



## Agenda Memo

Crest Hill, IL

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**Meeting Date:** March 11, 2024  
**Submitter:** Mayor Raymond R. Soliman R.S.  
**Department:** Mayor's Office  
**Agenda Item:** Amendment to Class Q BYOB Permit

### Summary:

Mr. Don White, White Smoke and Ash is requesting that an amendment to the Class Q BYOB permit to have additional language added to allow consumption of alcohol outside in the patio area which is in the front of the building and restricted by an iron railing.

### Recommended Council Action:

### Financial Impact:

**Funding Source:**

**Budgeted Amount:**

**Cost:**

### Attachments:

**SECTION 2:** That Section 5.08.080-Restrictions and Prohibitions of Title 5 (Business Licenses and Regulations), Chapter 5.08 (Alcoholic Beverages) is hereby amended by repealing and replacing Section 5.08.080 with the following:

**SECTION 5.08.280- RESTRICTIONS AND PROHIBITIONS.**

- (A) It shall be unlawful and strictly prohibited for any Retail Tobacco Store as defined in Section 10 of the Smoke Free Illinois Act, 410 ILCS 82/1 et. seq. to allow any person to consume alcohol on the premises unless it holds a valid current Class Q BYOB Permit.
- (B) No person under the age of 21 shall be allowed to consume alcohol on the premises of any business holding a Class Q BYOB Permit.
- (C) It shall be unlawful and a violation of the Class Q BYOB Permit for the Permit Holder, Owner, Manager, and/or Employees of the Class Q BYOB Permit holder to allow public intoxication on the business premises and the Class Q BYOB Permit Holder or authorized representative(s) shall promptly remove or have removed any customers who are intoxicated, and, if necessary, shall promptly call for police assistance when necessary.
- (D) A Retail Tobacco Store as defined in Section 10 of the Smoke Free Illinois Act, 410 ILCS 82/1 et. seq. which has been issued a Class Q BYOB Permit shall not allow customers to consume any alcoholic beverage on the premises without first being served cigars or other tobacco products. It shall be unlawful and a violation of the Class Q BYOB Permit to allow customers to consume alcohol without also consuming cigars and/or other tobacco products.
- (E) It shall be unlawful and a violation of the Class Q BYOB Permit for any Retail Tobacco Store, including the holder of a Class Q BYOB Permit, to allow gambling of any kind on the premises. The Class Q BYOB Permit is not considered a pouring license, and a Retail Tobacco Store which is issued a Class Q BYOB Permit shall not be considered a liquor licensee of the City.
- (F) It shall be unlawful and a violation of the Class Q BYOB Permit for any employee or owner of a Retail Tobacco Store issued a Class Q BYOB Permit to consume alcohol on the premises or be intoxicated while working at the premises.
- (G) It shall be unlawful and a violation of the Class Q BYOB Permit to allow consumption of alcohol outside the Permitted Business except on an attached patio, deck or other area with access restricted to patrons of the Retail Tobacco Store, and which shall be specifically requested and included in the Permit, if granted by the City.
- (H) A Class Q BYOB Permit Holder shall also provide storage lockers and/ or a secured storage area for customers to keep their alcoholic beverages on premises, but each such individual locker shall be keyed or coded individually so that no one other than the customer assigned that locker shall have access to it. The Class Q BYOB Permit Holder may maintain a master key or combination for the purposes of cleaning out

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