

**SUBSTITUTE**

**ORDINANCE**

**AS**

**REAMENDED**

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

**SECTION 1.** Title IV of the Municipal Code of the City of Chicago is hereby amended by inserting a new Chapter 4-157, titled "Event Promoters", as follows:

**4-157-010 Definitions.**

As used in this chapter:

"Amusement" has the meaning ascribed to the term in Section 4-156-010. This definition applies only to amusements occurring, or planned to occur, within the corporate limits of the City of Chicago.

"Any other license or permit" means: (1) a public place of amusement license or performing arts venue license issued under Chapter 4-156 or its equivalent in another jurisdiction; or (2) an outdoor special event permit issued under Section 10-8-335 or its equivalent in another jurisdiction; or (3) an indoor special event license issued under Article IV of Chapter 4-156 or its equivalent in another jurisdiction; or (4) a liquor license of any type issued under Chapter 4-60 or its equivalent in another jurisdiction; or (5) any license or permit other than those identified in items (1) through (4) of this definition required by law to sponsor, promote, host or serve liquor at an amusement or event; or (6) any combination thereof.

"Controlling person" means any person who: (1) is an officer, director, manager, managing member, partner, general partner or limited partner of an entity seeking or holding a license under this chapter; or (2) owns, directly or indirectly through one or more intermediate ownership entities, 10 per cent or more of the interest in an entity seeking or holding a license under this chapter.

"Department" means the department of business affairs and licensing.

"Director" means the director of business affairs and licensing.

"Establishment" or "site" means any building, or any indoor or outdoor premises, or any part thereof, used or intended to be used to present an amusement or event.

*Draft “Substitute Ordinance As Reamended” – July 22, 2008*

“Event” means: (1) any activity requiring a special event liquor license under Chapter 4-60 of this code; or (2) any activity requiring city approval of a special event liquor license under the Illinois Liquor Control Act; or (3) any outdoor special event as defined in Section 10-8-335; or (4) any indoor special event as defined in Section 4-156-530. This definition applies only to events occurring, or planned to occur, within the corporate limits of the City of Chicago.

“Event promoter” or “promoter” means any person who: (1) is directly or indirectly responsible for the organization of an amusement or event, as evidenced by activities such as contracting with the principals, selecting entertainment, advertising or otherwise holding out an amusement or event to members of the general public, inviting participants to an amusement or event, or renting or controlling the site of an amusement or event; and (2) directly or indirectly receives or shares in any of the following: (a) admission or entrance fees paid by participants or spectators at the amusement or event; or (b) compensation, consideration or other revenue from sponsors of or private donors to the amusement or event; or (c) revenues from concessions or other sales at the amusement or event. Except as otherwise provided in Section 4-157-020(B)(14), the term “event promoter” includes nonresident event promoters who do business within the City of Chicago.

“Fireworks” has the meaning ascribed to the term in the Fireworks Use Act, as amended, codified at 425 ILCS 35/0.01 et seq.

“Fixed seating” or “fixed seats” means seats securely fastened to the floor.

“Licensee” means any person licensed or required to be licensed under this chapter.

“Maximum capacity” means the number of persons that a building, premises, room, floor or other area or space may accommodate, as determined by the building commissioner pursuant to Chapter 13-36 of this code or by any other appropriate government official.

“Not-for-profit corporation” means any not-for-profit organization which: (1) has been registered with the State of Illinois as a not-for-profit corporation for at least three years prior to the presentation of a promoted amusement or event, or (2) qualifies for tax exempt status under Section 501(c)(3), 501(c)(4), 501(c)(6) or 527 of the United States Internal Revenue Code of 1986, as amended.

“On-site representative” means any person designated pursuant to the requirements of Section 4-157-140 as a licensee’s on-site representative.

“Promoted amusement or event” means any amusement or event promoted by a licensee under this chapter.

“Pyrotechnic display” has the meaning ascribed to the term in the Pyrotechnic Operator Licensing Act, as amended, codified at 225 ILCS 227/1 et seq.

“Throughout the duration” means at least one hour before the promoted amusement or event, during the promoted amusement or event, and until all persons attending or in any way connected with the promoted amusement or event have left the establishment presenting such amusement or event.

**4-157-020 License–When required–Exclusions.**

(A) No person shall engage in the business of event promoter without first having obtained an event promoter license under this chapter.

(B) The following persons are not event promoters within the meaning of this chapter:

- (1) any print or broadcast media who are paid for page space or broadcast time to advertise an amusement or event but exercise no other financial or operational responsibility in connection therewith; and
- (2) any off-premises ticket seller who sells admission tickets to an amusement or event in advance of such amusement or event but exercises no other financial or operational responsibility in connection therewith; and
- (3) any performer who is paid for his performance at an amusement or event but exercises no other financial or non-performance-related operational responsibility in connection therewith; and
- (4) any agent of an athlete or performer who is compensated for negotiating his client’s contract to perform at an amusement or event but exercises no other financial or operational responsibility in connection therewith; and
- (5) any licensee under Chapter 4-156 of this code, to the extent that the licensee personally plans, prepares or executes an amusement or event in the course of such licensed business; and
- (6) any full-time employee of a licensee under Chapter 4-156 or under this chapter, to the extent that the employee plans, prepares or executes an amusement or event in the course of such employment; and
- (7) the City of Chicago or its sister agencies; and

*Draft "Substitute Ordinance As Reamended" – July 22, 2008*

- (8) any employee of the City of Chicago or its sister agencies, to the extent that the employee plans, prepares or executes an amusement or event in the course of such employment; and
- (9) any not-for-profit corporation, to the extent that the not-for-profit corporation personally plans, prepares or executes an amusement or event on its own behalf; and
- (10) any bona fide member or employee of a not-for-profit corporation, to the extent that such member or employee plans, prepares or executes an amusement or event in the course of such membership or employment on behalf of the not-for-profit corporation; and
- (11) any person who exclusively promotes amusements or events at establishments or venues meeting all of the following requirements: (1) the owner or operator of the establishment or venue at which the promoted amusement or event is presented holds a valid public place of amusement license or valid performing arts venue license issued under Chapter 4-156 of this code, and (2) the establishment or venue at which the promoted event is presented (i) has fixed seating only and all patrons attending any promoted amusement or event at such establishment or venue are seated in such fixed seats; or (ii) has a fixed seating capacity of 500 or more persons; and/or
- (12) any person who exclusively promotes any amusement set forth in items (a) through (i) of Section 4-156-305 at establishments or venues that do not require a public place of amusement license under Section 4-156-305;
- (13) for a specific amusement or event, any person who is hired or otherwise retained by an event promoter licensed under this chapter, as evidenced by a contract, to provide services to the licensed event promoter related to the such amusement or event, including, but not limited to, advertising services;
- (14) for a specific amusement or event, any non-resident event promoter who enters into a joint venture with an event promoter licensed under this chapter, as evidenced by a contract, to promote such amusement or event within the corporate limits of the City of Chicago.

**4-157-025 License classification.**

Event promoter licenses shall be divided into the classifications which follow. The holders of such licenses shall be entitled to engage in the business of event promoter within the City of Chicago subject to the following limitations:

Class A license: The holder of a Class A license is subject to no limitation as to the maximum capacity of the building, premises, room, floor or other area where a promoted amusement or event is presented.

Class B license: The holder of a Class B license is entitled to promote an amusement or event at an establishment, if the maximum capacity of the building, premises, room, floor or other area where a promoted amusement or event is presented is 2000 persons or less.

Class C license: The holder of a Class C license is entitled to promote an amusement or event at an establishment, if the maximum capacity of the building, premises, room, floor or other area where a promoted amusement or event is presented is 500 persons or less.

Class D license: The holder of a Class D license is entitled to promote an amusement or event at an establishment, if the maximum capacity of the building, premises, room, floor or other area where a promoted amusement or event is presented is 100 persons or less.

Provided, however, that if the licensee or any controlling person is under the age of 18, the applicable class of license shall be stamped *to indicate that the sale, service or consumption of alcoholic liquor is strictly prohibited at the promoted amusement or event.*

**4-157-030 License–Posting–Nontransferability.**

Each license issued pursuant to this chapter shall be posted in a conspicuous place near the entrance of the licensee's chief place of business. On the date(s) that a promoted amusement or event is presented at an establishment, a photocopy of the event promoter license shall be posted in a conspicuous place at such establishment. No transfer of ownership shall be allowed on any license issued under this chapter.

**4-157-040 License–Application.**

An application for a license under this chapter shall be made in writing to the director, on a form provided by the department, and shall be accompanied by the following:

- (A) If the applicant is an individual:
  - (1) the applicant's full name, residence address, business address, business e-mail address, business telephone number and cell phone number;
  - (2) the name, residence address and residence telephone number of all controlling persons other than the applicant, if any;
  - (3) proof that the applicant and all controlling persons are at least 18 years of age;

*Draft “Substitute Ordinance As Reamended” – July 22, 2008*

- (B) If the applicant is a corporation:
  - (1) the corporate name, address, e-mail address and telephone number of the applicant’s principal office or place of business;
  - (2) the date and state of incorporation;
  - (3) the name, residence address and residence telephone number of all controlling persons and registered agents;
  - (4) proof that all controlling persons are at least 18 years of age;
  - (5) proof that the corporation is in good standing under the laws of the State of Illinois;
  
- (C) If the applicant is a partnership or limited liability company:
  - (1) the name, address, e-mail address and telephone number of the applicant’s principal office or place of business;
  - (2) the name, residence address and residence telephone number of all partners, if a general partnership; of all general and limited partners, if a limited partnership; of all managers, managing members and members, if a limited liability company; and of all controlling persons and registered agents;
  - (3) proof that all controlling persons are at least 18 years of age;
  
- (D) If the applicant seeks to do business under an assumed name, proof of compliance with the Illinois Assumed Business Name Act, as amended;
  
- (E) A list of every jurisdiction and name under which the applicant, within the last 5 years, has done business as an event promoter;
  
- (F) A statement as to whether the applicant and each controlling person, within the last 5 years, has ever had an event promoter’s license or any other equivalent license or permit, regardless of nomenclature or characterization, revoked or suspended in any jurisdiction and if so, the details surrounding each such suspension or revocation;
  
- (G) A statement as to whether the applicant and each controlling person has *ever* been convicted, in custody, under parole or under any other non-custodial supervision resulting from a conviction in a court of any jurisdiction for the commission of a felony of any kind, or of a criminal offense of whatever degree involving theft, fraud, perjury or dishonesty and if so, the details surrounding each such conviction;
  
- (H) A statement as to whether, within the last five years, the applicant and each controlling person has been convicted or found liable of knowingly making a false statement of material fact or a knowing and material misrepresentation or

omission on or in connection with any license application submitted under this chapter and if so, the details surrounding each such conviction or finding of liability;

- (I) The date of birth and social security number of each natural person named in the license application;
- (J) The license fee, as required by Section 4-157-060;
- (K) Fingerprints, as required by Section 4-157-090;
- (L) An indemnification agreement, as required by Section 4-157-110; and
- (M) Any other information that the director may require.

It is a condition of the license that all information in the license application be kept current. Any change in required information shall be reported to the director, on a form prepared by the department, no later than ten days after the change has occurred, excluding Saturdays, Sundays and legal holidays.

**4-157-050 License issuance–Prohibited when.**

- (A) No license under this chapter shall be issued to the following persons:
  - (1) Any person who is under the age of 18;
  - (2) Any person who has had an event promoter’s license or any other equivalent license or permit, regardless of nomenclature or characterization, revoked in any jurisdiction for any cause other than failure to renew the license or permit, or suspended for more than 30 days in any jurisdiction for any cause other than failure to file a timely license or permit renewal, unless, upon request of such person, the director determines that such person has been sufficiently rehabilitated to warrant the public trust. The burden of proof of sufficient rehabilitation shall be on the person seeking such rehabilitation;
  - (3) Any person who has ever been convicted, in custody, under parole or under any other non-custodial supervision resulting from a conviction in a court of any jurisdiction for the commission of a felony of any kind, or of any criminal offense of whatever degree involving theft, fraud, perjury or dishonesty, unless, upon request of such person, the director determines that such person has been sufficiently rehabilitated to warrant the public trust. The burden of proof of sufficient rehabilitation shall be on the person seeking such rehabilitation;

- (4) Any person who has ever been convicted or found liable of knowingly making a false statement of material fact or a knowing and material misrepresentation or omission on or in connection with any license application submitted under this chapter, unless, upon request of such person, the director determines that such person has been sufficiently rehabilitated to warrant the public trust. The burden of proof of sufficient rehabilitation shall be on the person seeking such rehabilitation; and
- (5) Any person who fails to submit to fingerprinting.

(B) The prohibitions and requirements set forth in subsection (A) of this section shall apply to the licensee and to all controlling persons.

(C) No license shall be issued under this chapter if the director determines that the applicant or any controlling person is concealing the actual or beneficial ownership of the business identified in the license application or is otherwise evading by subterfuge, disguise or indirection any of the licensing requirements of this chapter.

(D) Eligibility for issuance of a license under this section shall be a continuing requirement for maintaining a license under this chapter. Failure to maintain eligibility for issuance of a license under this chapter may result in license suspension or revocation in accordance with the requirements of Section 4-4-280 of this code.

**4-157-060 License–Fee.**

The event promoter license fee, payable every two years, shall be as set forth in Section 4-5-010 of this code.

**4-157-070 License–Term.**

The event promoter license shall expire on the date indicated in Section 4-4-021.

**4-157-080 License number to be printed where.**

Licensees shall print their event promoter license number legibly in all of the following places: (1) on the front page of every estimate, contract and subcontract provided by or entered into by the licensee or his agent in connection with any promoted amusement or event; (2) in all advertisements of the licensee's services as an event promoter; and (3) in all advertisements of any promoted amusement or event. In addition to any other penalty provided by law, any person who violates any of the requirements of this section shall be fined not less than \$200.00, nor more than \$500.00, for each offense. Each day that a violation continues shall constitute a separate and distinct offense to which a separate fine shall apply.

**4-157-090 Fingerprinting–Required.**

Each applicant for an event promoter license and each controlling person shall be required to submit to fingerprinting in accordance with procedures and regulations prescribed by the director.

**4-157-100 Insurance–Required.**

(A) Each licensee under this chapter shall furnish a certificate of insurance, evidencing commercial general liability insurance, with limits of not less than \$300,000.00 per occurrence for bodily injury and property damage arising in any way from the issuance of the license. *The commercial general liability insurance required by this section may take any one of the following forms or combination thereof: (1) an annual commercial general liability insurance policy issued to the licensee to cover all amusements or events promoted by such licensee within the policy period; or (2) a commercial general liability insurance policy issued to the licensee to cover a pre-determined number of amusements or events promoted by such licensee within the policy period; or (3) a special event commercial general liability insurance policy issued to the licensee on a per event basis to cover the duration of a specific promoted amusement or event; or (4) an annual commercial general liability insurance policy issued to the licensee of the venue at which the promoted amusement or event will be held, if such insurance policy explicitly names the licensee under this chapter as an additional insured; or (5) any other form of commercial general liability insurance or combination thereof deemed by the director in duly promulgated rules to meet the requirements of this section.*

(B) Each policy of insurance required under this section, *regardless of its form*, shall: (1) be issued by an insurer authorized to insure in Illinois; (2) name the City of Chicago as additional insured; and (3) include a provision requiring 30 days' advance notice to the director prior to cancellation or lapse of the policy. The licensee shall maintain the insurance required under this section in full force and effect *throughout* the duration of any amusement or event promoted within the license period.

(C) *Each licensee under this chapter shall furnish a copy of the certificate of insurance required by this section to the licensee or operator of the venue at which the promoted amusement or event will be held. Upon request of any authorized city official, a copy of such certificate of insurance shall be made available for inspection by such city official.*

**4-157-110 Indemnification agreement–Required.**

Each applicant for an event promoter license shall agree, in writing, to indemnify, defend and hold harmless the City of Chicago for any loss that results, directly or indirectly, from the issuance or use of such license.

**4-157-120 Event promoter's contract–Required.**

(A) No promoted amusement or event shall be presented at an establishment except pursuant to a written contract between the licensee and the owner, lessee or manager of the establishment presenting such promoted amusement or event. Such contract shall include the following information:

- (1) the licensee's license number;
- (2) if any other license or permit is required for the promoted amusement or event, the applicable license or permit number;
- (3) the maximum capacity of the building, premises, room, floor or other area where the promoted amusement or event will be presented;
- (4) the name and cell phone number of the licensee's on-site representative(s);
- (5) the number of security personnel that will be present, if any, during the promoted amusement or event and the name of the employer of such security personnel;
- (6) the respective responsibilities, functions, duties and rights of the parties to the contract required by this section;
- (7) the date or dates, and location and hours of operation, of the promoted amusement or event;
- (8) whether any fireworks or pyrotechnic display, as defined in Section 4-157-010, will be used during the course of the promoted amusement or event and if so, proof of compliance with Section 15-4-550 and 15-4-560, as applicable;
- (9) whether any special effects involving the installation or alteration of electrical equipment will be used during the course of the amusement or event and if so, proof of compliance with Section 13-12-360; and
- (10) whether any special effects other than those identified in items (8) and (9) of this subsection or equipment of a type posing a danger to the public health, safety or welfare will be used during the course of the promoted amusement or event, including, but not limited to, sound concussions, lasers, animals, flying objects, people with rigging or electrical hazards associated with computer-generated effects or water effects and if so, the precautions that will be taken by the respective parties to the contract to address the public safety threat posed by such special effects or equipment, including, but not limited to, proof of compliance

with any applicable permitting requirement or other provision of this code.

(B) A copy of the contract required by this section shall be: (1) kept at the site of the promoted amusement or event throughout the duration of such amusement or event; and (2) in the possession of the licensee's on-site representative at all times that any equipment, supplies or materials to be used in presenting the promoted amusement or event are present at the site of such amusement or event. If the establishment presenting the amusement or event requires any other license or permit as defined in Section 4-157-010, a copy of the contract shall also be kept in the possession of the holder of such required license or permit and of any person managing or directing the day-to-day operations of the establishment for a period of not less than 7 days before and 30 days after the amusement or event is presented. Upon request, a copy of the contract required by this section shall be made available for inspection by any authorized city official.

#### **4-157-130 Record keeping–Required.**

The licensee shall maintain on file, for a period of three years, complete and accurate records of all business activities and transactions governing or in any way connected to a promoted amusement or event. Such records shall include, but are not limited to, the following: (1) the event promoter contract required by Section 4-157-120; (2) all other applicable contracts; (3) all advance ticket sales; (4) all tickets sold at the door; and (5) all admission and entrance fees paid by participants or spectators at the promoted amusement or event. Such three-year period shall be measured from the last day of operation of the promoted amusement or event as set forth in the contract required by Section 4-157-120. Upon request, the records required by this section shall be made available, during regular business hours or in case of emergency, for inspection by any authorized city official.

#### **4-157-140 On-site representative–Designation required–Duties.**

(A) The licensee shall designate an on-site representative(s) for each promoted amusement or event. Such on-site representative(s) shall be: (1) at least 21 years of age; (2) responsible for discharging all of the duties identified in subsection (C) of this section; and (3) the same person(s) named as the licensee's on-site representative(s) in the contract required by Section 4-157-120. If, due to circumstances beyond the licensee's control, the on-site representative(s) named in the contract is unable to serve as the licensee's on-site representative at the promoted amusement or event covered by such contract, the licensee shall: (i) designate another person meeting the requirements of this section to serve as the licensee's on-site representative at the promoted amusement or event; and (ii) modify the contract to state the name of the person so designated.

(B) No person shall be designated as an on-site representative if, within the last five years preceding the promoted amusement or event, such person has been convicted, in custody, under

parole or under any other non-custodial supervision resulting from a conviction in a court of any jurisdiction for the commission of a felony of any kind, or of any criminal offense of whatever degree involving theft, fraud, perjury or dishonesty. Provided, however, that this prohibition shall not apply if the designated on-site representative holds a valid license under this chapter.

Any person who violates this subsection (B) shall be fined not less than \$500.00, nor more than \$1,000.00, for each offense. Each day that a violation continues shall constitute a separate and distinct offense to which a separate fine shall apply. Provided, however, that it shall be an affirmative defense to the imposition of any fine under this subsection and to license suspension or revocation if, prior to designating the on-site representative: (1) the licensee initiated, pursuant to the Illinois Uniform Conviction Information Act, codified at 20 ILCS 2635/1 et seq., as amended, a state and FBI fingerprint-based record search of the person so designated; and (2) such fingerprint-based record search indicated that the person so designated did not have a criminal background of the type prohibited under this subsection; and (3) the licensee did not acquire any subsequent or independent knowledge that the person so designated had a criminal background of the type prohibited under this subsection.

(C) The licensee's on-site representative shall have the following duties:

- (1) To comply with the requirements of subsection (B) of Section 4-157-120;
- (2) To be present on site throughout the duration of the promoted amusement or event;
- (3) To accept all notices of violation and closure orders;
- (4) To comply with all applicable laws and ordinances governing or in any way connected with the promoted amusement or event;
- (5) To adhere strictly to all conditions imposed on the licensee pursuant to the requirements of this chapter and of any other license or permit required for the promoted amusement or event;
- (6) To carry on his or her person throughout the duration of the promoted amusement or event: (i) photographic identification; and (ii) a cell phone having the telephone number identified in the contract required by Section 4-157-120;
- (7) *To produce, upon request by any authorized city official, a copy of the certificate of insurance required under Section 4-157-100 for inspection by such official;*
- (8) To produce, upon request by any authorized city official, the photographic identification and cell phone required under item (6) of this subsection for

inspection by such official;

- (9) To adhere strictly to the terms of the contract required by Section 4-157-120;
- (10) To comply with any reasonable request made by any authorized city official necessary or appropriate to implement the requirements of this chapter;
- (11) To cooperate fully with any authorized city official in any inquiry, inspection or investigation necessary or appropriate to implement the requirements of this chapter;
- (12) To ensure that the maximum capacity is not exceeded of the building, premises, room, floor or other area where the promoted amusement or event is presented;
- (13) To promptly notify the police department via the city’s 9-1-1 emergency telephone system of any illegal activity reported to or observed by the on-site representative at the promoted amusement or event; and
- (14) To enter into a log book all incidents of illegal activity reported to or required to be reported to the police department under item (13) of this subsection, including the date and time the incident was reported to the police department; a brief summary of the incident; the name of the person reporting the incident; and, if a cell phone was used to report the incident, the cell phone’s telephone number. Upon request, the log book required by this item (14) shall be made available for inspection by any authorized city official.

**4-157-150 Exceeding maximum capacity–Unlawful.**

It shall be unlawful for any licensee or controlling person or on-site representative to exceed the maximum capacity of the building, premises, room, floor or other area where a promoted amusement or event is presented.

**4-157-155 Licensees and controlling persons under the age of 18–Liquor-related prohibition.**

If a licensee or any controlling person is under the age of 18, it shall be unlawful for such licensee or controlling person to promote any amusement or event: (1) at which alcoholic liquor will be sold, served, *dispensed*, consumed or *otherwise possessed or delivered*; or (2) at any *tavern in violation of the requirements of Section 4-60-140*.

**4-157-160 Other legal duties–Joint and several liability.**

(A) Each licensee and controlling person shall have the following duties:

- (1) To comply with the requirements of this chapter and with all other applicable laws and ordinances governing or in any way connected with such promoted amusement or event;
- (2) To adhere strictly to all conditions imposed on the licensee pursuant to the requirements of this chapter and of any other license or permit required for any promoted amusement or event;
- (3) To adhere strictly to the terms of the contract required by Section 4-157-120;
- (4) To promptly notify the police department via the city’s 9-1-1 emergency telephone system of any illegal activity reported to or observed by the licensee or any controlling person at the promoted amusement or event.
- (5) To enter into a log book all incidents of illegal activity reported to or required to be reported to the police department under item (4) of this subsection, including the date and time the incident was reported to the police department; a brief summary of the incident; the name of the person reporting the incident; and, if a cell phone was used to report the incident, the cell phone’s telephone number. Upon request, the log book required by this item (5) shall be made available for inspection by any authorized city official.

(B) The licensee and all controlling persons shall be jointly and severally liable for any violation of the requirements of this chapter.

**4-157-170 License–Suspension or Revocation.**

The violation of any provision of this chapter may result in license suspension or revocation in accordance with the requirements of Section 4-4-280 of this code.

**4-157-180 License revocation–Five year wait for new license.**

No person whose license under this chapter is revoked for any cause shall be granted another event promoter license, under the same or different name, for a period of five years from the date of revocation.

**4-157-190 Violation–Penalty.**

Draft "Substitute Ordinance As Reamended" – July 22, 2008

Except as otherwise provided in this chapter, any person violating any of the provisions of this chapter shall be subject to a fine of up to \$10,000.00 for each offense. Each day that a violation continues shall constitute a separate and distinct offense to which a separate fine shall apply.

**4-157-200 Regulations.**

The director shall have the authority to promulgate rules and regulations necessary to implement the requirements of this chapter.

**SECTION 2.** Section 4-5-010 of the Municipal Code of the City of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

**4-5-010 Establishment of license fees.**

This chapter shall establish fees for various licenses created by this title unless otherwise provided. The following fees shall apply for the specified licenses. The chapter in which each fee requirement is created is also provided. Unless otherwise stated, fees shall be assessed every two years.

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*(Subsections (1) through (66) are not affected by this ordinance,  
and are not shown here for editorial convenience)*

(67) <del>Reserved:</del> <u>Event Promoter (4-157)</u> .....	
<u>Class A</u> .....	<u>\$2,000.00</u>
<u>Class B</u> .....	<u>1,500.00</u>
<u>Class C</u> .....	<u>1,000.00</u>
<u>Class D</u> .....	<u>500.00</u>

\* \* \* \* \*

*(The remainder of this section is not affected by this ordinance,  
and is not shown here for editorial convenience)*

**SECTION 3.** Chapter 4-60 of the Municipal Code of the City of Chicago is hereby amended by inserting a new Section 4-60-065, as follows:

**4-60-065 Promoted amusements or events–Unlawful acts.**

(A) It shall be unlawful for any licensee under this chapter to use, hire, employ or otherwise avail oneself of the services of an event promoter to promote any amusement or event at the licensed establishment, if the event promoter is required to hold but does not hold a valid event promoter license or the proper class of such license issued under Chapter 4-157 of this code.

(B) If a not-for-profit corporation promotes an amusement or event at an establishment licensed or required to be licensed under this chapter, and such amusement or event is open to members of the general public, and an admission fee, minimum purchase requirement, membership fee or any form of donation or other fee is imposed for the privilege of attending such amusement or event, and the person promoting such amusement or event on behalf of the not-for-profit corporation does not hold a valid event promoter license or the proper class of such license issued under Chapter 4-157 of this code, it shall be unlawful for a licensee under this chapter to present such amusement or event at the licensed establishment unless the not-for-profit corporation provides the licensee with: (1) acceptable documentation establishing its not-for-profit status, and (2) a dated letter, on its letterhead and signed by its authorizing official, (i) stating that the not-for-profit corporation or bona fide member(s) or employee(s) thereof is promoting the identified amusement or event at the licensed establishment on behalf of such not-for-profit corporation, and (ii) confirming that the not-for-profit corporation has not used, hired, employed or otherwise availed itself of the services of an event promoter licensed or required to be licensed under Chapter 4-157 to promote such amusement or event. Such documentation and letter shall be kept on site by the licensee throughout the duration of the promoted amusement or event, and thereafter shall be maintained on file by the licensee for a period of three years. Upon request, such documentation shall be made available for inspection by any authorized city official.

(C) The requirements of this section shall not apply if the establishment presenting a promoted amusement or event: (i) has fixed seating only and all patrons attending such promoted amusement or event are seated in fixed seats; or (ii) has a fixed seating capacity of 500 or more persons.

(D) As used in this section:

“Acceptable documentation” means: (1) for most not-for-profit corporations, a current copy of the not-for-profit organization’s: (i) “Corporation File Detail Report” available online from the Illinois Secretary of State, or (ii) “Domestic/Foreign Corporation Annual Report” submitted to the Illinois Secretary of State, or (iii) cancelled check (front and back) that

*Draft "Substitute Ordinance As Reamended" – July 22, 2008*

accompanied the current "Domestic/Foreign Corporation Annual Report" submitted to the Secretary of State; or (2) for not-for-profit corporations incorporated prior to 1943, a current certificate of good standing from the Illinois Secretary of State; or (3) for branches of government, a copy of the enabling legislation or letter from the appropriate government body on its letterhead stating that the organization is an official agency or branch of government; or (4) for charitable trusts, a current Charitable Organization Supplement (Form AG990-IL) or letter from the Attorney General verifying current good standing; or (5) if the not-for-profit corporation is a public school or religious organization, a letter claiming tax exempt status under the United States Internal Revenue Code and signed, as applicable, by the school principal or authorizing official on the public school's or religious organization's letterhead; or (6) if the not-for-profit corporation is a school affiliate organization, such as a PTO or PTA group, a letter from the affiliated school on school letterhead acknowledging the affiliation and signed by the school principal or authorizing official; or (7) if the not-for-profit corporation is a political organization, such as a political party committee or Federal, State or local candidate committee or political action committee or other political committee, a letter claiming tax exempt status under Section 527 of the United States Internal Revenue Code.

"Amusement" has the meaning ascribed to the term in Section 4-157-010.

"Event" has the meaning ascribed to the term in Section 4-157-010.

"Licensee" means: (1) any person licensed or required to be licensed under this chapter and such person's representative or agent; (2) any officer, director, manager, managing member, partner, general partner or limited partner of an entity seeking or holding a license under this chapter, (3) any person owning, directly or indirectly through any intermediate ownership entity, 5 percent or more of the interest in the licensee, and (4) regardless of title or ownership interest, any person who directs the day-to-day operations of any person holding or requiring a license under this chapter.

"Not-for-profit corporation" means any not-for-profit organization which: (1) has been registered with the State of Illinois as a not-for-profit corporation for at least three years prior to the presentation of an amusement or event within the meaning of subsection (B) of this section, or (2) qualifies for tax exempt status under Section 501(c)(3), 501(c)(4), 501(c)(6) or 527 of the United States Internal Revenue Code of 1986, as amended.

"Throughout the duration of the promoted amusement or event" means at least one hour before the promoted amusement or event, during the promoted amusement or event, and until all persons attending or in any way connected with the promoted amusement or event have left the establishment presenting such amusement or event.

**SECTION 4.** Chapter 4-156 of the Municipal Code of the City of Chicago is hereby amended by inserting a new Section 4-156-465, as follows:

**4-156-465 Promoted amusements or events–Unlawful acts–Duties.**

(A) It shall be unlawful for any licensee under this chapter to use, hire, employ or otherwise avail oneself of the services of an event promoter to promote any amusement or event at the licensed establishment, if the event promoter is required to hold but does not hold a valid event promoter license or the proper class of such license issued under Chapter 4-157 of this code.

(B) If a not-for-profit corporation promotes an amusement or event at an establishment licensed or required to be licensed under this chapter, and such amusement or event is open to members of the general public, and an admission fee, minimum purchase requirement, membership fee or any form of donation or other fee is imposed for the privilege of attending such amusement or event, and the person promoting such amusement or event on behalf of the not-for-profit corporation does not hold a valid event promoter license or the proper class of such license issued under Chapter 4-157 of this code, it shall be unlawful for a licensee under this chapter to present such amusement or event at the licensed establishment unless the not-for-profit corporation provides the licensee with: (1) acceptable documentation establishing its not-for-profit status, and (2) a dated letter, on its letterhead and signed by its authorizing official, (i) stating that the not-for-profit corporation or bona fide member(s) or employee(s) thereof is promoting the identified amusement or event at the licensed establishment on behalf of such not-for-profit corporation, and (ii) confirming that the not-for-profit corporation has not used, hired, employed or otherwise availed itself of the services of an event promoter licensed or required to be licensed under Chapter 4-157 to promote such amusement or event. Such documentation and letter shall be kept on site by the licensee throughout the duration of the promoted amusement or event, and thereafter shall be maintained on file by the licensee for a period of three years. Upon request, such documentation shall be made available for inspection by any authorized city official.

(C) It shall be the duty of a licensee under this chapter to notify the police department and the alderman in writing of a promoted amusement or event, at least 7 calendar days in advance of the presentation of such promoted amusement or event, if all of the following requirements are met: (1) the amusement or event is being promoted by an event promoter licensed or required to be licensed under Chapter 4-157 of this code; and (2) liquor will be served at the promoted amusement or event; and (3) the establishment presenting the promoted amusement or event has a maximum capacity of 100 or more persons. Provided, however, that if a promoted amusement or event is not booked or scheduled until within 7 calendar days of the presentation of such amusement or event, it shall be the duty of the licensee to notify the police department immediately upon the booking or scheduling of such promoted amusement or event, and under no circumstances fewer than 24 hours before the presentation of such amusement or

*Draft "Substitute Ordinance As Reamended" – July 22, 2008*

event.

The written notification required by this subsection (C) shall be made to the local police commander of the district where the promoted amusement or event will be held and shall contain the following information: (a) the date, time and location of the promoted amusement or event; (b) the estimated attendance at the promoted amusement or event; (c) the name and license number of the event promoter; *and (d) a statement by the licensee verifying that the event promoter has provided such licensee with proof of general commercial liability insurance meeting the requirements of Section 4-157-100.*

In addition to any other penalty provided by law, any person who violates the requirements of this subsection (C) shall be (i) fined not less than \$500.00, nor more than \$1,000.00, for each offense, and (ii) prohibited from using an event promoter to promote or present any amusement or event at the establishment for a period of six months, as measured from the date of conviction of such person by a court of competent jurisdiction or a final determination of liability by an administrative law officer within the meaning of Section 2-14-076(1).

(D) It shall be unlawful for any person prohibited from using an event promoter under item (ii) of subsection (B) of this section to engage in such conduct. Any person who violates this subsection shall be fined not less than \$1,000.00, nor more than \$10,000.00, for each offense. Each day that a violation continues shall constitute a separate and distinct offense to which a separate fine shall apply. A single violation of this subsection may result in license suspension or revocation in accordance with the requirements of Section 4-4-280 of this code. No person whose license under this chapter is revoked for violation of this subsection shall be granted another license under this chapter, under the same or different name, for a period of one year from the date of revocation.

(E) The requirements of this section shall not apply if the establishment presenting a promoted amusement or event: (i) has fixed seating only and all patrons attending such promoted amusement or event are seated in fixed seats; or (ii) has a fixed seating capacity of 500 or more persons.

(F) As used in this section:

“Acceptable documentation” means: (1) for most not-for-profit corporations, a current copy of the not-for-profit organization’s: (i) “Corporation File Detail Report” available online from the Illinois Secretary of State, or (ii) “Domestic/Foreign Corporation Annual Report” submitted to the Illinois Secretary of State, or (iii) cancelled check (front and back) that accompanied the current “Domestic/Foreign Corporation Annual Report” submitted to the Secretary of State; or (2) for not-for-profit corporations incorporated prior to 1943, a current certificate of good standing from the Illinois Secretary of State; or (3) for branches of

*Draft “Substitute Ordinance As Reamended” – July 22, 2008*

government, a copy of the enabling legislation or letter from the appropriate government body on its letterhead stating that the organization is an official agency or branch of government; or (4) for charitable trusts, a current Charitable Organization Supplement (Form AG990-IL) or letter from the Attorney General verifying current good standing; or (5) if the not-for-profit corporation is a public school or religious organization, a letter claiming tax exempt status under the United States Internal Revenue Code and signed, as applicable, by the school principal or authorizing official on the public school’s or religious organization’s letterhead; or (6) if the not-for-profit corporation is a school affiliate organization, such as a PTO or PTA group, a letter from the affiliated school on school letterhead acknowledging the affiliation and signed by the school principal or authorizing official; or (7) if the not-for-profit corporation is a political organization, such as a political party committee or Federal, State or local candidate committee or political action committee or other political committee, a letter claiming tax exempt status under Section 527 of the United States Internal Revenue Code.

“Amusement” has the meaning ascribed to the term in Section 4-157-010.

“Event” has the meaning ascribed to the term in Section 4-157-010.

“Event promoter” has the meaning ascribed to the term in Section 4-157-010.

“Licensee” means: (1) any person licensed or required to be licensed under this chapter and such person’s representative or agent; (2) any officer, director, manager, managing member, partner, general partner or limited partner of an entity seeking or holding a license under this chapter, (3) any person owning, directly or indirectly through any intermediate ownership entity, 25 percent or more of the interest in the licensee, and (4) regardless of title or ownership interest, any person who directs the day-to-day operations of any person holding or requiring a license under this chapter.

“Not-for-profit corporation” means any not-for-profit organization which: (1) has been registered with the State of Illinois as a not-for-profit corporation for at least three years prior to the presentation of an amusement or event within the meaning of subsection (B) of this section, or (2) qualifies for tax exempt status under Section 501(c)(3), 501(c)(4), 501(c)(6) or 527 of the United States Internal Revenue Code of 1986, as amended.

“Promoted amusement or event” means any amusement or event promoted by an event promoter as defined in Section 4-157-010.

“Throughout the duration” means at least one hour before the promoted amusement or event, during the promoted amusement or event, and until all persons attending or in any way connected with the promoted amusement or event have left the establishment presenting such amusement or event.

**SECTION 5.** Chapter 4-156 of the Municipal Code of the City of Chicago is hereby amended by inserting a new Section 4-156-651, as follows:

**4-156-651 Promoted indoor special events–Unlawful acts.**

(A) It shall be unlawful for the sponsor of any indoor special event to use, hire, employ or otherwise avail oneself of the services of an event promoter to promote any indoor special event, if the event promoter is required to hold but does not hold a valid event promoter license or the proper class of such license issued under Chapter 4-157. Provided, however, that this requirement shall not apply if: (a) the sponsor of the indoor special event is a not-for-profit corporation, to the extent that such not-for-profit corporation or any bona fide member or employee thereof personally plans, prepares or executes the outdoor special event on behalf of such not-for-profit corporation; and (b) such sponsor maintains on site throughout the duration of the indoor special event: (i) acceptable documentation establishing its not-for-profit status, and (ii) a dated letter, on its letterhead and signed by its authorizing official, stating that the not-for-profit corporation or a bona fide member(s) or employee(s) thereof is promoting the indoor special event on behalf of such not-for-profit corporation and confirming that the not-for-profit corporation has not used, hired, employed or otherwise availed itself of the services of an event promoter licensed or required to be licensed under Chapter 4-157 to promote such indoor special event. Such documentation and letter shall be kept on site by the sponsor of such outdoor special event throughout the duration of the outdoor special event. Upon request, such documentation shall be made available for inspection by any authorized city official.

(B) The requirements of this section shall not apply if the establishment presenting a promoted amusement or event: (i) has fixed seating only and all patrons attending such promoted amusement or event are seated in fixed seats; or (ii) has a fixed seating capacity of 500 or more persons.

(C) As used in this section:

“Acceptable documentation” has the meaning ascribed to the term in Section 4-156-465.

“Event promoter” has the meaning ascribed to the term in Section 4-157-010.

“Promoted indoor special event” means any indoor special event promoted by an event promoter as defined in Section 4-157-010.

“Throughout the duration” has the meaning ascribed to the term in Section 4-156-465.

**SECTION 6.** Section 10-8-335 of the Municipal Code of the City of Chicago is hereby amended by inserting the language underscored, as follows:

**10-8-335 Outdoor special events.**

(a) As used in this section unless the context requires otherwise:

\* \* \* \* \*

*(The remainder of this subsection (a) and of subsections (b) through (r) are not affected by this ordinance, and are not shown here for editorial convenience)*

(r)(1) It shall be unlawful for the sponsor of any outdoor special event to use, hire, employ or otherwise avail oneself of the services of an event promoter to promote any outdoor special event, if the event promoter is required to hold but does not hold a valid event promoter license or the proper class of such license issued under Chapter 4-157. Provided, however, that this requirement shall not apply if: (a) the sponsor of the promoted outdoor special event is a not-for-profit corporation, to the extent that such not-for-profit corporation or any bona fide member or employee thereof personally plans, prepares or executes the outdoor special event on behalf of such not-for-profit corporation; and (b) such sponsor maintains on site throughout the duration of the outdoor special event: (i) acceptable documentation establishing its not-for-profit status, and (ii) a dated letter, on its letterhead and signed by its authorizing official, (1) stating that the not-for-profit corporation or a bona fide member(s) or employee(s) thereof is promoting the outdoor special event on behalf of such not-for-profit corporation and (2) confirming that the not-for-profit corporation has not used, hired, employed or otherwise availed itself of the services of an event promoter licensed or required to be licensed under Chapter 4-157 to promote such outdoor special event. Such documentation and letter shall be kept on site by the sponsor of the outdoor special event throughout the duration of such event. Upon request, such documentation shall be made available for inspection by any authorized city official. Provided further, that the requirements of this section shall not apply if the establishment or venue at which a promoted amusement or event is presented:: (i) has fixed seating only and all patrons attending such promoted amusement or event are seated in fixed seats; or (ii) has a fixed seating capacity of 500 or more persons.

As used in this subsection (r)(1):

“Acceptable documentation” means: (1) for most not-for-profit corporations, a current copy of the not-for-profit organization’s: (i) “Corporation File Detail Report” available online from the Illinois Secretary of State, or (ii) “Domestic/Foreign Corporation Annual Report” submitted to the Illinois Secretary of State, or (iii) cancelled check (front and back) that accompanied the current “Domestic/Foreign Corporation Annual Report” submitted to the Secretary of State; or (2) for not-for-profit corporations incorporated prior to 1943, a current certificate of good standing from the Illinois Secretary of State; or (3) for branches of government, a copy of the enabling legislation or letter from the appropriate government body on its letterhead stating that the organization is an official agency or branch of government; or (4) for charitable trusts, a current Charitable Organization Supplement (Form AG990-IL) or letter from the Attorney General verifying current good standing; or (5) if the not-for-profit corporation is a public school or religious organization, a letter claiming tax exempt status under the United States Internal Revenue Code and signed, as applicable, by the school principal or authorizing official on the public school’s or religious organization’s letterhead; or (6) if the not-for-profit corporation is a school affiliate organization, such as a PTO or PTA group, a letter from the affiliated school on school letterhead acknowledging the affiliation and signed by the school principal or authorizing official; or (7) if the not-for-profit corporation is a political organization, such as a political party committee or Federal, State or local candidate committee or political action committee or other political committee, a letter claiming tax exempt status under Section 527 of the United States Internal Revenue Code.

“Event promoter” has the meaning ascribed to the term in Section 4-157-010.

“Not-for-profit corporation” means any not-for-profit organization which: (1) has been registered with the State of Illinois as a not-for-profit corporation for at least three years prior to the presentation of the outdoor special event, or (2) qualifies for tax exempt status under Section 501(c)(3), 501(c)(4), 501(c)(6) or 527 of the United States Internal Revenue Code of 1986, as amended.

“Promoted outdoor special event” means any outdoor special event promoted by an event promoter as defined in Section 4-157-010.

“Throughout the duration” means at least one hour before the promoted outdoor special event, during the outdoor special event, and until all persons attending or in any way connected with the outdoor special event have left the site of such event.

*Draft “Substitute Ordinance As Reamended” – July 22, 2008*

\* \* \* \* \*

*(The remainder of this section is not affected by this ordinance,  
and is not shown here for editorial convenience)*

**SECTION 7.** This ordinance shall take full force and effect 120 days after its passage and publication.