Number 3.

21 (nn) Notwithstanding any provision of 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 within 100  
26 feet of a church if:

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

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

5           (3) the premises are a building that was constructed in  
6 1913 and opened on May 24, 1915 as a vaudeville theater,  
7 and the premises were converted to a motion picture theater  
8 in 1935;

9           (4) the church was constructed in 1889 with a stone  
10 exterior;

11           (5) the primary entrance of the premises and the  
12 primary entrance of the church are at least 100 feet apart;  
13 and

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

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

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

26           (1) the primary entrance of the premises and the

1 primary entrance of the mosque, church, or other place of  
2 worship are perpendicular and are on different streets;

3 (2) the primary entrance to the premises faces West and  
4 the primary entrance to the mosque, church, or other place  
5 of worship faces South;

6 (3) the distance between the 2 primary entrances is at  
7 least 100 feet;

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

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

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

16 (7) a license for the sale of alcohol at the premises  
17 has been continuously in effect since January 1, 1985,  
18 except for interruptions between licenses of no more than  
19 90 days; and

20 (8) the premises are a single-story, single-use  
21 building of at least 3,000 square feet and no more than  
22 3,380 square feet.

23 (pp) Notwithstanding any provision of this Section to the  
24 contrary, nothing in this Section shall prohibit the issuance  
25 or renewal of a license authorizing the sale of alcoholic  
26 liquor incidental to the sale of food within a restaurant or

1 banquet facility established on premises that are located in a  
2 municipality with a population in excess of 1,000,000  
3 inhabitants and within 100 feet of at least one church if:

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

6 (2) the premises are at least 2,000 square feet and no  
7 more than 10,000 square feet and is located in a  
8 single-story building;

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

13 (4) the property on which the premises are located and  
14 the properties on which the churches are located are on the  
15 same street;

16 (5) the property on which the premises are located is  
17 immediately adjacent to and east of the property on which  
18 at least one of the churches is located;

19 (6) the property on which the premises are located is  
20 across the street and southwest of the property on which  
21 another church is located;

22 (7) the principal religious leaders of the churches  
23 have indicated their support for the issuance of the  
24 license in writing; and

25 (8) the alderman in whose ward the premises are located  
26 has expressed his or her support for the issuance of the

1 license in writing.

2 For purposes of this subsection (pp), "banquet facility"  
3 means the part of the building that caters to private parties  
4 and where the sale of alcoholic liquors is not the principal  
5 business.

6 (qq) 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 on premises that are located within a municipality with  
10 a population in excess of 1,000,000 inhabitants and within 100  
11 feet of a church or school if:

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

15 (2) the shortest distance between the premises and the  
16 church or school is at least 66 feet apart and no greater  
17 than 81 feet apart;

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

21 (4) the owner of the business operated within the  
22 premises has been the general manager of a similar  
23 supermarket within one mile from the premises, which has  
24 had a valid license authorizing the sale of alcoholic  
25 liquor since 2002, and is in good standing with the City of  
26 Chicago;

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

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

7           (7) the principal of the school has indicated his or  
8 her support to the issuance or renewal of the license in  
9 writing.

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

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

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

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

23           (4) the property line of the premises is approximately  
24 68 feet from the property line of the club;

25           (5) the primary entrance of the premises and the  
26 primary entrance of the club where the school leases space

1 are at least 100 feet apart;

2 (6) the director of the club renting space to the  
3 school has indicated his or her consent to the issuance of  
4 the license in writing; and

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

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

17 (2) a restaurant has been operated on the premises  
18 since June 2011;

19 (3) the restaurant currently occupies 1,075 square  
20 feet, but will be expanding to include 975 additional  
21 square feet;

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

24 (5) the premises are located south of the church and on  
25 the same street and are separated by a one-way westbound  
26 street;

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

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

5           (8) the building in which the restaurant is located was  
6 built in 1910;

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

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

14           (tt) 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 premises located within a municipality with a  
18 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 on by the licensee at the premises;

22           (2) the sale of alcoholic liquor is incidental to the  
23 sale of food;

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

26           (4) the premises are at least 40,000 square feet with



1           25 parking spaces in the contiguous surface lot to the  
2           north of the store and 93 parking spaces on the roof;

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

6           (6) the distance between the building in which the  
7           church is located and the building in which the premises  
8           are located is at least 180 feet;

9           (7) the main entrance to the church faces west and is  
10          at least 257 feet from the main entrance of the premises;  
11          and

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

15          (uu) 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 church if:

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

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

25               (3) the premises are located in a building that is  
26               approximately 68,000 square feet with 157 parking spaces on

1 property that was previously vacant land;

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

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

7 (6) the applicant is the owner of 9 similar grocery  
8 stores in the City of Chicago and the surrounding area and  
9 has been in business for more than 40 years; and

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

13 (vv) 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 premises located within a municipality with a  
17 population in excess of 1,000,000 inhabitants and within 100  
18 feet of a church if:

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

21 (2) the sale of alcoholic liquor is primary to the sale  
22 of food;

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

25 (4) the primary entrance of the premises is at least  
26 100 feet from the primary entrance of the church;

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

3           (6) the premises are less than 100 feet from the church  
4 center, but greater than 100 feet from the area within the  
5 building where church services are held;

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

8           (8) the premises were once designated as a Korean  
9 American Presbyterian Church and were once used as a  
10 Masonic Temple;

11           (9) the premises were built in 1910;

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

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

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

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

1 feet of a school if:

2 (1) the school is located within Sub Area III of City  
3 of Chicago Residential-Business Planned Development Number  
4 523, as amended; and

5 (2) the premises are located within Sub Area I, Sub  
6 Area II, or Sub Area IV of City of Chicago  
7 Residential-Business Planned Development Number 523, as  
8 amended.

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

15 (1) the sale of wine or wine-related products is the  
16 exclusive business carried on by the licensee at the  
17 premises;

18 (2) the primary entrance of the premises and the  
19 primary entrance of the church are at least 100 feet apart  
20 and are located on different streets;

21 (3) the building in which the premises are located and  
22 the building in which the church is located are separated  
23 by an alley;

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

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

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

7           (yy) 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 premises are a 27-story hotel containing 191  
14          guest rooms;

15           (2) the sale of alcoholic liquor is not the principal  
16          business carried on by the licensee at the premises and is  
17          limited to a restaurant located on the first floor of the  
18          hotel;

19           (3) the hotel is adjacent to the church;

20           (4) the site is zoned as DX-16;

21           (5) the principal religious leader of the church has  
22          delivered a written statement that he or she does not  
23          object to the issuance of a license under this subsection  
24          (yy); and

25           (6) the alderman of the ward in which the premises are  
26          located has expressed, in writing, his or her support for

1 the issuance of the license.

2 (zz) 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 premises are a 15-story hotel containing 143  
9 guest rooms;

10 (2) the premises are approximately 85,691 square feet;

11 (3) a restaurant is operated on the premises;

12 (4) the restaurant is located in the first floor lobby  
13 of the hotel;

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

16 (6) the hotel is located approximately 50 feet from the  
17 church and is separated from the church by a public street  
18 on the ground level and by air space on the upper level,  
19 which is where the public entrances are located;

20 (7) the site is zoned as DX-16;

21 (8) the principal religious leader of the church has  
22 delivered a written statement that he or she does not  
23 object to the issuance of a license under this subsection  
24 (zz); and

25 (9) the alderman of the ward in which the premises are  
26 located has expressed, in writing, his or her support for

1 the issuance of the license.

2 (aaa) Notwithstanding any provision in 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 within a full-service grocery store at premises located  
6 within a municipality with a population in excess of 1,000,000  
7 inhabitants and within 100 feet of a school if:

8 (1) the sale of alcoholic liquor is not the primary  
9 business activity of the grocery store;

10 (2) the premises are newly constructed on land that was  
11 formerly used by the Young Men's Christian Association;

12 (3) the grocery store is located within a planned  
13 development that was approved by the municipality in 2007;

14 (4) the premises are located in a multi-building,  
15 mixed-use complex;

16 (5) the entrance to the grocery store is located more  
17 than 200 feet from the entrance to the school;

18 (6) the entrance to the grocery store is located across  
19 the street from the back of the school building, which is  
20 not used for student or public access;

21 (7) the grocery store executed a binding lease for the  
22 property in 2008;

23 (8) the premises consist of 2 levels and occupy more  
24 than 80,000 square feet;

25 (9) the owner and operator of the grocery store  
26 operates at least 10 other grocery stores that have

1 alcoholic liquor licenses within the same municipality;  
2 and

3 (10) the director of the school has expressed, in  
4 writing, his or her support for the issuance of the  
5 license.

6 (bbb) 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 at the premises is  
13 incidental to the sale of food;

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

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

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

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

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

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

24 (8) the principal religious leader of the church has  
25 not indicated his or her opposition to the issuance or  
26 renewal of the license in writing.



1           (ccc) 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 full-service grocery store at premises located  
5 within a municipality with a population in excess of 1,000,000  
6 inhabitants and within 100 feet of a church and school if:

7           (1) as of March 14, 2007, the premises are located in a  
8 City of Chicago Residential-Business Planned Development  
9 No. 1052;

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

12           (3) the sale of alcoholic liquor is incidental to the  
13 operation of a grocery store and comprises no more than 10%  
14 of the total in-store sales;

15           (4) the owner and operator of the grocery store  
16 operates at least 10 other grocery stores that have  
17 alcoholic liquor licenses within the same municipality;

18           (5) the premises are new construction when the license  
19 is first issued;

20           (6) the constructed premises are to be no less than  
21 50,000 square feet;

22           (7) the school is a private church-affiliated school;

23           (8) the premises and the property containing the church  
24 and church-affiliated school are located on perpendicular  
25 streets and the school and church are adjacent to one  
26 another;

1           (9) the pastor of the church and school has expressed,  
2           in writing, support for the issuance of the license; and

3           (10) 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           (ddd) 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 or school if:

12           (1) the business has been issued a license from the  
13          municipality to allow the business to operate a theater on  
14          the premises;

15           (2) the theater has less than 200 seats;

16           (3) the premises are approximately 2,700 to 3,100  
17          square feet of space;

18           (4) the premises are located to the north of the  
19          church;

20           (5) the primary entrance of the premises and the  
21          primary entrance of any church within 100 feet of the  
22          premises are located either on a different street or across  
23          a right-of-way from the premises;

24           (6) the primary entrance of the premises and the  
25          primary entrance of any school within 100 feet of the  
26          premises are located either on a different street or across

1 a right-of-way from the premises;

2 (7) the premises are located in a building that is at  
3 least 100 years old; and

4 (8) any church or school located within 100 feet of the  
5 premises has indicated its support for the issuance or  
6 renewal of the license to the premises in writing.

7 (eee) 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 and school if:

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

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

17 (3) a family-owned restaurant has operated on the  
18 premises since 1957;

19 (4) the premises occupy the first floor of a 3-story  
20 building that is at least 90 years old;

21 (5) the distance between the property line of the  
22 premises and the property line of the church is at least 20  
23 feet;

24 (6) the church was established at its current location  
25 and the present structure was erected before 1900;

26 (7) the primary entrance of the premises is at least 75

1 feet from the primary entrance of the church;

2 (8) the school is affiliated with the church;

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

6 (10) the principal of the school has indicated in  
7 writing that he or she is not opposed to the issuance of  
8 the license; and

9 (11) the alderman of the ward in which the premises are  
10 located has expressed, in writing, his or her lack of an  
11 objection to the issuance of the license.

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

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

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

22 (3) the premises are a one-story building containing  
23 approximately 10,000 square feet and are rented by the  
24 owners of the grocery store;

25 (4) the sale of alcoholic liquor at the premises occurs  
26 in a retail area of the grocery store that is approximately

1 3,500 square feet;

2 (5) the grocery store has operated at the location  
3 since 1984;

4 (6) the grocery store is closed on Sundays;

5 (7) the property on which the premises are located is a  
6 corner lot that is bound by 3 streets and an alley, where  
7 one street is a one-way street that runs north-south, one  
8 street runs east-west, and one street runs  
9 northwest-southeast;

10 (8) the property line of the premises is approximately  
11 16 feet from the property line of the building where the  
12 church is located;

13 (9) the premises are separated from the building  
14 containing the church by a public alley;

15 (10) the primary entrance of the premises and the  
16 primary entrance of the church are at least 100 feet apart;

17 (11) representatives of the church have delivered a  
18 written statement that the church does not object to the  
19 issuance of a license under this subsection (fff) ~~(yy)~~; and

20 (12) the alderman of the ward in which the grocery  
21 store is located has expressed, in writing, his or her  
22 support for the issuance of the license.

23 (ggg) Notwithstanding any provision of this Section to the  
24 contrary, nothing in this Section shall prohibit the issuance  
25 or renewal of licenses authorizing the sale of alcoholic liquor  
26 within a restaurant or lobby coffee house at premises located

1 within a municipality with a population in excess of 1,000,000  
2 inhabitants and within 100 feet of a church and school if:

3 (1) a residential retirement home formerly operated on  
4 the premises and the premises are being converted into a  
5 new apartment living complex containing studio and  
6 one-bedroom apartments with ground floor retail space;

7 (2) the restaurant and lobby coffee house are located  
8 within a Community Shopping District within the  
9 municipality;

10 (3) the premises are located in a single-building,  
11 mixed-use complex that, in addition to the restaurant and  
12 lobby coffee house, contains apartment residences, a  
13 fitness center for the residents of the apartment building,  
14 a lobby designed as a social center for the residents, a  
15 rooftop deck, and a patio with a dog run for the exclusive  
16 use of the residents;

17 (4) the sale of alcoholic liquor is not the primary  
18 business activity of the apartment complex, restaurant, or  
19 lobby coffee house;

20 (5) the entrance to the apartment residence is more  
21 than 310 feet from the entrance to the school and church;

22 (6) the entrance to the apartment residence is located  
23 at the end of the block around the corner from the south  
24 side of the school building;

25 (7) the school is affiliated with the church;

26 (8) the pastor of the parish, principal of the school,

1 and the titleholder to the church and school have given  
2 written consent to the issuance of the license;

3 (9) the alderman of the ward in which the premises are  
4 located has given written consent to the issuance of the  
5 license; and

6 (10) the neighborhood block club has given written  
7 consent to the issuance of the license.

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

14 (1) a restaurant operates on the premises and has been  
15 in operation since January of 2014;

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

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

20 (4) the premises occupy the first floor of a 3-story  
21 building that is at least 100 years old;

22 (5) the primary entrance to the premises is more than  
23 100 feet from the primary entrance to the home for indigent  
24 persons, which opened in 1989 and is operated to address  
25 homelessness and provide shelter;

26 (6) the primary entrance to the premises and the

1 primary entrance to the home for indigent persons are  
2 located on different streets;

3 (7) the executive director of the home for indigent  
4 persons has given written consent to the issuance of the  
5 license;

6 (8) the entrance to the premises is located within 100  
7 feet of a Buddhist temple;

8 (9) the entrance to the premises is more than 100 feet  
9 from where any worship or educational programming is  
10 conducted by the Buddhist temple and is located in an area  
11 used only for other purposes; and

12 (10) the president and the board of directors of the  
13 Buddhist temple have given written consent to the issuance  
14 of the license.

15 (iii) 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 in excess of  
19 1,000,000 inhabitants and within 100 feet of a home for the  
20 aged if:

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

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

25 (3) the premises are on the ground floor of a  
26 multi-floor, university-affiliated housing facility;



1           (4) the premises occupy 1,916 square feet of space,  
2           with the total square footage from which liquor will be  
3           sold, served, and consumed to be 900 square feet;

4           (5) the premises are separated from the home for the  
5           aged by an alley;

6           (6) the primary entrance to the premises and the  
7           primary entrance to the home for the aged are at least 500  
8           feet apart and located on different streets;

9           (7) representatives of the home for the aged have  
10           expressed, in writing, that the home does not object to the  
11           issuance of a license under this subsection; and

12           (8) the alderman of the ward in which the restaurant is  
13           located has expressed, in writing, his or her support for  
14           the issuance of the license.

15           (jjj) 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) as of January 1, 2016, the premises were used for  
22           the sale of alcoholic liquor for consumption on the  
23           premises and were authorized to do so pursuant to a retail  
24           tavern license held by an individual as the sole proprietor  
25           of the premises;

26           (2) the primary entrance to the school and the primary

1 entrance to the premises are on the same street;

2 (3) the school was founded in 1949;

3 (4) the building in which the premises are situated was  
4 constructed before 1930;

5 (5) the building in which the premises are situated is  
6 immediately across the street from the school; and

7 (6) the school has not indicated its opposition to the  
8 issuance or renewal of the license in writing.

9 (kkk) (Blank).

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

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

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

20 (3) the premises are located on the same street on  
21 which the synagogue or school is located;

22 (4) the primary entrance to the premises and the  
23 closest entrance to the synagogue or school is at least 100  
24 feet apart;

25 (5) the shortest distance between the premises and the  
26 synagogue or school is at least 65 feet apart and no

1 greater than 70 feet apart;

2 (6) the premises are between 1,800 and 2,000 square  
3 feet;

4 (7) the synagogue was founded in 1861; and

5 (8) the leader of the synagogue has indicated, in  
6 writing, the synagogue's support for the issuance or  
7 renewal of the license.

8 (mmm) Notwithstanding any provision of this Section to the  
9 contrary, nothing in this Section shall prohibit the issuance  
10 or renewal of licenses authorizing the sale of alcoholic liquor  
11 within a restaurant or lobby coffee house at premises located  
12 within a municipality with a population in excess of 1,000,000  
13 inhabitants and within 100 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 in a restaurant;

18 (3) the restaurant has been run by the same family for  
19 at least 19 consecutive years;

20 (4) the premises are located in a 3-story building in  
21 the most easterly part of the first floor;

22 (5) the building in which the premises are located has  
23 residential housing on the second and third floors;

24 (6) the primary entrance to the premises is on a  
25 north-south street around the corner and across an alley  
26 from the primary entrance to the church, which is on an

1 east-west street;

2 (7) the primary entrance to the church and the primary  
3 entrance to the premises are more than 160 feet apart; and

4 (8) the church has expressed, in writing, its support  
5 for the issuance of a license under this subsection.

6 (nnn) Notwithstanding any provision of this Section to the  
7 contrary, nothing in this Section shall prohibit the issuance  
8 or renewal of licenses authorizing the sale of alcoholic liquor  
9 within a restaurant or lobby coffee house at premises located  
10 within a municipality with a population in excess of 1,000,000  
11 inhabitants and within 100 feet of a school and church or  
12 synagogue 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 in a restaurant;

17 (3) the front door of the synagogue faces east on the  
18 next north-south street east of and parallel to the  
19 north-south street on which the restaurant is located where  
20 the restaurant's front door faces west;

21 (4) the closest exterior pedestrian entrance that  
22 leads to the school or the synagogue is across an east-west  
23 street and at least 300 feet from the primary entrance to  
24 the restaurant;

25 (5) the nearest church-related or school-related  
26 building is a community center building;

1           (6) the restaurant is on the ground floor of a 3-story  
2           building constructed in 1896 with a brick façade;

3           (7) the restaurant shares the ground floor with a  
4           theater, and the second and third floors of the building in  
5           which the restaurant is located consists of residential  
6           housing;

7           (8) the leader of the synagogue and school has  
8           expressed, in writing, that the synagogue does not object  
9           to the issuance of a license under this subsection; and

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

13           (ooo) 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 premises located within a municipality with a  
17           population in excess of 2,000 but less than 5,000 inhabitants  
18           in a county with a population in excess of 3,000,000 and within  
19           100 feet of a home for the aged if:

20           (1) as of March 1, 2016, the premises were used to sell  
21           alcohol pursuant to a retail tavern and packaged goods  
22           license issued by the municipality and held by a limited  
23           liability company as the proprietor of the premises;

24           (2) the home for the aged was completed in 2015;

25           (3) the home for the aged is a 5-story structure;

26           (4) the building in which the premises are situated is

1       directly adjacent to the home for the aged;

2           (5) the building in which the premises are situated was  
3       constructed before 1950;

4           (6) the home for the aged has not indicated its  
5       opposition to the issuance or renewal of the license; and

6           (7) the president of the municipality has expressed in  
7       writing that he or she does not object to the issuance or  
8       renewal of the license.

9       (Source: P.A. 98-274, eff. 8-9-13; 98-463, eff. 8-16-13;  
10      98-571, eff. 8-27-13; 98-592, eff. 11-15-13; 98-1092, eff.  
11      8-26-14; 98-1158, eff. 1-9-15; 99-46, eff. 7-15-15; 99-47, eff.  
12      7-15-15; 99-477, eff. 8-27-15; 99-484, eff. 10-30-15; revised  
13      11-4-15.)

14           Section 99. Effective date. This Act takes effect upon  
15      becoming law."