



City of Carbondale
 City Clerk
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 Explorecarbondale.com

**APPLICATION TO THE LOCAL LIQUOR CONTROL COMMISSION
 FOR A BEER GARDEN OR OUTDOOR GARDEN/CAFÉ**

Corporation/Licensee Name		Name of Establishment	
Address of Establishment			
Will any type of entertainment be provided in the outdoor area?	Yes	No	
If yes please describe what type(s) of entertainment will be provided. Be as detailed as possible.			
List the proposed hours of operation for beer garden/outdoor area.			

ATTACH TO APPLICATION:

- Location and boundaries of the area to be used for the beer garden/caf  with entrances and exits.
- The type and location of lighting to be installed and method of delineating the boundaries of the beer garden or outdoor garden/caf .

FEES:

- \$100 if there will not be entertainment provided
- \$400 if there will be entertainment provided

Applicant recognizes that at the time of application or any time during the license year, after consideration of the location of the beer garden or outdoor garden/cafe, the nature of the business operations, the record of prior violations of the liquor code, if any, and public safety, health and welfare, the local liquor control commission may impose specific requirements upon the beer garden or outdoor garden/cafe area, which may include, but are not limited to, lighting, fencing and prohibition of entertainment; and that a violation of Title 2 of the Carbondale Revised Code or any other applicable ordinance or state statute may result in the closing of the beer garden or outdoor garden/cafe area in addition to the penalties as otherwise provided in the City Code.

Date	Phone	Email
Printed Name		Signature

2-4-10: BEER GARDENS OR OUTDOOR GARDEN/CAFE AREA

- A. Approval Required: No licensee shall operate a beer garden or outdoor garden/cafe area except upon application to and approval by the local liquor control commission, subject to the terms, conditions, and restrictions of this and all other pertinent sections of this Code.
- B. Application; Fee: Any licensee desiring to operate a "beer garden or outdoor garden/cafe area" as defined in Section 2-1-2 of this title, pursuant to this title, shall submit an application and the following fees with said application to the local liquor control commission in addition to the fees required under this chapter, as follows:
1. \$100 if there will be no entertainment offered to the patrons of the licensee in the beer garden.
 2. \$400 if any entertainment is offered to the patrons of the licensee in the beer garden. Any person(s) using or operating sound amplifying devices, as defined in Section 14-4-7 of this Code, as a part of a beer garden, shall be exempt from restrictions contained herein for use of sound amplifying devices.
- C. Sought In Conjunction With Liquor License Fee: The application for a beer garden or any outdoor garden/cafe area shall be filed with the local liquor control commission at the time of application for a liquor license, the time for renewal of a liquor license or at any time during the license year. A drawing identifying the designated area and its proposed use shall accompany the application. All applications shall be subject to the conditions as set forth in this section and other pertinent sections in this title, as follows:
1. The application, drawing and proposal shall be forwarded to the Planning Services Division for a determination of whether a site plan is necessary and recommendations as to lighting and/or fencing requirements.
 2. The area designated as the beer garden or outdoor garden/café area shall be reviewed by the Building and Neighborhood Services Division and the Fire and Police Department for health and safety purposes. An occupancy rate shall be established pursuant to Title 4 of this Code. The occupancy rate shall be considered in calculating the license fee.
 3. Any licensee, who operates a beer garden or outdoor garden/café area pursuant to this title, shall implement any and all conditions which the Local Liquor Commission may impose upon the operation of said beer garden or outdoor garden/café area.
 4. The boundaries of the beer garden or outdoor garden/café area shall be clearly delineated so that there is no question as to whether alcoholic liquor may be sold, delivered or consumed in the area.
 5. At the time of application or any time during the license year, after consideration of the location of the beer garden or outdoor garden/cafe, the nature of the business operations, the record of prior violations of the liquor code, if any, and public safety, health and welfare, the local liquor control commission may impose specific requirements upon the beer garden or outdoor garden/cafe area, which may include, but are not limited to, lighting, fencing and prohibition of entertainment.
- D. Compliance: Any beer garden or outdoor garden/cafe area shall be subject to all provisions of this title, and all other applicable ordinances and state statutes. (Ord. 2007-38)

- E. Sound Amplifying Devices: Any person using or operating a sound amplifying "device" as defined in section 14-4-7 of this Code, as a part of a beer garden or outdoor garden/cafe, shall be exempt from the provisions of Title 14 of this Code regarding use of sound amplified devices from twelve o'clock (12:00) noon Friday to two o'clock (2:00) A.M. on Sunday, during the hours of operation as established in section 2-5-4 of this Title. (Ord. 2017-33)

- F. Violation; Consequences: A violation of this title or any other applicable ordinance or state statute may result in the closing of the beer garden or outdoor garden/cafe area in addition to the penalties as otherwise provided in this Title. (Ord. 2007-38)