

ORDINANCE

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

SECTION 1. Chapter 4-64 of the Municipal Code of Chicago is hereby amended by inserting a new Section 4-64-530, as follows:

4-64-530 Issuance of Retail Tobacco Licenses.

(a) Within five days after payment of the license fee for a retail tobacco license, the Commissioner shall cause a written notice to be issued to the alderman of the ward in which the premises described in the application is located, providing the information specified in Section 4-64-210 and the applicant's current telephone number.

(b) The Commissioner shall review the application materials and any written objections to the granting of the retail tobacco license. The review period for a retail tobacco license shall be no fewer than 35 days and no longer than 90 days after the date the license fee is paid. The Commissioner shall deny an application if the applicant fails to satisfy the requirements of this chapter, and may deny an application for a retail tobacco license if the issuance of such license would tend to create a law enforcement problem, result in or add to an undue concentration of licenses, or have a deleterious impact on the health, safety or welfare of the community in which the licensed premises is to be located. A deleterious impact is presumed to exist whenever there have been a substantial number of arrests within 500 feet of the applicant's premises (measured from the nearest exterior wall of the premises) within the previous two years, unless the applicant has adopted a plan of operation that will provide reasonable assurance that the issuance of the license will not have a deleterious impact.

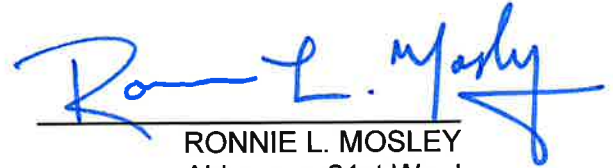
If the Commissioner finds that, for the subject premises identified in the application within the previous two years, a license application has been denied under this chapter because the local Commissioner has determined that issuance of the license would have a deleterious impact on the health, safety or welfare of the community, the application must be denied unless the applicant can prove by clear and convincing evidence that they have devised a plan of operation that will provide reasonable assurance that the issuance of the license will not have a deleterious impact. In any case in which the Commissioner finds that an application must be denied under this paragraph, the Commissioner shall notify the applicant of that finding and afford the applicant 20 days in which to submit a plan of operation, and the time for a final ruling on the application shall be stayed until 35 days after the period in which the plan may be submitted has expired. The plan may include conditions upon the applicant's operation of the premises that are useful or necessary to mitigate a deleterious impact, including but not limited to providing security personnel, restricted hours of operation, providing outdoor lighting, the display of signs, providing trash pickup services, or any other reasonable restrictions on business practices. An applicant's failure to adhere to a written plan of operation approved by the Commissioner pursuant to this section shall constitute a basis to impose a fine and to suspend or revoke any retail tobacco license subsequently issued, as appropriate. Nothing in this section authorizes the issuance of a retail tobacco license when such issuance is prohibited under another section of this chapter or other applicable law.

(c) No retail tobacco license shall be issued prior to the expiration of 35 days after the date the license fee is paid.

(d) Within five days of issuance of a retail tobacco license, the Commissioner shall notify the alderman of the ward in which the premises described in such license is located.

(e) No application for a retail tobacco license shall be accepted for any location which is currently licensed for the retail sale of tobacco products, electronic cigarette accessories, or tobacco accessories, and such license is subject to a pending disciplinary hearing seeking revocation of such license.

SECTION 2. This ordinance takes effect upon passage and publication.



RONNIE L. MOSLEY
Alderman, 21st Ward

Daniel P. La Spata 1s
Daniel La Spata 1st Ward
Brian Hopkins 2
Brian Hopkins 2nd Ward
Pat Dowell 3rd
Pat Dowell 3rd Ward

Lamont J. Robinson 4th Ward
Desmon C. Yancy (5)
Desmon C. Yancy 5th Ward

William E. Hall 6th Ward
Gregory I. Mitchell 7th
Gregory I. Mitchell 7th Ward
Michelle A. Harris
Michelle A. Harris 8th Ward

Anthony A. Beale 9th Ward
Peter J. Chico (10)
Peter J. Chico 10th Ward
Nicole T. Lee 11th
Nicole T. Lee 11th Ward

Julia M. Ramirez 12th Ward
Marty Quinn 13
Marty Quinn 13th Ward
Jeylú B. Gutiérrez 14th
Jeylú B. Gutiérrez 14th Ward
Raymond A. López (15)
Raymond A. López 15th Ward

Stephanie D. Coleman 16th Ward
David Moore
David Moore 17th Ward

Derrick G. Curtis 18
Derrick G. Curtis 18th Ward
Matthew J. O'Shea (19)
Matthew J. O'Shea 19th Ward
Jeanette B. Taylor 20
Jeanette B. Taylor 20th Ward
Ronnie L. Mosley (21)
Ronnie L. Mosley 21st Ward

Michael D. Rodríguez 22nd Ward
Silvana Tabares 23
Silvana Tabares 23rd Ward

Monique L. Scott 24th Ward

Byron Sigcho-Lopez 25th Ward

Jessica L. Fuentes 26th Ward

Walter R. Burnett 27th Ward

Jason C. Ervin 28th Ward
Christopher Taliaferro (29)
Christopher Taliaferro 29th Ward
Ruth Cruz 8
Ruth Cruz 30th Ward

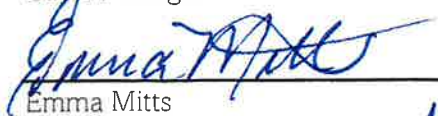
Felix Cardona, Jr. 31st Ward
Scott E. Waguespack
Scott E. Waguespack 32nd Ward

Rossana Rodriguez-Sánchez 33rd Ward

William Conway 34th Ward

Anthony J. Quezada 35th Ward

Gilbert Villegas 36th Ward

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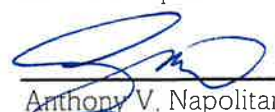
Emma Mitts 37th Ward



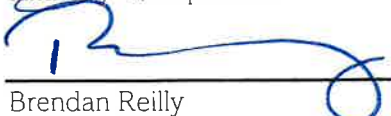
Nicholas Sposato 38th Ward

Samantha Nugent 39th Ward

Andre Vasquez 40th Ward

 41st

Anthony V. Napolitano 41st Ward

 42~

Brendan Reilly 42nd Ward

Timothy R. Knudsen 43rd Ward

Bennett R. Lawson 44th Ward

James M. Gardiner 45th Ward

Angela Clay 46th Ward

Matthew J. Martin 47th Ward

Leni Manaa-Hoppenworth 48th Ward

Maria E. Hadden 49th Ward

Debra L. Silverstein 50th Ward