

**ORDINANCE 2014-026    Passed: August 11, 2014**

**AMENDING THE MUNICIPAL CODE OF THE  
CITY OF DEKALB, ILLINOIS, CHAPTER 38,  
“INTOXICATING LIQUORS,” SECTION 38.18  
“CATERER EVENT PERMITS.”**

**WHEREAS**, the City of DeKalb, DeKalb County, Illinois is a home rule community with those powers granted under the provisions of the Illinois Constitution and the Illinois Municipal Code, 65 ILCS 5/1-1-1, *et. seq.*; and,

**WHEREAS**, the City of DeKalb currently maintains Chapter 38 of the City Code, which relates to the sale of alcoholic beverages within the City of DeKalb; and,

**WHEREAS**, the City Council finds that certain updates to Section 38.18 are required to properly promote the public health, safety, welfare and morals; and,

**THEREFORE BE IT ORDAINED** by the Mayor and City Council of the City of DeKalb, DeKalb County, Illinois, as follows:

**Section 1.** Ordinance Amended.

**Section 38.18 shall be amended as follows:**

38.18        Caterer Event Permits:

- a) Annual Permit: The holder of a valid Bar, Restaurant, Hospitality, or Grocery or Drug Store license may apply for Caterer permits. To be eligible for a Caterer Event Permit, a Licensee must obtain an annual Caterer Permit by providing such information as shall be required by the Liquor Commissioner and paying the annual registration fee. Once approved for the annual Caterer Permit, a Licensee must then apply for Caterer Event permits on an event by event basis.
- b) License Required: A Catering License shall be required for any form of catering at any location in the City of DeKalb.
- c) Permit Required: A Caterer Event Permit shall be required on a per-event basis for certain types of events as contemplated herein.
  1. A Permit shall not be required at a non-commercial Caterer Event conducted on private property at a single-family residence, unless such event is being conducted in a fashion as to require a Mass Gathering Permit pursuant to Chapter 34 of the City Code (e.g. is anticipated to have more than 200 persons in attendance, involves street closure, involves hazardous activity or involves temporary structures or temporary utility connections that

require permits). For such events not requiring a Permit, the holder of a Caterer's License shall provide the City Legal Department with not less than 48 hours notice of the date, time, location and nature of the proposed event, but shall not be required to obtain a permit or pay any fees.

2. For all other Caterer's events at any other form of property, or for any event which requires a Mass Gathering Permit under the then-current terms of Chapter 34 of the City Code, a Caterer's Event Permit is required.

d) Event Permit: The holder of a valid annual Caterer permit shall apply for a Caterer Event permit relative to a specific proposed catering event, where required. A Caterer Event permit shall permit the holder to serve Alcoholic Liquors outside of its Building, within the City, as an incidental part of a food service that serves prepared Real Food as a primary meal. The food service may be done by the holder of the permit or by a third party.

1. Application for a Caterer Event permit shall be made at least fourteen (14) days before the date of the proposed event, on a form approved by the Liquor Commissioner. Said application may require any information that the Liquor Commissioner deems appropriate, which shall include at minimum confirmation of applicable insurance coverage for the area proposed, floor plan and description of area to be utilized, description of any proposed sound amplification and/or live entertainment, and a detailed description of any temporary structures, entry/exit to such facilities, utility services, restroom facilities, and alcohol service/storage areas.
2. Applications for Caterer Event permits shall be reviewed by the same parties that review Outdoor Special Event permits, subject to the same conditions. For Caterer Event permits that are repeated at a given, previously inspected location, staff may, in their discretion, waive reinspection.
3. The Liquor Commissioner shall be authorized to approve and impose additional inspection or permit fees relating to any City personnel's involvement in or review of a proposed Caterer Event Permit, as determined to be appropriate from time to time, or based upon the unique nature of a given application.
4. The approval of a Caterer Event permit shall include approval of a Permitted Area for liquor sales, which may be indoors or outdoors. At all times during the conduct of a Caterer Event, the Permitted Area for the Caterer Event shall be considered to be subject to the restrictions applicable to Banquets under Hospitality licensure.

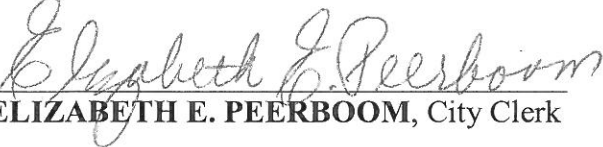
**Section 2.** All ordinances or portions thereof in conflict with this ordinance are hereby repealed.


**Section 3.** Should any provision of this Ordinance be declared invalid by a court of competent jurisdiction, the remaining provisions will remain in full force and affect the same as if the invalid provision had not been a part of this Ordinance.

**Section 4.** This Ordinance shall be in full force and effect after passage and publication pursuant to law. Publication date: August 12, 2014. Effective date: August 22, 2014.

**PASSED BY THE CITY COUNCIL** of the City of DeKalb, Illinois at a regular meeting thereof held on the 11<sup>th</sup> day of August, 2014 and approved by me as Mayor on the same day. Passed on the Consent Agenda via Omnibus roll call vote of 6-0-2. Aye: Jacobson, Finucane, Lash, Snow, Naylor, Rey. Absent: Baker, O'Leary.

**ATTEST:**

  
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**ELIZABETH E. PEERBOOM**, City Clerk

  
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**JOHN A. REY**, Mayor

