



**PROCEDURES  
FOR  
FILING APPLICATIONS  
FOR  
ENTERTAINMENT PERMIT**

**IMPORTANT NOTE:** All written documents submitted with applications must be on standard 8½" X 11" letter size paper. No legal size paper will be accepted.

All blue prints submitted with applications must be folded separately.

**VILLAGE OF GLENDALE HEIGHTS  
GENERAL INFORMATION**

|                        |   |  |
|------------------------|---|--|
| <b><u>Address:</u></b> | Glendale Heights Civic Center<br>300 Civic Center Plaza<br>Glendale Heights, Illinois 60139<br>Community Development Department | <b><u>Telephone Number</u></b><br>(630) 260-6030<br><b><u>Fax Number</u></b><br>(630) 260-1317 |
|------------------------|---|--|

**Regular Business Hours:** Monday thru Friday 8:00 A.M. - 4:30 P.M.

**Village Board Members**

|                |                   |
|----------------|-------------------|
| Linda Jackson  | Village President |
| Ed Pope        | District 1        |
| Sharon Fonte   | District 2        |
| Scott Kibort   | District 3        |
| Pat Maritato   | District 4        |
| Chester Pojack | District 5        |
| Mary Schroeder | District 6        |

**Plan Commission Members**

|                          |
|--------------------------|
| Bob Ristich, Chairperson |
| James Baffa              |
| Sohail Bari              |
| Vic Macias               |
| Doug Reimer              |
| Phillip Ritchey          |
| Kurt Preble              |

**Meeting Schedule:**

Village Board Regular Meeting 1st & 3rd Thursday 7:30 P.M.  
Village Board C.O.W. Meeting 1st & 3rd Thursday Following Reg. Mtg.  
Plan Commission Regular Meetings 2nd & 4th Tuesday 7:30 P.M.  
Plan Commission C.O.W. Meetings 2nd & 4th Tuesday 7:35 P.M.

**Administrative Staff**

|  |              |
|--|--------------|
| Donna Becerra, Village Administrator                         | 5331         |
| Roger Mabbitt, Asst. Village Administrator                   | 5314         |
| J. Martin Olsen, Director of Community Development           | 5334         |
| Marie Schmidt, Village Clerk/Collector                       | 5333         |
| Mike Marron, Chief of Police                                 | 5430         |
| Rachael Kaplan, Director of Public Services                  | 630-260-6040 |
| Bill Poling, Director of Finance                             | 5342         |
| Alex G. Dilan, Staff Engineer                                | 5325         |
| Cecelia Sullivan, Director of Parks, Recreation & Facilities | 630-260-6060 |

**Telephone Extensions**

**Consultants**

Engineering: Mr. Dan Lynch  
Christopher B. Burke Engineering, LTD.  
9575 West Higgins Road, Suite 600  
Rosemont, Illinois 60018  
Telephone (847) 823-0500

Legal: Mr. Donald J. Storino, President  
Storino, Ramello, & Durkin Law Firm  
9501 W. Devon  
Rosemont, Illinois 60018  
Telephone (847) 318-9500

**ENTERTAINMENT PERMIT**  
**GENERAL INFORMATION**

A. **PERMIT REQUIRED**

It shall be unlawful to use any land, building or structure to conduct, manage, stage, operate or exhibit any live show, theatrical performance or other form of live entertainment other than entertainment provided at an adult entertainment cabaret or theater open to the public or a segment of the public, and (1) for admittance to which a fee is charged, directly or indirectly, or (2) which is conducted, managed, staged, operated or exhibited as part of, incidental to or within the same building or structure as a business establishment without having first secured an Entertainment Permit therefore; provided, that the provisions of Section 7.6 of the Zoning Ordinance shall not apply to those forms of live entertainment which are specifically licensed by another section of the Zoning Ordinance or another Ordinance of the Village. Live entertainment other than that which is (1) regulated under Section 7.6 of the Zoning Ordinance, (2) distinguished or characterized by its emphasis on matter depicting, describing or related to "Specified Sexual Activities" or "Specified Anatomical Areas" regulated in other sections of the Zoning Ordinance, or (3) specifically regulated by another section of the Zoning Ordinance or another Ordinance of the Village shall be permitted without having first secured an Entertainment Permit.

B. **SELECTED DEFINITIONS:**

**ENTERTAINER:**

Any person who performs or presents entertainment for a wage, tip, fee compensation or other remuneration or whose appearance is otherwise arranged or provided for by a business establishment, whether as an employee or an independent contractor of the business establishment, for the observation of guests, customers or members of the business establishment.

**LIVE ENTERTAINMENT:**

The performance of any dance, show, theatrical performance, play, magical act, musical song or athletic event by one or more entertainers for observation by guests, customers or members of the business establishment.

C. **PROCEDURE**

1. **STAFF REVIEW**

The Zoning Administrator may, together with other departments and officials of the Village, prepare a written review of the application, provided such review is completed and forwarded to the Village Board within ten (10) days of receipt of the application.

2. VILLAGE BOARD ACTION

The Village Board shall not act upon any Entertainment Permit Application until either it has received a staff report thereupon or ten (10) days have elapsed from the filing of the application. The Village Board shall act upon an Entertainment Permit Application at its next regularly scheduled meeting in which a quorum is present held not sooner than 48 hours after the receipt of the staff report or the application by the village staff. The Village Board shall not approve a permit application unless it finds that the proposed use meets applicable Entertainment Permit Criteria herein.

The Board must base its approval of an Entertainment Permit only upon Criteria set forth herein for Entertainment Permits.

The approval or denial of an Entertainment Permit by the Village Board shall be considered final action subject to judicial review.

3. ISSUANCE OF PERMIT

The Zoning Administrator shall issue an Entertainment Permit without delay after approval thereof by the Village Board.

4. REVOCATION OF PERMIT

An Entertainment Permit may be revoked by the Village Board:

- a. If the applicant or any person making a representation on behalf of the applicant makes a misrepresentation of any fact in the application or in any testimony before any Board or Commission of the Village;
- b. If any criteria on which the permit is approved is not complied with;
- c. If after the criteria is initially complied with, compliance with such criteria is not maintained at any time;
- d. If the Entertainment Use is not established, or a required Building Permit is not obtained and building started, within one year of the date the Permit is issued;
- e. If the Entertainment Use shall cease for more than thirty (30) days;
- f. If prior to the issuance of any required Building Permit, the Entertainment Use permittee transfers his interest in the property to another party;

However, no Entertainment Permit shall be revoked except after a public hearing by the Village Board after a three (3) day written notice to the permittee affording the permittee an opportunity to appear and respond to the basis for the revocation contained in the notice. The three (3) day notice provision shall commence on the day following delivery of the notice by certified mail, personal service or facsimile transmission.

5. EXPANSION OR ALTERATION

Any expansion, enlargement or structural alteration of a structure housing an Entertainment Use shall require an additional Entertainment Permit.

6. ENTERTAINMENT PERMIT CRITERIA

In evaluating the suitability of a proposed Entertainment Permit, the Village Board shall examine the following characteristics of the proposed use and its individual structures or components and shall issue the Entertainment Permit provided the proposed use meets the following criteria:

- a. The land, building or structure on or in which the live entertainment is to be performed is located within one of the following zoning districts:
  - C-2 Community Commercial District
  - C-3 General Commercial District
  - O-2 Office Park District
  - I- Industrial District
- b. No loudspeakers or sound equipment shall be used for the amplification of sound to a level discernible by the public beyond the walls of the building in which the permitted entertainment is conducted;
- c. No residential structure or any other non-conforming structure shall be converted for use for live entertainment after enactment of the provisions of this section;
- d. If the maximum audience expected exceeds 25 people, an on-site security program, including required interior and exterior lighting plans, shall be prepared and implemented. The security program shall include the following:

- i. The presence of an on-site manager during all business hours;
  - ii. All off-street parking areas and building entries serving the Entertainment Use shall be illuminated during all hours of operation with a lighting system designed to provide a minimum maintained horizontal illumination of greater than one (1) foot candle of light on the parking surface and/or walkway. In the event the Entertainment Use shares its parking with other businesses, this requirement shall only apply within a radius of 100 feet from any entrance into the Entertainment Use;
  - iii. All interior portions of the Entertainment Use shall be illuminated during all hours of operation with a lighting system designed to provide a minimum maintained horizontal illumination of not less than two (2) foot candles of light at the floor.
- e. All exterior areas of Entertainment Use businesses, including building, landscaping and parking areas, shall be maintained in a clean and orderly manner. Buildings and structures shall not be painted or surfaced with colors or textures or any design that would simulate a sign or advertising message.

The Village Board shall deny the application for an Entertainment Use Permit for any of the following reasons:

- a. The application does not meet the standards set forth in this section;
- b. An applicant or an applicant's spouse is overdue on his/her payment to the Village of taxes, fees, fines, or penalties assessed against him/her or imposed upon him/her in relation to an Entertainment Use;
- c. An applicant has failed to provide information required on the application for the issuance of the Entertainment Use Permit or has falsely answered a question or request for information on the application form;
- d. The premises to be used for the permitted entertainment has not been approved as being in compliance with health, fire and building codes by the department or agency responsible under law for investigating said compliance;
- e. The required application or permit fees have not been paid;
- f. The proposed location is in violation of, or is not in compliance with, any of the provisions of this section.

7. EXPIRATION

An Entertainment Permit shall, by its own terms, expire one (1) year after its issuance.

8. RENEWAL

- a. An unrevoked Entertainment Permit issued pursuant to this section may be renewed upon written application to the Plan Commission made at least thirty (30) calendar days before the expiration date of a current, valid Entertainment Permit and payment of the then current nonrefundable application fee. An Entertainment Permit shall remain valid pending the Plan Commission's consideration and the Village Board's decision if the permittee has timely filed the application for renewal with proper fee payment. For good cause, the Plan Commission may extend the time for filing a renewal application for up to ninety (90) days and may extend the prior Entertainment Permit pending decision on the renewal application.
- b. The application for renewal shall supply current information with respect to each category of information required in the initial application. Within thirty (30) days from the date the renewal application for an Entertainment Permit is date-stamped and received at the Community Development Department, the Zoning Administrator shall determine if it is complete, and if incomplete, shall notify the applicant in writing of its specific deficiencies. If a written determination is not provided to the applicant within thirty (30) days after it is submitted to the Community Development Department, the application shall be deemed complete.
- c. The Plan Commission shall make its decision on an application for the renewal of an Entertainment Permit within three (3) months from the date the application is deemed to be complete. The Plan Commission may recommend to extend the Entertainment Permit without change to the original conditions of approval, with amended or deleted conditions, or deny the extension.
- d. All department or agency inspections, including but not limited to, health, fire, and building inspections, which are required for the Plan Commission to consider the renewal of an Entertainment Permit, shall be completed within the time limits for Plan Commission action provided in this section.
- e. The Village Board shall not act upon any Entertainment Permit Application until either it has received a report thereupon from the Plan Commission or ninety (90) days have elapsed from the date the application is deemed complete. The Village Board shall act upon an Entertainment Permit Application at its next regularly scheduled meeting in which a quorum is present held not less than fourteen (14) days after (1) receipt of the Plan Commission's report or (2) the expiration of the ninety-day period from the date the application is deemed complete. The Village Board shall not approve the permit renewal application unless it finds that the proposed use meets applicable Entertainment Permit Criteria herein.

The Board must base its approval of a renewal of an Entertainment Permit only upon Criteria set forth herein for Entertainment Permits. The approval or denial of a renewal of an Entertainment Permit by the Village Board shall be considered final action subject to judicial review.

D. APPLICATION FILING REQUIREMENTS

1. Filing Fee - \$ 250.00
2. Application Deposit - \$ 1000.00
3. Permit Fee - \$300.00

All costs incurred by the Village for administrative, engineering, legal services, newspaper publication, etc. shall be applied against this deposit. Any costs incurred in excess of the \$1000.00 cash deposit shall be invoiced by the Village to the applicant who shall be responsible for payment of the invoice upon its receipt. Any remaining balance in the account after final action on the application shall be refunded.

3. Completed and executed application. (See Attachment I)
4. A complete disclosure of interest. (See Attachment II)
5. A narrative description of the existing use and proposed entertainment use, including statements evaluating:
  - a. the environmental and economic effects that noise, glare, odor, vibration, traffic generation, or other characteristics of the proposed use will have on nearby properties;
  - b. the general compatibility of the proposed use with nearby properties;
  - c. the compatibility of the proposed use with the Village Comprehensive Development Plan.
6. A narrative statement and supporting documents evaluating the characteristics of the proposed use and its individual structures or components as set forth in the Entertainment Permit Criteria, ie. sound equipment, security program, interior and exterior lighting levels (photometric report), etc.
7. A site plan showing the locations of all structures, parking and loading areas, open spaces, landscaping, yards, refuse and service areas, utilities, signs and traffic accesses and circulation ways;
8. Any other information the Plan Commission or Village Board reasonably may require to determine if the proposed use meets the requirements herein.

ATTACHMENT I

**APPLICATION FOR ENTERTAINMENT PERMIT**

Application Filing Date \_\_\_\_\_

**APPLICANT:**

Name: \_\_\_\_\_

Telephone No. (\_\_\_\_) \_\_\_\_\_

Address: \_\_\_\_\_

Fax No. (\_\_\_\_) \_\_\_\_\_

**APPLICANTS ATTORNEY:**

Name: \_\_\_\_\_

Telephone No. (\_\_\_\_) \_\_\_\_\_

Address: \_\_\_\_\_

Fax No. (\_\_\_\_) \_\_\_\_\_

**BUSINESS LOCATION:**

Name: \_\_\_\_\_

Telephone No. (\_\_\_\_) \_\_\_\_\_

Address: \_\_\_\_\_

Fax No. (\_\_\_\_) \_\_\_\_\_

Name of Shopping Center: \_\_\_\_\_

**CATEGORY OF TYPE(S) OF LIVE ENTERTAINMENT:** \_\_\_\_\_

\_\_\_\_\_

\* Estimate of the Maximum Number of Persons Expected to Observe the Entertainment: \_\_\_\_\_

\* Zoning District: \_\_\_\_\_

**APPLICANT CERTIFICATION:**

I, the applicant for an Entertainment Permit certify that the entertainment is not a type of distinguished or characterized by its emphasis on matter depicting, describing or relating to "Specified Sexual Activities" or "Specified Anatomical Areas" as those terms are defined in the Glendale Heights Ordinance.

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date

**FEES AND CHARGES:**

The applicant agrees to pay the costs incurred by the Village for the review of this application by the Administrative Staff and for the review by the Village Attorney of documents required to fulfill the provisions of Village Ordinance.

UNDER PENALTIES OF INTENTIONAL MISREPRESENTATION AND/OR PERJURY, I DECLARE THAT I HAVE EXAMINED AND/OR MADE THIS APPLICATION AND IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date

**DISCLOSURE OF INTEREST**

The party signing the application shall be considered the applicant.

An applicant must be the fee owner, trustee, beneficiary, contract purchaser, lessee, or option holder of the affected property or his or her agent or nominee.

- a. If the applicant is not the fee owner of the affected property, the application shall disclose the full names, addresses, and telephone numbers of all owners.

In addition, an affidavit of the fee owner or owners shall be filed with the application stating that the applicant has authority to make the application.

- b. Applicant or Fee Owner is Corporation

If either the applicant or the fee owner is a corporation, the application shall disclose the names and addresses of the corporation's officers, directors registered agents, and those shareholders owning in excess of 5 percent of the outstanding stock or interest in the corporation.

- c. Applicant is Trustee

If the applicant is a trustee, the full name, address, telephone number, and extent of interest of each beneficiary must be disclosed in the application.

- d. Applicant is Beneficiary, Agent or Nominee

If the applicant is a beneficiary, agent, or nominee, the application must disclose the names, addresses, and telephone numbers of those parties on whose behalf he or she is acting.

If any such party is a corporation, the same information must be provided as if the applicant were the corporation.

- e. Applicant is Option Holder or Contract Purchaser

If the applicant is an option holder or contract purchaser a valid (unexpired, fully executed, enforceable) non-contingent (except for zoning and financing approval) contract or option to purchase the premises for which the application is being filed shall be submitted.

Disclosure of present ownership interests shall be accompanied by a certified statement of proposed ownership of all land.