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# CITY OF CHICAGO

## RULES

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# LATE HOUR LIQUOR LICENSE RULES

Last Updated: March 1, 2008



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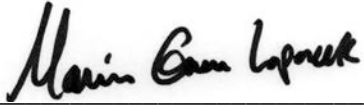
Mayor Rahm Emanuel

Commissioner Maria Guerra Lapacek

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BY AUTHORITY VESTED IN THE COMMISSIONER OF THE DEPARTMENT OF BUSINESS AFFAIRS AND CONSUMER PROTECTION PURSUANT TO **CHAPTERS 2-25 AND 4-60**, THE FOLLOWING RULES REGARDING **LATE HOUR LIQUOR LICENSES** ARE ADOPTED HEREIN.

By Order of the Commissioner:

Signed:   
Commissioner Maria Guerra Lapacek

Date: July 27, 2015

Published: **March 1, 2008**

Effective: **March 1, 2008**

**CITY OF CHICAGO  
DEPARTMENT OF BUSINESS AFFAIRS AND LICENSING  
LOCAL LIQUOR CONTROL COMMISSION**

**RULES AND REGULATIONS  
for  
LATE HOUR LIQUOR LICENSE**

**As promulgated by the City of Chicago Local Liquor  
Control Commissioner pursuant to the General Provisions of Section 4-60-205 and  
the Specific Provisions of Section 4-60-130 of the Municipal Code of the City of Chicago**

**Rule No. 1.**     *Definitions.* As used in these rules:

“Adjacent property” means (a) any public way located immediately next to the licensed establishment, if such public way is used by the licensee or by patrons, agents or employees of the licensee as a means of entry to or egress from the licensed establishment; or (b) any private property that is located immediately next to the licensed establishment, if such private property is owned, leased or rented by the licensee; or (c) any private property separated from the licensed establishment by a public way and located immediately next to such public way, if such private property is owned, leased or rented by the licensee. For purposes of this definition, the term “public way” means any sidewalk, street, alley, highway or other public thoroughfare.

“Licensee” means any person holding a late-hour privilege liquor license under Chapter 4-60 and includes the employees and agents of such licensee and any person having control over the day-to-day management of the licensed establishment.

**Rule No. 2.**     The exterior safety plan required by subsection (f) of Section 4-60-130 shall apply to the licensed establishment and adjacent property.

**Rule No. 3.**     The exterior safety plan required by subsection (f) of Section 4-60-130 shall be implemented by the licensee between the hours of 1:00 a.m. and until one hour after the licensed establishment is closed for business.

**Rule No. 4.**     The licensee shall (a) promptly notify the police department via the city’s 9-1-1 emergency telephone system of any illegal activity reported to or observed by the licensee on or within sight of the licensed premises or adjacent property; and (b) otherwise comply with the requirements of Section 4-60-141. The licensee shall enter into a log book all incidents of illegal activity reported or required to be reported to the police department under Section 4-60-141, including the date and time the incident was reported to the police department; a brief summary of the

incident; the name of the person reporting the incident; and, if a cell phone was used to report the incident, the cell phone's telephone number.

- Rule No. 5.** Between the hours of 1:00 a.m. and until one hour after the licensed establishment is closed for business, the licensee shall have the following duties:
- (a) to maintain an orderly line of persons wishing to enter the establishment; and
  - (b) to instruct persons waiting in line to enter the establishment, exiting the establishment or otherwise located outside the establishment to refrain from making loud or unnecessary noise and from otherwise disturbing the peace, quiet and good order of the community; and
  - (c) to prevent persons from congregating in front of the licensed establishment or on adjacent property. Provided, however, that this item (c) shall not apply to persons waiting in an orderly line to enter the establishment; and
  - (d) to pick up garbage in front of and curbside of the licensed establishment and adjacent property; and
  - (e) to notify the police department of any illegal activity reported to or observed by such person(s) on or within sight of the licensed premises or adjacent property.

**Rule No. 6.** If an employee or agent of the licensee is charged by the licensee with responsibility for carrying out any of the duties set forth in Rule No. 5 or for implementing or maintaining any part of the licensee's exterior safety plan, and the person charged with such responsibility fails to perform such responsibility, the licensee shall be deemed to have failed to adequately implement or maintain an adequate exterior safety plan within the meaning of item (3) of subsection (f) of Section 4-60-130.

- Rule No. 7.** For purposes of Section 4-60-130(f)(3)(i), the term "adequate exterior lighting" means lighting that:
- (a) is sufficient to enable the surveillance cameras required under Section 4-60-130(f)(3)(ii) to produce easily discernible images within the meaning of item (b) of Rule No. 8; and
  - (b) illuminates the front and sides of each entry and exit way used by patrons of the licensee.

- Rule No. 8.** The surveillance cameras required under Section 4-60-130(f)(3)(ii) shall comply with the following requirements:
- (a) The cameras shall be video surveillance cameras of sufficient number, type, placement and location to view and record all activity in the front and on all sides of each entry and exit way used by patrons of the licensee for a

distance of 15 feet, as measured from the point of entry or exit; and

- (b) The cameras shall be sufficiently light sensitive and provide sufficient image resolution (supported by additional lighting, if necessary) to produce easily discernible images; and
- (c) The images recorded by each camera shall be capable of being viewed through use of appropriate technology, including but not limited to, compact disc or digital video disc; and
- (d) The images recorded by each camera shall be capable of being transferred to a portable form of media, including but not limited to, compact disc or digital video disc; and
- (e) The cameras shall not have an audio capability; and
- (f) The cameras shall be maintained in good working condition; and
- (g) Except as otherwise required by law or under the terms of a written plan of operation submitted pursuant to Section 4-60-205, at a minimum the cameras shall be in operation and recording continuously between the hours of 1:00 a.m. and 6:00 a.m.; and
- (h) All recordings made by the required cameras shall be indexed by date and time; shall be preserved by the licensee for at least 72 hours; and, upon request, shall be made available by the licensee for inspection by the police department, local liquor control commissioner or other authorized government personnel. At all times between the hours of 1:00 a.m. and 6:00 a.m., the licensee shall have on staff or otherwise available without undue delay a person capable of operating the required cameras to produce any requested recorded image(s) and to transfer those images to a portable form of media, including but not limited to, compact disc or digital video disc; and
- (i) All recordings made by the required cameras shall be stored by the licensee on the licensed premises in a locked receptacle located in a controlled access area accessible only to authorized personnel or shall otherwise be secured in a manner accessible only to authorized personnel. The licensee shall enter into a log book all instances of requests for, access to, and dissemination and use of any recorded material made or captured by the required video surveillance cameras, including the date and time such entry was made, the reason why such entry was made, and the name of the person

making the request or accessing, disseminating or using the recorded material. The licensee shall make copies of the log book available, upon request, for inspection by the local liquor control commissioner, the police department or other authorized government personnel; and

- (j) The licensee shall post signage, in a conspicuous manner and at appropriate locations, notifying the public that video surveillance cameras are in operation.

**Rule No. 9.** For purposes of Section 4-60-130(f)(3)(iii), the term “adequately trained security personnel” means security personnel meeting all of the following minimum requirements:

- (a) Each person providing security at the licensed establishment has successfully completed the Beverage Alcohol Sellers and Servers Education and Training (BASSET) program or Training for Intervention Procedures for Servers of Alcohol (TIPS) program approved by the Illinois Liquor Control Commission, and such person has provided proof of compliance with this requirement to the licensee; and
- (b) Each person providing security at the licensed establishment has been trained by the licensee to report all incidents of illegal activity at the licensed establishment or on adjacent property to the police in conformity with the requirements of Section 4-60-141 and Rule No. 4, and such person has certified in writing that such training was received; and
- (c) Each person providing security at the licensed establishment has been trained by the licensee to record all incidents of illegal activity at the licensed establishment or on adjacent property in a log book in conformity with the requirements of Rule No. 4, and such person has certified in writing that such training was received; and
- (d) Each person providing security at the licensed establishment has been trained by the licensee (i) not to exceed the establishment’s legal maximum occupancy; and (ii) in the fundamentals of the licensed establishment’s fire safety, emergency preparedness and emergency evacuation procedures, and such person has certified in writing that such training was received.
- (e) The licensee or at least one person authorized by the licensee to provide security at the licensed establishment attends each Chicago Alternative Policing Strategy (CAPS) beat community meeting held in the police district where the licensed establishment is located. The licensee shall maintain written records identifying the date and time of each such CAPS beat community meeting and the name of the person attending such CAPS beat community meeting; and
- (f) The licensee maintains on file, for a period of at least two years, any proof

of compliance, certification, log or records required under this rule. Such documents shall be made available, upon request, for inspection by the police department, local liquor control commissioner or other authorized government personnel.

**Rule No. 10.** The exterior safety plan required under subsection (f) of Section 4-60-130 and approved by the local liquor control commissioner shall become a condition of the license, and the licensee, all principal officers of the licensee and any person with a 5% or more ownership interest in the licensee shall be bound by its terms. It shall be posted in the licensed establishment, in a conspicuous location, directly next to the liquor license certificate. The failure to post or adhere to an approved exterior safety plan shall constitute legal grounds to initiate license disciplinary proceedings against such licensee, including but not limited to, license suspension or revocation.

**Rule No. 11.** If there is a change of ownership or of officers of the licensee, the exterior safety plan required under subsection (f) of Section 4-60-130 and approved by the local liquor control commissioner shall be enforceable against such new owner(s) or officer(s). Provided, however, that if application is made for a new late hour liquor license, the applicant for such license shall be required to submit an exterior safety plan meeting the requirements of subsection (f) of Section 4-60-130.

Effective: March 1, 2008