

**AGENDA ITEM EXECUTIVE SUMMARY**

Agenda Item number: 4d

Title:	Recommendation to Approve Late Night Permits for Class B and C Licenses of the City of St. Charles for FY2017/18
Presenter:	Police Chief Keegan

Meeting: Government Operations Committee

Date: March 20, 2017

Proposed Cost: \$

Budgeted Amount: \$

Not Budgeted: ☐

In accordance the City Code Chapter 5.08 "Alcoholic Beverages" Section 5.08.095 "License – Late Night Permit, Item F - Any application and recommendation for a new or renewal of a late night permit, shall be reviewed by the Liquor Control Commission. Based on this review the Local Liquor Commissioner shall make a recommendation on issuance to City Council. Late night permits and renewals of late night permits shall be issued by the Liquor Commissioner with the advice and consent of the City Council.

Pursuant to posting this item on the Government Operations Committee agenda, the Liquor Commission meeting is scheduled at 4:30 p.m., March 20 (same day) to process this request for late night permits and to move it forward before this committee, to seek approval so it can go before the April 3, 2017 City Council for final approval.

Attachments (please list):

Memo – Late Night Permit Liquor License Renewals
Table

Recommendation/Suggested Action (briefly explain):

Recommendation to approve late night permits for Class B and C licenses of the City of St. Charles for FY2017/18.



Memo

To: Mayor Raymond Rogina, Liquor Commissioner
From: James Keegan, Chief of Police
Date: March 7, 2017
Re: Late night liquor license renewals

Pursuant to city code, I have summarized police responses (see attachment) requiring written documentation and any action taken from the Liquor Control Commission during the last calendar year (2016). From a law enforcement perspective, the overall police activity as it pertains to the "institutional control" of the respective applicant/establishment has greatly improved. I am pleased to report and recommend approval of the attached late night permit requests.

In addition, each of the permit requests was also vetted by the respective city departments to ensure compliance with our city code. Each of the establishments was in compliance with fees, payments, permits, etc. As always, I stand ready to discuss my recommendations with you at your convenience. Thank you in advance for your cooperation in this matter.

As a means to identify our city code as it pertains to late night permitting, I've included the attached language as a frame of reference. Please see below:

City Ordinance/5.08.095 Late Night Permit

- C. Annually, the liquor license renewal process shall commence on the first city business day in February. Current license holders shall submit a renewal application and include any requested changes. For those license holders applying for a new or renewing a late night permit, they are required to specify whether they are applying for the 1:00 a.m. or the 2:00 a.m. permit. In addition, any new or renewal applications shall include a current business concept outlining the operations intended during the late night permit term of one year, in conjunction with the liquor license to be issued on May 1 of the same year. Failure to provide a timely renewal application or late night permit application may result in a delay in issuing said license and permit by May 1 of that year.
- D. Upon receipt of a new or renewal application, the Liquor Commissioner shall cause a review of the previous year license application to determine whether there



have been any changes noted with regard to ownership, management or business concept. This application shall be forwarded to:

1. Chief of Police
 2. Fire Department
 3. Finance Department
 4. Community Development Department
- E. The city departments indicated in Section D will review any infractions of any city code, reflecting negatively on the license holder that should be taken into account by the Liquor Control Commission and City Council. That information shall be returned to the Liquor Commissioner for review. In addition, the Chief of Police shall cause a review of the police related activity which will support a recommendation from the Chief of Police on whether the late night permit shall be issued and whether a 1:00 a.m. or 2:00 a.m. closing is recommended based on the permit application. The Chief of Police shall forward the recommendation to the Liquor Commissioner.
- F. Any application and recommendation for a new or renewal of a late night permit, shall be reviewed by the Liquor Control Commission. Based on this review the Local Liquor Commissioner shall make a recommendation on issuance to City Council. An applicant for a late night permit shall have the opportunity to be present and provide input on said application, prior to the Liquor Control Commission making a recommendation. Late night permits and renewals of late night permits shall be issued by the Liquor Commissioner with the advice and consent of the City Council.
- G. Any new liquor license application where a new late night permit is also applied for shall follow the same review process as outlined in paragraphs B, C, D, E and F of this Chapter.
- H. Notice of Violation Process-Late Night Permit. If during a liquor license year, May 1 through April 30, where a liquor license holder has been issued a late night permit and a notice of violation is issued by the Liquor Control Commissioner, the Liquor Control Commission shall hold a hearing on the matter. The liquor license with the late night permit shall be given notice of the purpose, date, time and location of the hearing in a similar manner to a liquor license violation. The matter will be heard before the Liquor Control Commission in the same manner as any license violation. The Liquor Control Commission shall provide advice and consent to the Local Liquor Control Commissioner, who shall make a final decision on the matter.
- I. Cause to Reduce Hours, Revoke Late Night Permit or Not Issue Late Night Permit. In the event that a liquor license holder, has applied for or been issued a

late night permit, and has demonstrated circumstances giving reason to review whether that late night permit shall be issued, reduced in hours or revoked, the Liquor Control Commission shall receive input from these city departments:

1. Finance Department as it relates to unpaid fees, utilities or city taxes;
 2. Fire Department as it relates to repetitive fire code violations affecting health and safety;
 3. Community Development Department, Building and Code Enforcement Division as it relates to building code violations;
 4. Police Department as it relates to repetitive calls for service that are indicative of underage patrons, over service of patrons, or liquor license violations affecting the safety of the general public where the licensee is not taking proactive measures to abate the problems;
 5. Other departments with applicable information.
- J. The license holder shall have the opportunity to respond to information in a public hearing prior to any action being taken, by the Liquor Control Commission before sending any recommendation to City Council.
- K. The Liquor Control Commission may recommend the issuance or denial of a requested late night permit for 1:00 a.m. or 2:00 a.m., or reduction in hours based on cause to the City Council for final decision.
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FY2017-18 LATE NIGHT PERMITS

Business		Class	Permit	Reports	Arrests	Warning Letters	LCC Violations
2 nd Street Bar & Grill	221 S Second Street	C	2:00 am	1			
A'Salute Bar & Grill	2400 E Main Street	C	2:00 am				
Alibi Bar & Grill	12 N 3 rd Street	B	2:00 am	9	6	1	
Alley 64	212 W Main Street	B	2:00 am	9	2	1	
Beehive (Main Street Pub)	204 W Main Street	B	2:00 am	3	2	1	
Charleston on the River	1 W Illinois Street	B	1:00 am				
Club Arcada	105 E Main Street	B	1:00 am				
Crazy Fox	104 E Main Street	B	1:00 am				
Dawn's Beach Hut	8 N Third Street	B	2:00 am	1			
Dawn's VooDoo Room	214 W Main Street	C	2:00 am				
Filling Station	300 W Main Street	B	2:00 am	2			
Los Burritos Mexican	2125 W Main Street	B	1:00 am				
McNally's	109 W Main Street	B	1:00 am	1	1		
Northwest Woods – Evergreen	1400 W Main Street	B	2:00 am	1			
Pizzeria Neo	31 S 1 st Street	B	1:00 am	1			
Pub 222	222 W Main Street	C	2:00 am	3	2		
Puebla Modern Mexican	51 S 1 st Street	B	1:00 am				
Riverside Pizza	102 E Main Street	B	2:00 am				
Rookies (BK & MM)	312 W Main Street	B	2:00 am	2			
Shakou	312 W Main Street	B	1:00 am				
Spotted Fox Alehouse	3615 E Main Street	B	1:00 am				
St. Charles Bowl	2520 W Main Street	C	1:00 am	1			
Tap House Grill	3341 W Main Street	B	1:00 am	1	1		
The House Pub	16 S Riverside	C	2:00 am	4	1		
The Office	201 E Main Street	B	2:00 am				

B = 19 1 am = 11
 C = 6 2 am = 14

TOTAL = 25