



## VILLAGE OF GLEN ELLYN

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### **Application for Live Entertainment Permit**

*Community Development Department  
535 Duane Street – Glen Ellyn, IL 60137 – Telephone 630.547.5250 – Fax 630.547.5370*

Permit No. \_\_\_\_\_



Village of Glen Ellyn

# Live Entertainment Permit Application

**Address of Property for Live Entertainment Permit:**

\_\_\_\_\_  
**Name of Business:** \_\_\_\_\_

Zoning Category \_\_\_\_\_ Indoor Live Entertainment  Outdoor Live Entertainment

**Name of Applicant:** \_\_\_\_\_

Address of Applicant: \_\_\_\_\_

Business Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Cell/Home Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Property Interest of Applicant: \_\_\_\_\_

(Property Owner, Business Owner, Owner Representative)

**Name of Property Owner:** \_\_\_\_\_

Address of Property Owner: \_\_\_\_\_

Business Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Cell/Home Phone: \_\_\_\_\_ Email: \_\_\_\_\_

**For Specific Indoor Live Entertainment Standards see Section 10-5-14 of the Zoning Code (Attached)**

**For Specific Outdoor Live Entertainment Standards see 2022 Pilot Program Specifications (Attached)**

### **Submission Requirements**

To apply for a live entertainment permit, the following information must be submitted with this completed permit application.

1. Applicant must already have an approved Outdoor Café or Pedway license agreement in good standing if applying for a permit on public property
2. Permit Fee for Indoor, valid for 3-years: \$150.00; for Outdoor, valid for 2022 pilot period only: \$50.00, payable to the Village of Glen Ellyn
3. Floor plan showing dimensions and location of live entertainment area (Approved license agreement site plan may be used to denote live entertainment area)
4. Proof of Ownership
5. Notarized Affidavit of Authorization (if applicant is not the property owner)
6. Narrative describing the planned type and frequency of live entertainment to be offered
7. Neighboring businesses and residences should be notified of outdoor live entertainment dates and times

**NOTE:** Be mindful of neighboring businesses, residences, and special events

**Review Process**

All applications will be reviewed by Community Development staff upon receipt. Staff attempts to review all applications within two (2) weeks of submission.

If you have any questions, contact the Community Development Department at (630) 547-5250.

I (We) certify that all of the statements and documents submitted as part of this application are true to the best of my (our) knowledge and belief.

I (We) acknowledge that I (We) have read, understand and agree to comply with all regulations in Section 10-5-14 of the Zoning Code and the 2022 Pilot Program Specifications.

Owner Signature: \_\_\_\_\_ Owner Name: \_\_\_\_\_

Date: \_\_\_\_\_

Applicant Signature: \_\_\_\_\_ Applicant Name: \_\_\_\_\_

Date: \_\_\_\_\_

-FOR OFFICE USE ONLY-	
APPROVED FOR PERMIT:	
(Notes): _____	
_____	
_____	
_____	
_____	_____
Community Development Director	Date

**AFFIDAVIT OF AUTHORIZATION**

I, \_\_\_\_\_ owner of the property  
described as:

verify that \_\_\_\_\_  
is duly authorized to apply and represent my interests before the Community Development  
Department in applying for a permit to allow indoor live entertainment. Owner acknowledges that  
any notice given applicant is actual notice to owner.

\_\_\_\_\_  
Owner Signature

Subscribed and sworn to before me this  
\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_  
\_\_\_\_\_

Notary Public

## ZONING CODE SECTION 10-5-14. - Indoor live entertainment

Indoor live entertainment may be permitted in businesses and restaurants in the C2, C3, C4, C5A, C5B and C6 zoning districts, provided that a permit is obtained from the Village. No live entertainment shall operate prior to the approval of a permit by the Village. The fee for the permit shall be set forth in this Code and the permit shall be posted in a conspicuous location inside the building. Application for the permit shall be made by the property owner or the property owner shall give written permission for application to be made by another party on their behalf. All permits for live entertainment shall be valid for a period of three years unless the permit is revoked in accordance with subsection (B) of this section.

(A) All live entertainment must comply with the following provisions:

1. The live entertainment activity shall be clearly incidental and accessory to either a permitted or approved special use that is commercial in nature.
2. All live entertainment shall be located indoors and no outside audience for live entertainment shall be allowed or encouraged and no means of amplification outside of the building shall be permitted.
3. The floor area designated for live entertainment shall not exceed 25 percent of the gross floor area of the primary use.
4. Live entertainment shall not be provided after the following hours:

Sunday through Thursday	11:00 p.m.
Friday, Saturday and New Year's Eve	1:00 a.m.

5. No toxic, explosive, flammable or other hazardous materials as defined in the most recent version of the Building Code as adopted by the Village of Glen Ellyn shall be used for any live entertainment purposes.
6. The premises to be used for live entertainment must be in compliance with all applicable health, fire and Building Codes.
7. The form of live entertainment provided shall not be obscene nor appeal to prurient interests.
8. All live entertainment activities shall fully comply with all other provisions of this Code, including all regulations related to noise and vibration set forth in subsections 10-5-13(A) and (B) of this chapter.
9. All live entertainment activities shall fully comply with the Village Sign Code.

(B) A previously issued permit for live entertainment may be revoked by the action of the Village President, which shall be delivered to the permit holder. In the case of a public safety concern, a stay of any live entertainment may be issued by the Police Chief until the matter can be considered by the Village President. The Village President shall have the right to revoke a previously issued permit for live entertainment if:

1. 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 the Village Board.
2. Any criteria on which the permit is approved is not complied with.
3. After the criteria is initially complied with, compliance with such criteria is not maintained at any time.
4. Prior to the issuance of the permit, the applicant transfers interest in the property or business to another party or if the property owner makes an attempt to transfer the nontransferable permit.
5. One or more complaints about the live entertainment are received regarding the permitted property.
6. Revocation is recommended by the Police Chief for reasons related to public safety.
7. Exterior areas of the business providing live entertainment have not been maintained in a clean and orderly manner.
8. The property is not maintained in conformance with all applicable health, fire and Building Codes.

A written order of the Village President to revoke a permit shall take effect five days after its service. If, within those five days, the permit holder files an appeal to the Village Board, the permit shall continue in effect until the Village Board shall have met and had an opportunity to review the President's decision. The Village Board shall hear from the applicant, and it shall review the reasons why the permit was revoked, including the reasons stated by the Village President. The Village Board shall issue a written opinion to either affirm or overrule the decision of the Village President. The Village President may also, stating the reasons for doing so, suspend a permit for a period of up to ten days. A permit may not be suspended for more than two ten-day periods during the term of the permit.

(Ord. 5886, 9-13-2010)

## Outdoor live entertainment: 2022 Pilot Program Specifications

Outdoor live entertainment may be permitted outside businesses and restaurants in the C2, C3, C4, C5A, C5B and C6 zoning districts, provided that a permit is obtained from the Village. No live entertainment shall operate prior to the approval of a permit by the Village. The fee for the permit shall be \$50.00 and the permit shall be posted in a conspicuous location inside the building. Application for the permit shall be made by the property owner or the property owner shall give written permission for application to be made by another party on their behalf. All permits for live entertainment shall be valid until **October 31, 2022**, unless the permit is revoked in accordance with subsection (B) of this section.

(A) All outdoor live entertainment must comply with the following provisions:

1. The live entertainment activity shall be clearly incidental and accessory to either a permitted or approved special use that is commercial in nature.
2. The live entertainment may not be plainly audible 200 feet away from the location.
3. The floor area designated for live entertainment shall not exceed 25 percent of the gross floor area of the primary use.
4. Live entertainment shall not be provided after the following hours:

Sunday through Thursday	10:00 p.m.
Friday and Saturday	11:00 p.m.

5. No toxic, explosive, flammable or other hazardous materials as defined in the most recent version of the Building Code as adopted by the Village of Glen Ellyn shall be used for any live entertainment purposes.
6. The premises to be used for live entertainment must be in compliance with all applicable health, fire and Building Codes.
7. The form of live entertainment provided shall not be obscene nor appeal to prurient interests.
8. All live entertainment activities shall fully comply with all other provisions of this Code, including all regulations related to noise and vibration set forth in subsections 10-5-13(A) and (B) of this chapter.
9. All live entertainment activities shall fully comply with the Village Sign Code.

(B) A previously issued permit for live entertainment may be revoked by the action of the Village President, which shall be delivered to the permit holder. In the case of a public safety concern, a stay of any live entertainment may be issued by the Police Chief until the matter can be considered by the Village President. The Village President shall have the right to revoke a previously issued permit for live entertainment if:

1. 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 the Village Board;
2. Any criteria on which the permit is approved is not complied with;
3. After the criteria is initially complied with, compliance with such criteria is not maintained at any time;
4. Prior to the issuance of the permit, the applicant transfers interest in the property or business to another party or if the property owner makes an attempt to transfer the nontransferable permit;
5. One or more complaints about the live entertainment are received regarding the permitted property;
6. Revocation is recommended by the Police Chief for reasons related to public safety;
7. Exterior areas of the business providing live entertainment have not been maintained in a clean and orderly manner; and
8. The property is not maintained in conformance with all applicable health, fire and Building Codes.

A written order of the Village President to revoke a permit shall take effect five days after its service. If, within those five days, the permit holder files an appeal to the Village Board, the permit shall continue in effect until the Village Board shall have met and had an opportunity to review the President's decision. The Village Board shall hear from the applicant and it shall review the reasons why the permit was revoked, including the reasons stated by the Village President. The Village Board shall issue a written opinion to either affirm or overrule the decision of the Village President. The Village President may also, stating the reasons for doing so, suspend a permit for a period of up to ten days. A permit may not be suspended for more than two ten-day periods during the term of the permit.