

# Deleterious Impact–Public Nuisance Ordinance

4-60



## Did You Know That . . .

- The ordinance went into effect on April 11, 2007.
- The ordinance applies to any business with a City of Chicago liquor license.
- Issues between businesses and residents are commonly resolved with DBA community meetings.
- Attending CAPS meetings and participating with community organizations can strengthen relationships between businesses and residents.



Department of Business Affairs and Licensing  
Scott Bruner, Director

The Deleterious Impact–Public Nuisance ordinance provides tools for new liquor license applicants to work with communities in the event a business would cause a negative quality of life for residents, referred to as “deleterious impact.” The ordinance also creates an opportunity for existing liquor establishments and residents to work together to address community concerns.

## Highlights of the Ordinance

- Provides existing and new liquor license applicants a second chance to operate when a plan is devised to address public nuisance issues that impact the health, safety and welfare of the community.
- Gives the community a new tool to address negative quality of life and public safety concerns caused by problem liquor establishments.
- The ordinance protects surrounding liquor establishments by providing an alternative solution to voting entire precincts dry.
- The ordinance allows “public nuisance” to be used as a legal basis to revoke a liquor license and provides a new definition for “deleterious impact.”



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More information about  
this ordinance is available  
at [www.cityofchicago.org/businessaffairs](http://www.cityofchicago.org/businessaffairs) or  
contact a business consultant  
at **312-74-GOBIZ**



City of Chicago  
Richard M. Daley, Mayor



## How this Ordinance Impacts **Existing** Liquor Establishments

- The Local Liquor Control Commissioner (LLCC) may call for a community meeting to resolve public nuisance complaints. Many issues are resolved between the business and the community at these meetings.
- When issues between the business and the community cannot be resolved with community meetings, businesses may be subject to a hearing if residents circulate a petition.
- If there is a hearing, the community must prove that the business is a public nuisance. The business will have the opportunity to submit a plan of operation to mitigate the nuisance. The plan may be accepted, or the license may be suspended or revoked.
- Businesses that choose to appeal may NOT remain open during the duration of the appeal.

## How this Ordinance Applies to **New** Liquor License Applicants

- Applicants denied a liquor license due to deleterious impact may devise a plan of operation to address community concerns and to ensure the issuance of the liquor license will not negatively impact the community.
- If the plan of operation is accepted the licensee must adhere to the plan for the duration of their license.
- If a liquor license is denied for deleterious impact, no new application may be submitted at that location for a period of 1 year.