



## 100TH GENERAL ASSEMBLY

### State of Illinois

2017 and 2018

**HB5174**

by Rep. Emanuel Chris Welch

#### SYNOPSIS AS INTRODUCED:

235 ILCS 5/6-11

Amends the Liquor Control Act of 1934. Provides that no license shall be issued or renewed on or after the effective date of the amendatory Act for the sale at retail of any alcoholic liquor within 1,000 feet of any school other than an institution of higher learning, mental health facility as defined under Section 1-114 of the Mental Health and Developmental Disabilities Code, or hospital operated by or under the authority of the United States Department of Veterans Affairs or the Illinois Department of Veterans' Affairs. Provides that this prohibition does not apply to hotels offering restaurant service, regularly organized clubs, or to restaurants, food shops, or other places where the sale of alcoholic liquor is not the principal business carried on, unless required by local ordinance. Makes a conforming change.

LRB100 18663 RPS 33890 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning liquor.

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

4 Section 5. The Liquor Control Act of 1934 is amended by  
5 changing 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  
17 exempted is not located in a municipality of more than 500,000  
18 persons, unless required by local ordinance; nor to the renewal  
19 of a license for the sale at retail of alcoholic liquor on  
20 premises within 100 feet of any church ~~or school~~ where the  
21 church ~~or school~~ has been established within such 100 feet  
22 since the issuance of the original license. In the case of a  
23 church, the distance of 100 feet shall be measured to the

1 nearest part of any building used for worship services or  
2 educational programs and not to property boundaries.

3 (a-5) No license shall be issued or renewed on or after the  
4 effective date of this amendatory Act of the 100th General  
5 Assembly for the sale at retail of any alcoholic liquor within  
6 1,000 feet of any school other than an institution of higher  
7 learning, mental health facility as defined under Section 1-114  
8 of the Mental Health and Developmental Disabilities Code, or  
9 hospital operated by or under the authority of the United  
10 States Department of Veterans Affairs or the Illinois  
11 Department of Veterans' Affairs. However, this prohibition  
12 does not apply to hotels offering restaurant service, regularly  
13 organized clubs, or to restaurants, food shops, or other places  
14 where the sale of alcoholic liquor is not the principal  
15 business carried on, unless required by local ordinance.

16 (b) Nothing in this Section shall prohibit the issuance of  
17 a retail license authorizing the sale of alcoholic liquor to a  
18 restaurant, the primary business of which is the sale of goods  
19 baked on the premises if (i) the restaurant is newly  
20 constructed and located on a lot of not less than 10,000 square  
21 feet, (ii) the restaurant costs at least \$1,000,000 to  
22 construct, (iii) the licensee is the titleholder to the  
23 premises and resides on the premises, and (iv) the construction  
24 of the restaurant is completed within 18 months of July 10,  
25 1998 (the effective date of Public Act 90-617).

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

1 a retail license authorizing the sale of alcoholic liquor  
2 incidental to a restaurant if (1) the primary business of the  
3 restaurant consists of the sale of food where the sale of  
4 liquor is incidental to the sale of food and the applicant is a  
5 completely new owner of the restaurant, (2) the immediately  
6 prior owner or operator of the premises where the restaurant is  
7 located operated the premises as a restaurant and held a valid  
8 retail license authorizing the sale of alcoholic liquor at the  
9 restaurant for at least part of the 24 months before the change  
10 of ownership, and (3) the restaurant is located 75 or more feet  
11 from a school.

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

1 school that opened as a boys technical high school in 1934, or  
2 in a grocery store having a minimum of 31,000 square feet of  
3 floor space in a single story building located a distance of  
4 more than 90 feet but less than 100 feet from a high school  
5 that opened in 1928 as a junior high school and became a senior  
6 high school in 1933, and in each of these cases if the sale of  
7 alcoholic liquors is not the principal business carried on by  
8 the licensee.

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

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

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

1 apply to that church or church affiliated school and future  
2 retail liquor licenses.

3 (g) Nothing in this Section shall prohibit the issuance of  
4 a retail license authorizing the sale of alcoholic liquor at  
5 premises within 100 feet, but not less than 90 feet, of a  
6 public school if (1) the premises have been continuously  
7 licensed to sell alcoholic liquor for a period of at least 50  
8 years, (2) the premises are located in a municipality having a  
9 population of over 500,000 inhabitants, (3) the licensee is an  
10 individual who is a member of a family that has held the  
11 previous 3 licenses for that location for more than 25 years,  
12 (4) the principal of the school and the alderman of the ward in  
13 which the school is located have delivered a written statement  
14 to the local liquor control commissioner stating that they do  
15 not object to the issuance of a license under this subsection  
16 (g), and (5) the local liquor control commissioner has received  
17 the written consent of a majority of the registered voters who  
18 live within 200 feet of the premises.

19 (h) Notwithstanding any provision of this Section to the  
20 contrary, nothing in this Section shall prohibit the issuance  
21 or renewal of a license authorizing the sale of alcoholic  
22 liquor within premises and at an outdoor patio area attached to  
23 premises that are located in a municipality with a population  
24 in excess of 300,000 inhabitants and that are within 100 feet  
25 of a church if:

26 (1) the sale of alcoholic liquor at the premises is

1 incidental to the sale of food,

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

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

5 (4) the premises are owned by the University of  
6 Illinois,

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

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

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

19 (1) the primary entrance of the premises and the  
20 primary entrance of the church, synagogue, or other place  
21 of worship are at least 100 feet apart, on parallel  
22 streets, and separated by an alley; and

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

26 (j) Notwithstanding any provision in this Section to the

1 contrary, nothing in this Section shall prohibit the issuance  
2 of a retail license authorizing the sale of alcoholic liquor at  
3 a theater that is within 100 feet of a church if (1) the church  
4 owns the theater, (2) the church leases the theater to one or  
5 more entities, and (3) the theater is used by at least 5  
6 different not-for-profit theater groups.

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

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

16 (2) the southeast corner of the premises are at least  
17 350 feet from the southwest corner of the school;

18 (3) the school was built in 1978;

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

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

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



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

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

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

12          (2) the shortest distance between the premises and the  
13          church or school is at least 80 feet apart and no greater  
14          than 85 feet apart;

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

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

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

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

25          (7) the principal religious leader at the place of  
26          worship has not indicated his or her opposition to the

1 issuance or renewal of the license in writing.

2 (m) 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 church if:

8 (1) the premises and the church are perpendicular, and  
9 the primary entrance of the premises faces South while the  
10 primary entrance of the church faces West and the distance  
11 between the two entrances is more than 100 feet;

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

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

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

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

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

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

26 (n) Notwithstanding any provision in this Section to the

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

6 (1) the school is a City of Chicago School District 299  
7 school;

8 (2) the school is located within subarea E of City of  
9 Chicago Residential Business Planned Development Number  
10 70;

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

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

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

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

24 (1) the sale of alcoholic liquor at the premises is  
25 incidental to the sale of food;

26 (2) the sale of alcoholic liquor is not the principal

1 business carried on by the licensee at the premises;

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

4 (4) the primary entrance of the premises is at least  
5 100 feet from the primary entrance of the church;

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

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

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

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

15 (p) Notwithstanding any provision in 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 shortest distance between the backdoor of the  
22 premises, which is used as an emergency exit, and the  
23 church is at least 80 feet;

24 (2) the church was established at the current location  
25 in 1889; and

26 (3) liquor has been sold on the premises since at least

1 1985.

2 (q) 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 within a premises that is located in a municipality with  
6 a population in excess of 1,000,000 inhabitants and within 100  
7 feet of a church-owned property if:

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

10 (2) the area of the premises does not exceed 720 square  
11 feet and the area of the larger building exceeds 18,000  
12 square feet;

13 (3) the larger building containing the premises is  
14 within 100 feet of the nearest property line of a  
15 church-owned property on which a church-affiliated school  
16 is located;

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

19 (5) the primary entrance of the larger building and the  
20 premises and the primary entrance of the church-affiliated  
21 school are on different, parallel streets, and the distance  
22 between the 2 primary entrances is more than 100 feet;

23 (6) the larger building is separated from the  
24 church-owned property and church-affiliated school by an  
25 alley;

26 (7) the larger building containing the premises and the

1 church building front are on perpendicular streets and are  
2 separated by a street; and

3 (8) (Blank).

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

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

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

16 (3) the primary business of the restaurant consists of  
17 the sale of food where the sale of liquor is incidental to  
18 the sale of food;

19 (4) the sale of alcoholic liquor is conducted primarily  
20 in the below-grade level of the restaurant to which the  
21 only public access is by a staircase located inside the  
22 restaurant; and

23 (5) the restaurant has held a license authorizing the  
24 sale of alcoholic liquor on the premises for more than 40  
25 years.

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

1 contrary, nothing in this Section shall prohibit renewal of a  
2 license authorizing the sale of alcoholic liquor at a premises  
3 that is located within a municipality with a population more  
4 than 5,000 and less than 10,000 and is within 100 feet of a  
5 church if:

6 (1) the church was established at the location within  
7 100 feet of the premises after a license for the sale of  
8 alcoholic liquor at the premises was first issued;

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

11 (3) a license for the sale of alcoholic liquor on the  
12 premises has been continuously in effect since January 1,  
13 2007, except for interruptions between licenses of no more  
14 than 90 days.

15 (t) 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 incidental to the sale of food within a restaurant that  
19 is established in a premises that is located in a municipality  
20 with a population in excess of 1,000,000 inhabitants and within  
21 100 feet of a school and a church if:

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

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

26 (3) the area of the restaurant does not exceed 5,800

1 square feet;

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

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

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

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

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

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

16 (u) 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 school  
21 if:

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

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

25 (3) the sale of alcoholic liquor is incidental to the  
26 sale of food;



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

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

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

8           (7) the distance from the southwest corner of the  
9 property line of the school and the northeast corner of the  
10 building that the premises occupy is at least 16 feet, 5  
11 inches;

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

15           (9) the school is a City of Chicago School District 299  
16 school;

17           (10) the school's main structure was erected in 1902  
18 and an addition was built to the main structure in 1959;  
19 and

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

23           (v) 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 school if:

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

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

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

11 (4) the property line of the premises for which the  
12 license or renewal is sought is separated from the property  
13 line of the school by a street;

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

17 (6) as of June 14, 2011 (the effective date of Public  
18 Act 97-9), the premises for which the license or renewal is  
19 sought is located in the Illinois Medical District.

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

26 (1) the sale of alcoholic liquor at the premises is

1 incidental to the sale of food;

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

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

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

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

11 (6) the distance between the property line of the  
12 premises and the property line of the church is at least 20  
13 feet;

14 (7) the distance between the primary entrance of the  
15 premises and the primary entrance of the church is at least  
16 130 feet; and

17 (8) the church has been at its location for at least 40  
18 years.

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

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

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

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

5           (4) the church and the premises are owned by the same  
6 parish;

7           (5) the premises is used for cultural and educational  
8 purposes;

9           (6) the primary entrance to the premises and the  
10 primary entrance to the church are located on the same  
11 street;

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

14           (8) the premises is a 2-story building of approximately  
15 23,000 square feet; and

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

18           (y) Notwithstanding any provision of 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 within 100  
23 feet of a school if:

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

26           (2) the sale of alcoholic liquor at the premises is

1 incidental to the sale of food;

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

5 (4) the school is a City of Chicago School District 299  
6 school;

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

8 (6) the primary entrance to the premises and the  
9 primary entrance to the school are located on the same  
10 street;

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

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

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

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

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

25 (2) the licensee shall only sell packaged liquors at  
26 the premises;

1           (3) the licensee is a national retail chain having over  
2           100 locations within the municipality;

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

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

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

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

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

11          (9) the premises has approximately 799 square feet of  
12          pharmacy space;

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

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

18          (aa) Notwithstanding any provision of 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 within 100  
23          feet of a church if:

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

26                 (2) the licensee shall only sell packaged liquors at

1 the premises;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

15           (9) the distance between the northern-most property  
16 line of the premises and the southern-most property line of  
17 the church is 65 feet.

18           (cc) Notwithstanding any provision of 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 within 100  
23 feet of a school if:

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

26           (2) the licensee shall only sell packaged liquors at



1 the premises;

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

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

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

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

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

15 (dd) Notwithstanding any provision in 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 within a full-service grocery store at a premises that  
19 is located within a municipality with a population in excess of  
20 1,000,000 inhabitants and is within 100 feet of a school if:

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

23 (2) the premises is constructed on land that was  
24 previously used as a parking facility for public safety  
25 employees;

26 (3) the sale of alcoholic liquor is not the principal

1 business carried on by the licensee at the premises;

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

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

5 (6) the school is a private school;

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

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

11 (9) the grocery store level of the premises is between  
12 60,000 and 70,000 square feet; and

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

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

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

24 (2) the premises is located on land that has undergone  
25 environmental remediation;

26 (3) the premises is located within a retail complex

1 containing retail stores where some of the stores sell  
2 alcoholic beverages;

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

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

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

11 (7) the alderman of the ward where the premises is  
12 located has given written approval of the issuance of the  
13 license; and

14 (8) the principal of the school has given written  
15 consent to the issuance of the license.

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

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

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

26 (3) the premises is a one and one-half-story building

1 of approximately 10,000 square feet;

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

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

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

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

13 (gg) 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 incidental to the sale of food within a restaurant or  
17 banquet facility established in a premises that is located in a  
18 municipality with a population in excess of 1,000,000  
19 inhabitants and within 100 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 property on which the church is located and the  
23 property on which the premises are located are both within  
24 a district originally listed on the National Register of  
25 Historic Places on February 14, 1979;

26 (3) the property on which the premises are located

1 contains one or more multi-story buildings that are at  
2 least 95 years old and have no more than three stories;

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

5 (5) the property on which the church is located is  
6 immediately adjacent to and west of the property on which  
7 the premises are located;

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

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

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

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

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

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

1 or renewal of a license authorizing the sale of alcoholic  
2 liquor within a hotel and at an outdoor patio area attached to  
3 the hotel that are located in a municipality with a population  
4 in excess of 1,000,000 inhabitants and that are within 100 feet  
5 of a hospital if:

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

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

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

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

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

22 (2) the restaurant has been operated on the street  
23 level of a 2-story building located on a corner lot since  
24 2008;

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

1 feet;

2 (4) the primary entrance to the restaurant and the  
3 primary entrance to the church are located on the same  
4 street;

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

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

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

11 (8) the principal religious leader at the place of  
12 worship has indicated his or her consent to the issuance of  
13 the license in writing.

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

26 (4) the distance between the primary entrance of the

1 premises and the primary entrance of the church is at least  
2 175 feet;

3 (5) the distance between the property line of the  
4 premises and the property line of the church is at least 40  
5 feet;

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

8 (7) the church was constructed in 1904;

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

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

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

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

24 (2) the licensee shall only sell packaged liquors on  
25 the premises;

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



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

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

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

10          (11) 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 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 school 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 licensee shall only sell packaged liquors on  
19 the premises;

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

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

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

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

4           (mm) Notwithstanding any provision of this Section to the  
5           contrary, nothing in this Section shall prohibit the issuance  
6           or renewal of a license authorizing the sale of alcoholic  
7           liquor within premises and at an outdoor patio or sidewalk  
8           cafe, or both, attached to premises that are located in a  
9           municipality with a population in excess of 1,000,000  
10          inhabitants and that are within 100 feet of a hospital if:

11           (1) 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           (2) as a restaurant, the premises may or may not offer  
15           catering as an incidental part of food service;

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

22           (4) the hospital is an adult acute care facility  
23           primarily located within the City of Chicago Institutional  
24           Planned Development Number 3.

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

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

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

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

9 (3) the premises are a building that was constructed in  
10 1913 and opened on May 24, 1915 as a vaudeville theater,  
11 and the premises were converted to a motion picture theater  
12 in 1935;

13 (4) the church was constructed in 1889 with a stone  
14 exterior;

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

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

20 (7) the alderman in whose ward the premises are located  
21 has expressed his or her support for the issuance of the  
22 license in writing.

23 (oo) 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 at a premises that is located within a municipality with

1 a population in excess of 1,000,000 inhabitants and within 100  
2 feet of a mosque, church, or other place of worship if:

3 (1) the primary entrance of the premises and the  
4 primary entrance of the mosque, church, or other place of  
5 worship are perpendicular and are on different streets;

6 (2) the primary entrance to the premises faces West and  
7 the primary entrance to the mosque, church, or other place  
8 of worship faces South;

9 (3) the distance between the 2 primary entrances is at  
10 least 100 feet;

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

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

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

19 (7) a license for the sale of alcohol at the premises  
20 has been continuously in effect since January 1, 1985,  
21 except for interruptions between licenses of no more than  
22 90 days; and

23 (8) the premises are a single-story, single-use  
24 building of at least 3,000 square feet and no more than  
25 3,380 square feet.

26 (pp) 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 incidental to the sale of food within a restaurant or  
4 banquet facility established on premises that are located in a  
5 municipality with a population in excess of 1,000,000  
6 inhabitants and within 100 feet of at least one church if:

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

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

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

16 (4) the property on which the premises are located and  
17 the properties on which the churches are located are on the  
18 same street;

19 (5) the property on which the premises are located is  
20 immediately adjacent to and east of the property on which  
21 at least one of the churches is located;

22 (6) the property on which the premises are located is  
23 across the street and southwest of the property on which  
24 another church is located;

25 (7) the principal religious leaders of the churches  
26 have indicated their support for the issuance of the

1 license in writing; and

2 (8) the alderman in whose ward the premises are located  
3 has expressed his or her support for the issuance of the  
4 license in writing.

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

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

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

18 (2) the shortest distance between the premises and the  
19 church or school is at least 66 feet apart and no greater  
20 than 81 feet apart;

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

24 (4) the owner of the business operated within the  
25 premises has been the general manager of a similar  
26 supermarket within one mile from the premises, which has

1 had a valid license authorizing the sale of alcoholic  
2 liquor since 2002, and is in good standing with the City of  
3 Chicago;

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

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

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

13 (rr) 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 club that leases space to a school if:

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

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

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

26 (4) the property line of the premises is approximately

1           68 feet from the property line of the club;

2           (5) the primary entrance of the premises and the  
3 primary entrance of the club where the school leases space  
4 are at least 100 feet apart;

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

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

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

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

20           (2) a restaurant has been operated on the premises  
21 since June 2011;

22           (3) the restaurant currently occupies 1,075 square  
23 feet, but will be expanding to include 975 additional  
24 square feet;

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



1           (5) the premises are located south of the church and on  
2           the same street and are separated by a one-way westbound  
3           street;

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

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

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

10          (9) 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; and

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

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

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

25                 (2) the sale of alcoholic liquor is incidental to the  
26                 sale of food;

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

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

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

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

12          (7) the main entrance to the church faces west and is  
13          at least 257 feet from the main entrance of the premises;  
14          and

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

18          (uu) Notwithstanding any provision of 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 premises located within a municipality with a  
22          population in excess of 1,000,000 inhabitants and within 100  
23          feet of a church if:

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

26                 (2) the sale of alcoholic liquor is incidental to the

1 operation of a grocery store;

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

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

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

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

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

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

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

24 (2) the sale of alcoholic liquor is primary to the sale  
25 of food;

26 (3) the premises are located south of the church and on

- 1 perpendicular streets and are separated by a driveway;
- 2 (4) the primary entrance of the premises is at least  
3 100 feet from the primary entrance of the church;
- 4 (5) the shortest distance between any part of the  
5 premises and any part of the church is at least 15 feet;
- 6 (6) the premises are less than 100 feet from the church  
7 center, but greater than 100 feet from the area within the  
8 building where church services are held;
- 9 (7) the premises are 25,830 square feet and sit on a  
10 lot that is 0.48 acres;
- 11 (8) the premises were once designated as a Korean  
12 American Presbyterian Church and were once used as a  
13 Masonic Temple;
- 14 (9) the premises were built in 1910;
- 15 (10) the alderman of the ward in which the premises are  
16 located has expressed, in writing, his or her support for  
17 the issuance of the license; and
- 18 (11) the principal religious leader of the church has  
19 delivered a written statement that he or she does not  
20 object to the issuance of a license under this subsection  
21 (vv).
- 22 For the purposes of this subsection (vv), "premises" means  
23 a place of business together with a privately owned outdoor  
24 location that is adjacent to the place of business.
- 25 (ww) Notwithstanding any provision of this Section to the  
26 contrary, nothing in this Section shall prohibit the issuance

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

5 (1) the school is located within Sub Area III of City  
6 of Chicago Residential-Business Planned Development Number  
7 523, as amended; and

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

12 (xx) 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 premises located within a municipality with a  
16 population in excess of 1,000,000 inhabitants and within 100  
17 feet of a church if:

18 (1) the sale of wine or wine-related products is the  
19 exclusive business carried on by the licensee at the  
20 premises;

21 (2) the primary entrance of the premises and the  
22 primary entrance of the church are at least 100 feet apart  
23 and are located on different streets;

24 (3) the building in which the premises are located and  
25 the building in which the church is located are separated  
26 by an alley;

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

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

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

10          (yy) 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 premises are a 27-story hotel containing 191  
17 guest rooms;

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

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

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

24           (5) the principal religious leader of the church has  
25 delivered a written statement that he or she does not  
26 object to the issuance of a license under this subsection

1 (yy); and

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

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

11 (1) the premises are a 15-story hotel containing 143  
12 guest rooms;

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

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

15 (4) the restaurant is located in the first floor lobby  
16 of the hotel;

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

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

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

24 (8) the principal religious leader of the church has  
25 delivered a written statement that he or she does not  
26 object to the issuance of a license under this subsection

1 (zz); and

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

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

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

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

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

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

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

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

24 (7) the grocery store executed a binding lease for the  
25 property in 2008;

26 (8) the premises consist of 2 levels and occupy more



1 than 80,000 square feet;

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

6 (10) the director of the school has expressed, in  
7 writing, his or her support for the issuance of the  
8 license.

9 (bbb) 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 alcoholic liquor at the premises is  
16 incidental to the sale of food;

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

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

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

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

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

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

1           (8) the principal religious leader of the church has  
2           not indicated his or her opposition to the issuance or  
3           renewal of the license in writing.

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

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

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

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

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

21           (5) the premises are new construction when the license  
22           is first issued;

23           (6) the constructed premises are to be no less than  
24           50,000 square feet;

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

26           (8) the premises and the property containing the church

1 and church-affiliated school are located on perpendicular  
2 streets and the school and church are adjacent to one  
3 another;

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

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

9 (ddd) 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 or school if:

15 (1) the business has been issued a license from the  
16 municipality to allow the business to operate a theater on  
17 the premises;

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

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

21 (4) the premises are located to the north of the  
22 church;

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

1           (6) the primary entrance of the premises and the  
2 primary entrance of any school within 100 feet of the  
3 premises are located either on a different street or across  
4 a right-of-way from the premises;

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

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

10          (eee) 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 and school if:

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

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

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

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

24           (5) the distance between the property line of the  
25 premises and the property line of the church is at least 20  
26 feet;

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

3           (7) the primary entrance of the premises is at least 75  
4           feet from the primary entrance of the church;

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

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

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

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

15          (fff) 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 at the premises is  
24                 incidental to the operation of a grocery store;

25                 (3) the premises are a one-story building containing  
26                 approximately 10,000 square feet and are rented by the

1 owners of the grocery store;

2 (4) the sale of alcoholic liquor at the premises occurs  
3 in a retail area of the grocery store that is approximately  
4 3,500 square feet;

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

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

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

13 (8) the property line of the premises is approximately  
14 16 feet from the property line of the building where the  
15 church is located;

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

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

20 (11) representatives of the church have delivered a  
21 written statement that the church does not object to the  
22 issuance of a license under this subsection (fff); and

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

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

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

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

10 (2) the restaurant and lobby coffee house are located  
11 within a Community Shopping District within the  
12 municipality;

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

20 (4) the sale of alcoholic liquor is not the primary  
21 business activity of the apartment complex, restaurant, or  
22 lobby coffee house;

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

25 (6) the entrance to the apartment residence is located  
26 at the end of the block around the corner from the south

1 side of the school building;

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

3 (8) the pastor of the parish, principal of the school,  
4 and the titleholder to the church and school have given  
5 written consent to the issuance of the license;

6 (9) the alderman of the ward in which the premises are  
7 located has given written consent to the issuance of the  
8 license; and

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

11 (hhh) Notwithstanding any provision of 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 premises  
14 located within a municipality with a population in excess of  
15 1,000,000 inhabitants and within 100 feet of a home for  
16 indigent persons or a church if:

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

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

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

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

25 (5) the primary entrance to the premises is more than  
26 100 feet from the primary entrance to the home for indigent



1 persons, which opened in 1989 and is operated to address  
2 homelessness and provide shelter;

3 (6) the primary entrance to the premises and the  
4 primary entrance to the home for indigent persons are  
5 located on different streets;

6 (7) the executive director of the home for indigent  
7 persons has given written consent to the issuance of the  
8 license;

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

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

15 (10) the president and the board of directors of the  
16 Buddhist temple have given written consent to the issuance  
17 of the license.

18 (iii) Notwithstanding any provision of 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 premises located within a municipality in excess of  
22 1,000,000 inhabitants and within 100 feet of a home for the  
23 aged if:

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

26 (2) the sale of alcoholic liquor at the premises is

1 incidental to the operation of a restaurant;

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

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

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

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

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

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

18 (jjj) Notwithstanding any provision of 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 premises located within a municipality with a  
22 population in excess of 1,000,000 inhabitants and within 100  
23 feet of a school if:

24 (1) as of January 1, 2016, the premises were used for  
25 the sale of alcoholic liquor for consumption on the  
26 premises and were authorized to do so pursuant to a retail

1           tavern license held by an individual as the sole proprietor  
2           of the premises;

3           (2) the primary entrance to the school and the primary  
4           entrance to the premises are on the same street;

5           (3) the school was founded in 1949;

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

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

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

12          (kkk) (Blank).

13          (lll) 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 synagogue or school 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 are located on the same street on  
24               which the synagogue or school is located;

25               (4) the primary entrance to the premises and the  
26               closest entrance to the synagogue or school is at least 100

1 feet apart;

2 (5) the shortest distance between the premises and the  
3 synagogue or school is at least 65 feet apart and no  
4 greater than 70 feet apart;

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

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

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

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

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

19 (2) the sale of alcoholic liquor at the premises is  
20 incidental to the sale of food in a restaurant;

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

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

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

1           (6) the primary entrance to the premises is on a  
2 north-south street around the corner and across an alley  
3 from the primary entrance to the church, which is on an  
4 east-west street;

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

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

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

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

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

1 the restaurant;

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

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

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

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

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

16 (ooo) Notwithstanding any provision of this Section to the  
17 contrary, nothing in this Section shall prohibit the issuance  
18 or renewal of a license authorizing the sale of alcoholic  
19 liquor at premises located within a municipality with a  
20 population in excess of 2,000 but less than 5,000 inhabitants  
21 in a county with a population in excess of 3,000,000 and within  
22 100 feet of a home for the aged if:

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

- 1 (2) the home for the aged was completed in 2015;
- 2 (3) the home for the aged is a 5-story structure;
- 3 (4) the building in which the premises are situated is
- 4 directly adjacent to the home for the aged;
- 5 (5) the building in which the premises are situated was
- 6 constructed before 1950;
- 7 (6) the home for the aged has not indicated its
- 8 opposition to the issuance or renewal of the license; and
- 9 (7) the president of the municipality has expressed in
- 10 writing that he or she does not object to the issuance or
- 11 renewal of the license.

12 (ppp) 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 premises located within a municipality with a  
16 population in excess of 1,000,000 inhabitants and within 100  
17 feet of a church or churches if:

- 18 (1) the shortest distance between the premises and a
- 19 church is at least 78 feet apart and no greater than 95
- 20 feet apart;
- 21 (2) the premises are a single-story, brick commercial
- 22 building and between 3,600 to 4,000 square feet and the
- 23 original building was built before 1922;
- 24 (3) the premises are located in a B3-2 zoning district;
- 25 (4) the premises are separated from the buildings
- 26 containing the churches by a street;

1 (5) the previous owners of the business located on the  
2 premises held a liquor license for at least 10 years;

3 (6) the new owner of the business located on the  
4 premises has managed 2 other food and liquor stores since  
5 1997;

6 (7) the principal religious leaders at the places of  
7 worship have indicated their support for the issuance or  
8 renewal of the license in writing; and

9 (8) the alderman of the ward in which the premises are  
10 located has indicated his or her support for the issuance  
11 or renewal of the license in writing.

12 (qqq) 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 premises located within a municipality with a  
16 population in excess of 1,000,000 inhabitants and within 100  
17 feet of a church if:

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

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

22 (3) the premises are located on the opposite side of  
23 the same street on which the church is located;

24 (4) the church is located on a corner lot;

25 (5) the shortest distance between the premises and the  
26 church is at least 90 feet apart and no greater than 95



1 feet apart;

2 (6) the premises are at least 3,000 but no more than  
3 5,000 square feet;

4 (7) the church's original chapel was built in 1858;

5 (8) the church's first congregation was organized in  
6 1860; and

7 (9) the leaders of the church and the alderman of the  
8 ward in which the premises are located has expressed, in  
9 writing, their support for the issuance of the license.

10 (rrr) 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 a restaurant or banquet facility established within  
14 premises located within a municipality with a population in  
15 excess of 1,000,000 inhabitants and within 100 feet of a church  
16 or school if:

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

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

21 (3) the immediately prior owner or the operator of the  
22 restaurant or banquet facility held a valid retail license  
23 authorizing the sale of alcoholic liquor at the premises  
24 for at least part of the 24 months before a change of  
25 ownership;

26 (4) the premises are located immediately east and

1 across the street from an elementary school;

2 (5) the premises and elementary school are part of an  
3 approximately 100-acre campus owned by the church;

4 (6) the school opened in 1999 and was named after the  
5 founder of the church; and

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

9 (sss) 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 or school if:

15 (1) the premises are at least 5,300 square feet and  
16 located in a building that was built prior to 1940;

17 (2) the shortest distance between the property line of  
18 the premises and the exterior wall of the building in which  
19 the church is located is at least 109 feet;

20 (3) the distance between the building in which the  
21 church is located and the building in which the premises  
22 are located is at least 118 feet;

23 (4) the main entrance to the church faces west and is  
24 at least 602 feet from the main entrance of the premises;

25 (5) the shortest distance between the property line of  
26 the premises and the property line of the school is at

1 least 177 feet;

2 (6) the applicant has been in business for more than 10  
3 years;

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

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

10 (9) 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 (ttt) 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 or school if:

19 (1) the premises are at least 59,000 square feet and  
20 located in a building that was built prior to 1940;

21 (2) the shortest distance between the west property  
22 line of the premises and the exterior wall of the church is  
23 at least 99 feet;

24 (3) the distance between the building in which the  
25 church is located and the building in which the premises  
26 are located is at least 102 feet;

1           (4) the main entrance to the church faces west and is  
2           at least 457 feet from the main entrance of the premises;

3           (5) the shortest distance between the property line of  
4           the premises and the property line of the school is at  
5           least 66 feet;

6           (6) the applicant has been in business for more than 10  
7           years;

8           (7) the principal religious leader of the church has  
9           indicated his or her support for the issuance or renewal of  
10          the license in writing;

11          (8) the principal of the school has indicated in  
12          writing that he or she is not opposed to the issuance of  
13          the license; and

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

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

23                 (1) the sale of liquor is incidental to the sale of  
24                 food;

25                 (2) the premises are at least 7,100 square feet;

26                 (3) the shortest distance between the north property

1 line of the premises and the nearest exterior wall of the  
2 place of worship is at least 86 feet;

3 (4) the main entrance to the place of worship faces  
4 north and is more than 150 feet from the main entrance of  
5 the premises;

6 (5) the applicant has been in business for more than 20  
7 years at the location;

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

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

14 (vvv) 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 2 churches if:

20 (1) as of January 1, 2015, the premises were used for  
21 the sale of alcoholic liquor for consumption on the  
22 premises and the sale was authorized pursuant to a retail  
23 tavern license held by an individual as the sole proprietor  
24 of the premises;

25 (2) a primary entrance of the church situated to the  
26 south of the premises is located on a street running

1 perpendicular to the street upon which a primary entrance  
2 of the premises is situated;

3 (3) the church located to the south of the premises is  
4 a 3-story structure that was constructed in 2006;

5 (4) a parking lot separates the premises from the  
6 church located to the south of the premises;

7 (5) the building in which the premises are situated was  
8 constructed before 1930;

9 (6) the building in which the premises are situated is  
10 a 2-story, mixed-use commercial and residential structure  
11 containing more than 20,000 total square feet and  
12 containing at least 7 residential units on the second floor  
13 and 3 commercial units on the first floor;

14 (7) the building in which the premises are situated is  
15 immediately adjacent to the church located to the north of  
16 the premises;

17 (8) the primary entrance of the church located to the  
18 north of the premises and the primary entrance of the  
19 premises are located on the same street;

20 (9) the churches have not indicated their opposition to  
21 the issuance or renewal of the license in writing; and

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

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

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

5 (1) the sale of alcoholic liquor is incidental to the  
6 sale of food and is not the principal business of the  
7 restaurant;

8 (2) the building in which the restaurant is located was  
9 constructed in 1909 and is a 2-story structure;

10 (3) the restaurant has been operating continuously  
11 since 1962, has been located at the existing premises since  
12 1989, and has been owned and operated by the same family,  
13 which also operates a deli in a building located  
14 immediately to the east and adjacent and connected to the  
15 restaurant;

16 (4) the entrance to the restaurant is more than 200  
17 feet from the entrance to the school;

18 (5) the building in which the restaurant is located and  
19 the building in which the school is located are separated  
20 by a traffic-congested major street;

21 (6) the building in which the restaurant is located  
22 faces a public park located to the east of the school,  
23 cannot be seen from the windows of the school, and is not  
24 directly across the street from the school;

25 (7) the school building is located 2 blocks from a  
26 major private university;

1 (8) the school is a public school that has  
2 pre-kindergarten through eighth grade classes, is an open  
3 enrollment school, and has a preschool program that has  
4 earned a Gold Circle of Quality award;

5 (9) the local school council has given written consent  
6 for the issuance of the liquor license; and

7 (10) the alderman of the ward in which the premises are  
8 located has given written consent for the issuance of the  
9 liquor license.

10 (xxx) (Blank).

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

17 (1) the premises are primarily used for the sale of  
18 alcoholic liquor;

19 (2) on January 1, 2017, the store was authorized to  
20 sell alcoholic liquor pursuant to a package goods liquor  
21 license;

22 (3) on January 1, 2017, the store occupied  
23 approximately 5,560 square feet and will be expanded to  
24 include 440 additional square feet for the purpose of  
25 storage;

26 (4) the store was in existence before the church;



1           (5) the building in which the store is located was  
2 built in 1956 and is immediately south of the church;

3           (6) the store and church are separated by an east-west  
4 street;

5           (7) the owner of the store received his first liquor  
6 license in 1986;

7           (8) the church has not indicated its opposition to the  
8 issuance or renewal of the license in writing; and

9           (9) the alderman of the ward in which the store is  
10 located has expressed his or her support for the issuance  
11 or renewal of the license.

12 (Source: P.A. 99-46, eff. 7-15-15; 99-47, eff. 7-15-15; 99-477,  
13 eff. 8-27-15; 99-484, eff. 10-30-15; 99-558, eff. 7-15-16;  
14 99-642, eff. 7-28-16; 99-936, eff. 2-24-17; 100-36, eff.  
15 8-4-17; 100-38, eff. 8-4-17; 100-201, eff. 8-18-17; revised  
16 10-12-17.)