

**SUBSTITUTE**  
**ORDINANCE**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:**

**SECTION 1.** Section 4-388-010 of the Municipal Code of Chicago is hereby amended by adding the language underscored, and by deleting the language struck through, as follows:

**4-388-010 Definitions.**

Whenever used in this chapter the following words and phrases shall have the following meanings:

(a) "Rooftops" means for any building in the Wrigley Field Adjacent Area in which a special club license is located: (i) the roof of the building and any enclosed area, deck or other structure on or above the roof of the building; and (ii) the upper enclosed floor directly below the roof of the building.

(b) "Wrigley Field Adjacent Area" means only that property included inside the following boundary line: the alley next north of and parallel to West Waveland Avenue; North Kenmore Avenue; a line 29.15 feet north of West Waveland Avenue; the alley next west of and parallel to North Sheffield Avenue; a line 79.4 feet north of West Waveland Avenue; North Sheffield Avenue; West Waveland Avenue; the westerly right-of-way of the Chicago Transit Authority elevated structure; West Addison Street; North Sheffield Avenue; West Waveland Avenue; and North Seminary Avenue.

(c) "Special club license" means a license, issued by the Commissioner ~~commissioner of business affairs and consumer protection~~, giving the license holder the rights specified in this chapter.

(d) "Commissioner" means the ~~commissioner~~ Commissioner ~~of business affairs~~ Business Affairs ~~and consumer protection~~ Consumer Protection of the City of Chicago.

(e) "Day-of-event admission sales" means any sale or transfer of ownership of a right-of-access to a rooftop that occurs on the same day that the right-of-access is eligible to be used, redeemed, or otherwise utilized for admission to a rooftop.

(f) "Game days" means any date in which a major league baseball game is scheduled to be played at Wrigley Field. "Game days" include all scheduled Chicago Cubs regular season home games at Wrigley Field, all scheduled Chicago Cubs playoff home games at Wrigley Field, and the major league baseball All-Star Game, if played at Wrigley Field.

(g) To "sell food, ~~beer~~ and ~~wine~~ alcoholic liquor" means the sale of food, ~~beer~~ and ~~wine~~ alcoholic liquor and the service of food, ~~beer~~ and ~~wine~~ alcoholic liquor as part of the rights granted in the special club license as specified in this chapter.

(h) "Roof level" means the roof of the building, and any deck, seating structure or other structure located on, or extending above, the roof.

(i) "Alcoholic liquor" means and includes alcohol, spirits, wine, and beer.

(j) "Package goods" means alcoholic liquor enclosed in the original bottle, jug, can, keg, cask, or other receptacle or container, corked, capped, or sealed and labeled by a manufacturer of alcoholic liquor, to contain and convey any alcoholic liquor.

(k) "Wrigley Field production" means an event held at Wrigley Field anticipated to have an attendance that exceeds 12,500 people, said attendance to be determined by the owner or operator of Wrigley Field, or a promoter of the event to be held at Wrigley Field.

**SECTION 2.** Section 4-388-020 of the Municipal Code of Chicago is hereby amended by adding the language underscored, and by deleting the language struck through, as follows:

**4-388-020 Sale of food, ~~beer and wine~~ alcoholic liquor – Permitted.**

(a) Notwithstanding any other provision of the Municipal Code, a special club licensee may sell rooftop admission rights and sell food, ~~beer and wine~~ alcoholic liquor on rooftops in the Wrigley Field Adjacent Area in accordance with the provisions of this chapter. ~~The sale or service by a special club licensee of any alcoholic beverage or liquor other than beer or wine is not permitted under a special club license at any time.~~

(b) A special club licensee shall not serve alcoholic liquor in quantities greater than:  
(i) 16 fluid ounces for beer, hard cider, hard seltzer, malt liquor, and similar beverages;

(ii) 6.3 fluid ounces for wine; and

(iii) 3 fluid ounces for spirits.

(c) A special club licensee shall not sell or offer for sale any package goods.

(d) A special club licensee shall be required to own no other City of Chicago licenses to conduct the activities delineated in this ordinance other than the "special club license" as defined in this ordinance.

**SECTION 3.** Section 4-388-040 of the Municipal Code of Chicago is hereby amended by adding the language underscored, and by deleting the language struck through, as follows:

**4-388-040 Fees.**

The license fee, payable every two years, for a special club license as defined in this ordinance shall be ~~\$1,000.00~~ \$4,400.00.

**SECTION 4.** Section 4-388-070 of the Municipal Code of Chicago is hereby amended by adding the language underscored, and by deleting the language struck through, as follows:

**4-388-070 Special club license – Term/renewal/transfer of interest.**

(a) A special club license shall be issued every two years by the Commissioner ~~commissioner~~, and shall be valid only from March 1 through November 10 of each calendar year in which it is valid. Transfer of ownership shall be allowed on any special club license. Renewals, expansions pursuant to Section 4-60-110, and transfers of special club licenses shall be granted by the ~~commissioner~~ Commissioner, provided that the applicant has satisfied all legal requirements and in accordance with applicable law.

*(Omitted text is unaffected by this ordinance)*

**SECTION 5.** Section 4-388-120 of the Municipal Code of Chicago is hereby amended by adding the language underscored, and by deleting the language struck through, as follows:

**4-388-120 Days and hours of operation.**

Rooftops in the Wrigley Field Adjacent Area may be open for business only on game days ~~only~~ and on days with a Wrigley Field production, for exclusive invitees only, from 8:00 a.m. to 12:00 a.m. Provided, however, ~~beer and wine~~ alcoholic liquor may be served beginning two (2) hours prior to the scheduled start of the game or event, and closing no more than one (1) hour after completion of the game or event. However, regardless of the scheduled start time or of completion of the game or event, ~~beer and wine~~ alcoholic liquor may not be served on rooftops by a special club licensee after 11:00 p.m. from Sunday through Thursday, after 11:59 p.m. Friday and Saturday, and prior to 11:00 a.m. Sunday.

**SECTION 6.** Section 4-388-175 of the Municipal Code of Chicago is hereby amended by adding the language underlined and deleting the language struck through, as follows:

**4-388-175 Miscellaneous requirements.**

The following provisions apply to buildings in the Wrigley Field Adjacent Area in which a special club license is located.

*(Omitted text is unaffected by this ordinance)*

(f) The front facade of any building in which a special club license is located shall not be altered or modified unless the special club licensee has received, in writing, the approval of the zoning administrator. The Commissioner shall approve such changes if, in ~~his or her~~ the Commissioner's determination, the alterations to the front facade will not: 1) alter the existing streetscape by permitting building additions that encroach onto front yards; 2) alter the building's bulk or scale by the additions of balconies, enclosed porches, or other front additions; or 3) alter the historic character of the Wrigley Field Adjacent Area. Nothing in this section shall be construed as restricting the routine maintenance or repair of the building front facade.

(g) Fire extinguishers shall be located in all areas of the rooftop club in compliance with NFPA 10 standards.

(h) The sale of food, beverages, ~~alcohol~~ alcoholic liquor, or merchandise is prohibited in the front yard or on the first floor of the building.

(i) (1) Every building in which a special club license is located shall have a written evacuation plan in place. The evacuation plan shall plan for the emergency evacuation of occupants of the building and rooftop club, and include such other information that the ~~fire commissioner~~ Fire Commissioner shall prescribe in rules ~~and regulations~~.

(2) It shall be the duty of the special club licensee to create, implement, maintain and update the evacuation plan.

(3) Every special club licensee shall submit the evacuation plan to the ~~fire department~~ Fire Department for approval no later than May 10, 2006. Thereafter, the licensee shall review the plan annually and shall amend or update the plan as necessary. Any changes or amendments to the plan shall be submitted to the ~~fire department~~ Fire Department for approval prior to any changes or amendments becoming effective.

(4) The ~~fire commissioner~~ Fire Commissioner is authorized to promulgate rules ~~and regulations~~ to effectuate the purposes of this subsection (i). The rules ~~and regulations~~ shall set forth the minimum requirements of the plan, including the designation of required personnel and information required in the plan.

**SECTION 7.** Section 4-388-180 of the Municipal Code of Chicago is hereby amended by adding the language underlined and deleting the language struck through, as follows:

**4-388-180 Catering establishments.**

Notwithstanding any other provision of the Municipal Code, any establishment that is located in the Wrigley Field Adjacent Area may provide catering services to a special club licensee, including the provision of ~~beer and wine~~ alcoholic liquor allowed to be served by a special club licensee pursuant to this chapter.

**SECTION 8.** This ordinance shall be in full force and effect upon passage and publication.

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Bennett R. Lawson  
Alderman, 44<sup>th</sup> Ward