

City of Naperville

# Liquor Concept

Pre Application Packet

Thank you for considering opening your business in Naperville. This packet will explain the liquor license pre-application process, the documents you will be required to provide in order to most efficiently handle your request, and offer a list of frequently asked questions which we hope will assist you during the development of your project.

### **Section One: Liquor Concept Committee**

The Liquor Concept Committee was initiated in 2007 with the mission of providing technical review of how proposed concepts relate to liquor, building, and fire code requirements. The Liquor Concept Committee meets in the afternoon on the third week of each month in the Mayor's Conference Room located on the second floor of the Municipal Center.

The Committee is comprised of staff members from the Legal, Mayor's Office, Fire, Police, and Transportation, Engineering & Development (TED) departments. Each member is a subject matter expert in their department and will guide you through the pre-application process.

### **Section Two: Tenant Build Out Meeting**

As a liquor license pre-applicant, you should verify building occupancy requirements and you are encouraged to attend the Tenant Build-Out (TBO) meeting prior to your appointment with the Liquor Concept Committee.

The TBO meeting is hosted by the Transportation, Engineering and Development (TED) Business Group and serves as a fast track process for *qualifying* Simple Tenant Build Outs and Business Occupancy Permits. At this meeting you will meet with a Planner, Plans Examiner, Project Assistant, and representatives from the Electric and Fire Departments. Meetings are held every Tuesday at 8:30 a.m. in Meeting Room B & C of the Municipal Center.

### **Section Three: Completing the Liquor Concept Pre-Application Form**

Pre-applicants are required to complete the Liquor Concept Pre-Application form found in this packet. The form requests information regarding the applicant, business and the proposed business concept. In order to best determine which liquor license classification applies to your concept, please review the list of categories in Section Six of this packet. A full copy of liquor ordinances and rules are available online at: <http://www.naperville.il.us/liquorcommission.aspx>

### **Section Four: Meeting with the Liquor Concept Committee**

After attending the TBO meeting, the Pre-Application form and attachments must be submitted to the Emy Trotz, Mayor's Office no later than 5:00 p.m. seven (7) days prior to the Liquor Concept Committee meeting. The Committee meets with pre-applicants by appointment only: appointments are assigned in order of Pre-Application submission. Return the documents below to the Emy Trotz, Mayor's Office:

- ✓ Completed Liquor Concept Pre-Application Form
- ✓ Floor plan drawing
- ✓ Menu (if restaurant concept is proposed)

Appointments are scheduled for thirty (30) minutes which includes a ten (10) minute concept presentation and twenty (20) minute question and answer session.

The business owner, and/or an employee (preferably a manager), is required to attend the meeting. The Concept Committee will review the Pre-Application materials prior to the scheduled meeting. The Mayor’s Office will contact you before the meeting if your materials need to be supplemented. Presenters must prepare eight (8) copies of any supplemental materials to be distributed to the Committee.

When you arrive on the day of your appointment please sit in the waiting area outside the Mayor’s Office. Once the Committee is ready for your presentation you will be asked to go to the Conference Room. The meeting will open with an introduction of the committee members, followed by your presentation.

**Section Five: Next Steps**

After the meeting, the Committee will present its findings to the Liquor Commissioner who will typically either approve or deny a liquor license application. The Liquor Commissioner may approve the release of a liquor license application or may seek additional information. In some circumstances, the Liquor Commissioner may direct that a concept be presented to the full Liquor Commission. The Liquor Commission meets on the first Thursday, after the first Tuesday of each month.

In some cases, a liquor license request would require City Council approval of an amendment to Section 3-3 (Liquor and Tobacco Control) of the Naperville Municipal Code. [https://www.municode.com/library/il/naperville/codes/code\\_of\\_ordinances](https://www.municode.com/library/il/naperville/codes/code_of_ordinances)

(Examples: Raising a cap, adding a new class of license, changing a restriction.)

The process to consider an amendment to the Naperville Municipal Code (i.e., text amendment) is outlined below for reference. A typical timeline for a liquor license text amendment is approximately three (3) months.

<b><u>MEETING</u></b>	<b><u>TIMING</u></b>
Liquor Concept Committee review	Meets third week of the month
Approval from the Liquor Commissioner	Approximately one week after Concept meeting
Vote of recommendation from the full Liquor Commission	Meets first Thursday after first Tuesday of the month
First reading of the text amendment ordinance by the City Council (Requires one meeting.)	Meets the first and third Tuesday night of the month* *Only one meeting in July
Vote to pass the ordinance by the City Council (At a second City Council Meeting.)	Meets the first and third Tuesday night of the month* *Only one meeting in July

**Section Six: Overview of Liquor License Classes**

The table below provides a summary of the license classifications, an abbreviated description with local examples, and the price of each license. Full details on liquor classifications, ordinances and rules are available on the Liquor Commission page of the City of Naperville website at [www.naperville.il.us](http://www.naperville.il.us).

<b>Overview of Liquor License Classes</b>			
<b>Class</b>	<b>Type</b>	<b>Description</b>	<b>Price</b>
A	<b>Restaurant</b> (Service bar only)	Primary business is the service of meals. No alcohol sold <u>except</u> with meals.  Examples: Chinese Kitchen and Chipotle Mexican Grill.	\$1,650
B	<b>Restaurant &amp; Tavern</b> (Customer bar)	Primary business is the service of meals. Class B licenses are required to stop selling liquor at 11:00 p.m. (Sunday-Saturday). Kitchen must remain open until 9:00 p.m.  Class B licenses may request a Late Night Permit to sell liquor beyond 11:00 p.m. A Late Night Permit allows establishments to sell until 1:00 a.m. Sunday-Thursday and until 2:00 a.m. on Friday and Saturday, without kitchen requirements.  Late Night Permits are capped. The Naperville City Council must vote to increase the cap before any new Late Night Permit may be issued. (See Section Seven for permit pricing.)  Examples: Olive Garden and Quigley's.	\$2,100
C	<b>Tavern &amp; Package Store</b>	Service of food or meals is incidental to the service of alcoholic liquor. Customer bar and package sales for off-premise consumption are allowed.  <b>Location restrictions apply:</b> Must be located in a shopping center of at least 60,000 square feet of gross building floor area and only one (1) Class C per shopping center.  <b>CAPPED at six (6) licenses.</b>  Examples: Judd Kendal VFW and The Lantern.	\$2,100

### Overview of Liquor License Classes

Class	Type	Description	Price
D	<b>Package Store</b> (No consumption on premises)	Retail sale of package goods.  <b>Location restrictions apply:</b> Must be located in a shopping center of at least 60,000 square feet (s.f.) of gross building floor area capped at 14, or Must be located in a shopping center of at least 100,000 square feet of gross building floor area: see cap restrictions for details.  <b>CAPPED:</b> Greater than 60,000 and less than 100,000 s.f. at 14 licenses. Capped at 14.  Greater than 100,000 s.f. capped at one (1) per shopping center except an additional Class D may be permitted if the sales of alcohol is 25% or less of gross revenue and not the primary business. (See Municipal Code Section 3-3-11-4.1.)  <b>Mixed use stores must confine the liquor display/sales area.</b>  Examples: Binny’s Beverage Depot and Jewel/Osco.	\$2,000
E	<b>Temporary license</b> (Wine and beer only)	Available to local organizations or groups promoting a common object other than the sales of wine and/or beer. Consumption on premises or adjacent to premises at a picnic, carnival or similar function.  Examples: Church Lent fish fries and picnics.	\$50* per day

### Overview of Liquor License Classes

Class	Type	Description	Price
G	<b>Wine and Beer Package Sales</b> (No consumption on premises)	<p>Retail sale of beer and wine package goods.</p> <p><b>Location restrictions apply:</b> Must be located in a shopping center of at least 60,000 square feet of gross building floor area capped at 6, or, Must be located in a shopping center zoned B-1 and of at least 45,000 square feet of gross building floor area.</p> <p><b>CAPPED</b> at six (6) licenses.</p> <p><b>Mixed use stores must confine the liquor display/sales area.</b></p> <p>Examples: 7-Eleven.</p>	\$1,700
G-1	<b>Grocery Store</b>	<p>Grocery stores with primary purpose of the retail sale of groceries and household items with no less than eighty-five percent (85%) of annual store revenues from these items.</p> <p>Location Restriction: Premises over 15,000 s.f.; liquor display limited to no more that 3% of floor space</p> <p>Liquor tasting or sampling prohibited. Restrictions on size of containers.</p>	\$4,500
H	<b>Club License</b>	<p>Available to an organized club with sales to members only. Must submit two (2) copies of lists with names and residences of members and board or executive committee.</p> <p>No member, officer, agent or employee may receive compensation or profit from the sale of liquor.</p> <p>Examples: Jefferson Club.</p>	\$300
I	<b>Hotel or Motel</b> (Service bar only)	<p>No alcohol sold <u>except</u> with meals.</p> <p>Example: None.</p>	\$2,400

Class	Type	Description	Price
J	<b>Hotel and Tavern or Motel and Tavern</b> (Customer bar)	Hotel with customer bar.  Examples: Country Inn and Suites and Hotel Arista.	\$3,100
K	<b>Catering License</b>	Available to a bona fide catering business with headquarters within the city. Sales shall be in connection with the catering of foods only and be made at the registered office of the licensee and nowhere else.  Examples: Belgio's and My Chef.	\$1,000
L	<b>Special Event</b> (Wine and/or beer only)	Available to local not for profit community organizations or governmental entities with local goals with direct benefit to all citizens of the city; Sales limited to the public at picnic, carnival or similar function on city property; Held on city property such as streets, roads or parks; Organizations are limited to two events per year.  <b>Event requirements:</b> Liquor must remain in a fenced area. Security and trash removal must be provided. Naperville Police course for all persons who sell, serve or dispense liquor is required. Event must complete the City of Naperville Special Events process. Information available at: <a href="http://www.naperville.il.us/eventpermit.aspx">http://www.naperville.il.us/eventpermit.aspx</a>  Examples: Ribfest and Last Fling.	\$50 per day plus city costs
M	<b>Recreational Facility</b>	Available to golf course, bowling alley, indoor sports facility, art studio or billiards facility. Liquor sales allowed only while recreational portions of the facility are open and available for use. Sixty per cent (60%) of facility's total annual revenue shall be derived from sources other than alcohol.  <b>CAPPED</b> at eight (8) licenses. (All available licenses have been issued.)  Examples: Brunswick Zone, White Eagle Golf Course, and Pinot's Palette.	\$2,000

Class	Type	Description	Price
N	<b>Wine/ Champagne Basket Sales</b>	Wine or champagne sold exclusively as part of an arrangement in a gift basket.  Examples: None.	\$1,000
O	<b>Nightclubs</b> (Service bar only)	Public place permitting activities requiring an entertainment license. Food service is not required. Drinks served by wait staff. No customer bar allowed.  <b>Location restrictions apply:</b> Must be located in a shopping center of at least 60,000 square feet.  Examples: Former Comedy Shrine.	\$2,100
P	<b>Brewery Retailer</b>	Permits retail sales of craft beer brewed on the premises and in original package for consumption off premise, manufacture and storage of beer. Limited tastings with conditions. Requires applicable federal and state tax stamps.  Marketing Event Permit is available with certain conditions. (Municipal Code: 3-3-11-17-7.5)  Examples: Solemn Oath.	\$2,000
Q	<b>Comp. Beer and Wine</b> (All-suite type hotels only)	Permits complementary beer, wine and spirits to registered guests between the hours of 4:00 p.m. and 7 p.m. Requires appetizers or other food served continually and be in an area separate from the lobby and common areas of the hotel.  Examples: Embassy Suites.	\$250
R	<b>Legitimate Theater House</b> (Wine and beer only from customer bar in lobby)	Beer and wine consumption on-premises.  <b>Restrictions:</b> <b>Where:</b> Sale of beer and wine is limited to the lobby. <b>Area:</b> No seating allowed and area must be fully illuminated. The patron may take their beverage to the theater portion only. <b>When:</b> Sales limited to not more than one (1) hour before the start of the performance and during intermission period of 30 minutes or less. <b>How much:</b> Beer twelve (12) ounces or less. Wine five (5) ounces or less. <b>Production:</b> Subject to obscenity laws and sexual exploitation of minors is prohibited.  Examples: Center Stage Theater and Wentz Fine Arts Center.	\$500

Class	Type	Description	Price
S	<b>Specialty Wine Shop</b>	<p>Retail sales of package goods wine and craft beer.</p> <p>Tasting policy – Not more than twelve (12) ounces of wine per day person.</p> <p><b>Location Requirements:</b> Licensed premises can't exceed 1,500 square feet total. At least 20% of the total area shall be for sale of specialty foods. Examples: Tasting Devine.</p>	\$1,200
T	<b>Heritage Society Cultural License</b>	<p>Available to the Naperville Heritage Society only. Sale and consumption limited to the Pre-Emption House.</p> <p>Time restricted and shall not exceed ten percent (10%) of revenue.</p> <p>(Wine and beer only)</p>	\$1,000
U	<b>Specialty Market</b>	<p>Primary sale of perishable foods, package goods liquor, restaurant/tavern on premise auxiliary to store.</p> <p>Minimum floor area of 35,000 square feet.</p> <p>Must have a fully staffed and operational kitchen until 9 p.m. Sunday through Thursday and 10 p.m. Friday and Saturday. No consumption after 11 p.m.</p> <p><b>Mixed use stores must confine the liquor display/sales area.</b></p>	\$4,100
V	<b>Pharmacy Package Store</b>	<p>Primary purpose is the sale of pharmaceuticals (no less than 50% of revenue), sale of packaged liquor is auxiliary and has restrictions on container sizes.</p> <p>Minimum floor space 9,500 square feet</p> <p><b>Must confine the liquor display/sales area. No more than 5% of the total gross square footage of the store.</b></p> <p>Liquor tasting or sampling is prohibited.</p> <p>CAPPED at ten (10) licenses.</p>	\$3,000

**Section Seven: Supplemental Permits**

Many times businesses want to provide services beyond what is defined in a license class. The table below provides a summary of the permits available to various license classes. Please note that in addition to fees shown in the table, there is an initial one-time liquor license application fee of \$1,000.00.

<b>Overview of Supplemental Permits</b>			
<b>Supplemental Permits</b>	<b>Available to Classes</b>	<b>Description</b>	<b>Price</b>
Bottle Permit	I, J	Bottle sales to registered guests in their room.	None
Late Night Permit	B	Allows establishments to remain open until 1:00 a.m. Sunday-Thursday and until 2:00 a.m. on Friday and Saturday, without kitchen requirements.  The number of late night permits is capped. All permits have been issued and a vote by the City Council is required to raise the cap.	\$200
Growler Permit	B	Growlers of craft beer manufactured on-premises may be sold for off premises consumption. (Ord. 13-131)	\$1,000
Package Store Promotional Permit	D, G	Liquor tasting once a month for 3 consecutive days each. Tasting must be within the approved liquor display area.  Tasting of alcoholic products allowed under licensed class only.	\$100
Package Store Promotional Permit	D,G	Liquor tasting 2 consecutive days each week. Tasting must be within the approved liquor display area.  Tasting of alcoholic products allowed under licensed class only.	\$200
Entertainment Permit	Must hold a valid liquor license.	Live music by a soloist or group, not to exceed 8 persons, personal appearances of amateur or professional entertainers other than dancers, commercially produced movies or videos, dancing by patrons only	\$500
Outdoor Seating	A,B,C,J,M,U	Allows service of liquor outside adjacent to a building. <b>Requirements:</b> Fencing or barrier, same hours as business, BASSET trained employees, detailed site plan, inspections.	\$300
Special Promotional Permits	A,B,I,J,K,L,M	Sale of merchandise other than undergarments, sleepwear, lingerie and swimming attire, displayed by live models.	\$25