

ORDINANCE

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

SECTION 1. Chapter 4-156-010 of the Municipal Code of Chicago is hereby amended by inserting the language underscored and by deleting the struck through language, as follows:

4-156-010 Definitions.

(Omitted text is unaffected by this ordinance)

"Arcade" means a place of amusement that includes five ~~four~~ or more automatic amusement devices; provided, however, that when calculating the number of automatic amusement devices, jukeboxes shall not be counted.

(Omitted text is unaffected by this ordinance)

SECTION 2. Chapter 4-156-305 of the Municipal Code of Chicago is hereby amended by inserting the language underscored and by deleting the struck through language, as follows:

4-156-305 License – Exceptions.

No public place of amusement license under this Article III shall be required, if the only amusement to be produced, presented, or conducted is one or more of the following:

(a) two or fewer ~~single~~ pool or billiard table regardless of whether players must pay to use the pool or billiard table;

(b) less than five ~~four~~ automatic amusement devices; provided, however, that when calculating the number of automatic amusement devices, jukeboxes shall not be counted. A pool or billiard table shall be included when calculating the number of automatic amusement devices for purposes of this subsection if players must pay to use the pool or billiard table; provided that, in no case shall this subsection create an exemption for establishments which contain more than two ~~one~~ pool or billiard table regardless of whether any payment is required;

(Omitted text is unaffected by this ordinance)

SECTION 3. Section 4-212-010 of the Municipal Code of Chicago is hereby amended by inserting the language underscored, and by deleting the language struck through, as follows:

4-212-010 Definitions.

As used in this chapter, unless the context clearly indicates otherwise:

"Commissioner" means the Commissioner of Business Affairs and Consumer Protection or the Commissioner's designee.

"Pop-up retail user" or "user" means any merchant who (1) occupies or leases for one year or less a fixed indoor retail space for the sale of merchandise or provision of services, including, but not limited to, seasonal stores, warehouse sales, trunk shows, estate sales, and trade shows or exhibitions; or (2) occupies or leases for one year or less a fixed outdoor retail space for the sale of merchandise or provision of services, including, but not limited to, trade shows or exhibitions, pumpkin patches, and Christmas tree lots; or (3) is the organizer or sponsor of a trade show or exhibition.

"Trade show or exhibition" means any event of limited duration for the sale of merchandise or provision of services that is arranged by a sponsor who is primarily responsible for obtaining the space and subsidiary services that participant vendors or exhibitors may require for the event. The term "trade show or exhibition" includes, but is not limited to, art fairs, carnivals, street festivals, music festivals, consumer fairs, trade fairs, expositions or shows where merchandise or services are sold.

SECTION 4. Section 4-212-040 of the Municipal Code of Chicago is hereby amended by inserting the language underscored, and by deleting the language struck through, as follows:

4-212-040 License – Fee – Duration – Change of location.

(a) *License fee.* The fee for a pop-up retail user license shall be as set forth in Section 4-5-010.

(b) *Duration of license.* Pop-up retail user licenses under this section shall be issued for a 5-day, 30-day, 90-day, 180-day or one-year period.

(c) *Change in location authorized when.* The holder of a pop-up retail user license under this chapter is authorized, throughout the duration of such license, to change the location of the premises where such licensee operates the business of pop-up retail user without having to obtain a separate pop-up retail user license for such location, if all of the following conditions are met:

(1) the operation of such business at the desired location is permitted under the Chicago Zoning Ordinance; and

(2) the location of the premises where the licensee conducts the business of pop-up retail user is either: (A) a fixed indoor retail space for the sale of merchandise or provision of services; or (B) a duly licensed and permitted trade show or exhibition and the sponsor of the trade show or exhibition has obtained a pop-up retail use license in accordance with Section 4-212-020; and ~~not an outdoor space; and~~

(3) the licensee complies with the recordkeeping requirements set forth in Section 4-212-043.

SECTION 5. Section 4-212-043 of the Municipal Code of Chicago is hereby amended by inserting the language underscored, as follows:

4-212-043 Change of location – Recordkeeping – Required when.

(a) *Content of records.* If the holder of a pop-up retail user license, during the duration of such license, changes the location of the premises where such licensed user is operating in accordance with of Section 4-212-040(c), such licensee shall keep and maintain a written record containing the following information about each such premises: (1) the address of the premises or trade

show or exhibition, as applicable; (2) the name of the owner or lessee of the premises or the sponsor of the trade show or exhibition, as applicable; (3) the date(s) and time(s) of operation of the pop-up retail user business at such premises or trade show or exhibition, as applicable; (4) a copy of all agreements, which shall be in writing, entered into by the licensee with the owner or lessee of the premises or the sponsor of the trade show or exhibition, as applicable, where the pop-up retail user business is operating, including the effective date and, if any, the termination date of each such agreement; (5) if the licensee discontinues, ends, terminates or otherwise withdraws from any such agreement, a record of the date on which such act occurred; and (6) any other information the Commissioner may reasonably require in duly promulgated rules.

(Omitted text is unaffected by this ordinance)

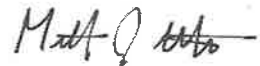
SECTION 6. Section 10-28-805 of the Municipal Code of Chicago is hereby amended by inserting the language underscored, and by deleting the language struck through, as follows:

10-28-805 Permit required for sidewalk café.

A permit, which shall be known as a sidewalk café permit, shall be required to operate a sidewalk café. A sidewalk café permit shall be valid from the date of issuance and shall expire on the date indicated on the face of the underlying retail food establishment license, tavern license, or limited business license, as applicable. ~~for one year, from March 1st to and including the last day of February.~~ The fee for a sidewalk café permit shall be determined by the Commissioner, taking into account land values, and shall be set forth by rule.

SECTION 7. Notwithstanding any provision of the Code to the contrary, all current sidewalk café permits shall be considered valid, whether or not renewed by the permit holder, from the date of issuance and shall expire on the date indicated on the face of the underlying retail food establishment license, tavern license, or limited business license, as applicable.

SECTION 8. This ordinance shall take effect upon passage and publication.



Matthew J. Martin
Alderman, 47th Ward