

## 1    Sec 6-10 Special Permits

## 2    (b)     BYOB permit.

- 3           (1) Authorizes the consumption of alcoholic liquor brought onto the premises by a patron over the age  
4           of twenty-one (21) for on-site consumption at a location that possesses ~~either~~ a City of Aurora ~~Class~~  
5           ~~D-1, E, E-1, or F~~ On-Site Consumption Liquor License.
- 6           (2) BYOB shall be permitted in conjunction with the purchase and consumption of a meal.
- 7           (3) BYOB shall be limited to no more than one (1) seven hundred fifty (750) milliliter bottle of wine  
8           or thirty six (36) ounces of beer per patron.
- 9           (4) BYOB shall be limited to the licensed premises.
- 10          (5) Permit holders may provide glassware and ice to patrons, and may uncork, pour, serve or otherwise  
11          control the consumption of the beer and wine.
- 12          (6) Permits will be available to license holders upon submittal of a written application. The issuance  
13          of the permit will be at the discretion of the local liquor commissioner and will be renewed during  
14          the renewal of annual liquor licenses.

## 1 Sec 6-13 Allowed Areas

2 (c)

- 3 (1) Nothing contained in this section shall preclude the issuance of a liquor license to Fraternal Society  
4 or Club, Restaurant or Beer and Wine Restaurant establishments in portions of the city classified  
5 as predominantly business in character.
- 6 (2) No new liquor licenses may be issued ~~after January 1, 2003~~ to any establishment that is within five  
7 hundred (500) feet of a residential property without the applicant obtaining the approval of the  
8 liquor commissioner through the hearing process established in section 6-13(d)(2-4), provided the  
9 property has adequate off-street parking, and complies with all other requirements of the Code.  
10 However, if the license business is located in the downtown or a shopping center, as defined above,  
11 then a liquor license may be issued without the need for a special use permit so long as the license  
12 business complies with all other requirements of the Code. Current Licensees identified as  
13 Taverns, Fraternal Societies or Clubs, Package Liquor and Auditoriums ~~Restaurants or Beer and~~  
14 ~~Wine Restaurants Class A, Class B, Class C and D establishments~~ prior to January 1, 2003 in  
15 portions of the city located within five hundred (500) feet of a residential property shall not be  
16 required to obtain approval from the liquor commissioner in order to renew their existing liquor  
17 license.

## 18 6-13 Allowed Areas

19 (g) Outdoor seating areas serving alcohol shall be permitted only on the premises of those licensees  
20 holding ~~a Class A, B, D, E, F, H, P, or S~~ an On-Site Consumption license. Nothing contained in this  
21 section shall preclude the approval and issuance of an outdoor seating area for a licensee located within  
22 the "downtown" area, defined as the downtown core and downtown fringe areas as defined from time to  
23 time, or "shopping centers" as defined in this article, provided that said establishment has met the other  
24 requirements as set forth in this section and has provided a business plan that includes, but is not limited  
25 to, a detailed plan to contain noise and music within its premises, as well as security and parking issues.

- 26 (1) Each licensee that desires to operate an outdoor seating area, must submit a permit request to the  
27 local liquor control commissioner. The local liquor control commissioner shall have final approval  
28 over any and all requests for an outdoor seating area. The application for outdoor seating area shall  
29 include:
- 30 a. A hard copy of a dimensioned plan drawn to scale including property lines showing the  
31 sidewalk or other outdoor space and all existing public improvements and encroachments  
32 such as light posts, benches, planters, fencing, trash receptacles, fences, trees and tree  
33 grates in the area, bicycle racks and newspaper boxes. The diagram shall also include the  
34 location of the curb relative to the building and proposed location of all furniture and  
35 equipment to be placed on the sidewalk or area. There shall be a single entry into the  
36 outdoor seating area from within the licensed premise and that entryway must be from  
37 within the licensed premise except for establishments located downtown. For businesses  
38 in the downtown a security plan must be submitted detailing the means to be taken to  
39 provide for adequate control of the area.
  - 40 b. Proof that the applicant has written approval from the owner of the property for the outdoor  
41 seating area to be used by the applicant if the applicant or the city is not the owner of the  
42 property.
  - 43 c. The applicant for an outdoor seating area shall provide the city with copies of the  
44 certificates of insurance for the required policies for each type of insurance naming the city  
45 as an additional, non-contributory insured party:

1. Worker's compensation insurance in at least the required statutory limits;
2. Comprehensive general liability insurance, including owner's protective liability insurance and contractual liability insurance covering claims for personal injury and property damage with limits of at least two million (\$2,000,000.00) dollars per occurrence, and two million (\$2,000,000.00) dollars for any single injury; and
3. The required insurance policies shall each provide that they shall not be changed or cancelled during the life of the licensee period or until thirty (30) days after written notice of such change has been delivered to the city.

#### Sec 6-15 Entertainment

- (a) Entertainment shall be allowed for all licenses that allow for consumption of alcoholic liquor on the premises.
- (b) Such entertainment shall conform to the following provisions:
  - (1) Entertainment shall be confined to a designated stage area that is separate from the audience or in a designated lounge area.
  - (2) Dancing by patrons and customers shall be allowed only in areas specifically designated for dancing.
  - (3) Entertainers at ~~Class A~~ Tavern establishments shall be at least twenty-one (21) years of age.
  - (4) Entertainers may not solicit alcoholic beverages from customers or patrons of the establishment in which the entertainer is performing.
  - (5) Entertainment for purposes of this chapter may consist of live acts, such as vocal soloists or groups, instrumental soloists or groups or spoken word soloists or groups, disc jockeys, karaoke, and pay-per-view streamed events.
- (c) Admission may be charged to the lounge only, at the lounge entrance itself, and only when entertainment is provided. No cover charge, admission charge or other type of charge may be charged to enter the premises of a restaurant.
- (d) No licensee shall allow the sale, modeling or display of lingerie, swimwear or sexually explicit clothing on the licensed premises.
- (e) No licensee shall allow entertainment of a sexual nature, including, without limitation, mud wrestling or wrestling in any other medium or erotic, topless or nude dancers.
- (f) Licensee shall notify the local liquor control commissioner or his designee at least five (5) business days in advance of any entertainment, giving the name and nature of the entertainment and the timeframe in which the entertainment will take place at the licensee establishment.

## 1    Sec 6-18 Signs

2    In addition to the requirements of any sign ordinance, all signs on licensed premises and adjacent premises  
3    shall comply with the following:

- 4           1. The licensee shall establish or maintain on the licensed premises or adjacent premises an exterior  
5           sign which identifies the licensed premises and may identify the type of business.  
6           2. Exterior signs on the premises of ~~Class B~~ Fraternal Society or Club, ~~Class F~~ Beer and Wine  
7           Restaurants and ~~Class G~~ Package Beer and Wine licensed establishments must be limited to those  
8           which identify the establishment and readerboards which shall not advertise alcoholic beverages.

9

## 10   Sec 6-25 Carrying Of Alcoholic Liquor From The Premises

- 11           1. It shall be unlawful for any person to carry any alcoholic liquor in an unsealed or opened container  
12           from the licensed premises where such alcoholic liquor was purchased.  
13           2. No licensee or employee of a licensee under this article shall permit any patron to violate this  
14           section nor continue to sell alcoholic liquors to any person knowing that such person intends to  
15           carry the alcoholic liquor from the licensed premises in an open or unsealed container.  
16           3. It shall be unlawful for any licensee, owner, manager, bartender or any employee of said licensee  
17           to allow any patron to leave the licensed premises with open liquor.  
18           4. It shall be unlawful for any person to transport, carry, possess or have any alcoholic liquor in or  
19           upon or about any passenger area of a motor vehicle in the city except in the original package and  
20           with the seal unbroken.  
21           5. Notwithstanding any other provision of this section, ~~Class E~~ Restaurant and ~~Class F~~ Beer and  
22           Wine Restaurant liquor licensees may permit a patron to remove one (1) unsealed and partially  
23           consumed bottle of wine for off-premises consumption provided that the patron has purchased a  
24           meal and consumed a portion of the bottle of wine with the meal on the restaurant premises. A  
25           partially consumed bottle of wine that is to be removed from the premises pursuant to this section  
26           shall be securely sealed by the licensee or an agent of the licensee prior to removal from the  
27           premises and placed in a transparent one-time use tamper-proof bag. The licensee or agent of the  
28           licensee shall provide a dated receipt for the bottle of wine to the patron.  
29           6. This section shall not apply to the passengers in a limousine when it is being used for purposes for  
30           which a limousine is ordinarily used, the passengers on a chartered bus when it is being used for  
31           purposes for which chartered buses are ordinarily used or on a motor home or mini motor home, as  
32           defined herein. However, the driver of any such vehicle is prohibited from consuming or having  
33           any alcoholic liquor in or about the driver's area. Any evidence of alcoholic consumption by the  
34           driver shall be prima facie evidence of such driver's failure to obey this section.