

CITY OF WARRENVILLE

MEMORANDUM

TO: Mayor, City Council, and City Administrator White
FROM: Amy Emery, Director of Community & Economic Devt AÆ
SUBJECT: LIQUOR AND MASSAGE LICENSE REQUIREMENTS
DATE: September 8, 2025

Liquor and Massage License Regulation Structure

The City of Warrenville limits the number of liquor and massage licenses available, given the intensity of these uses and their potential for public harm if not properly licensed, managed, and operated in accordance with ordinance standards. The City Code specifically limits the number of massage and liquor licenses available by Class. Anytime a new or existing business requires a liquor or massage license, the applicant must request an increase in the overall number of such licenses in Warrenville. Likewise, if a business with a massage or liquor license closes, the City Ordinance is amended to reduce the available licenses by one so that no license is available for application without City Council review. This approach is similar to many of Warrenville's Comparable Communities and promotes timely renewals and close monitoring of operations.

Amendments to Consider

As part of the transition to the BS&A software and transfer of business license and registration processing from the Finance Department to the Community Development Department, some challenges with the existing code language have been identified that have the potential to create unintended consequences. These changes fall into three general categories.

1. Processing Period for Business Ownership/Status Changes

If a license is terminated or expires without renewal, the City Code offers no time to process the reduction in the number of available licenses. An ordinance has to be created, and the City Council must take action to reduce the number of available licenses by one. These tasks take time to complete. With no defined timeframe for processing, this may be construed to mean that the license is automatically available immediately upon termination. Accordingly, it is possible that a new applicant may seek to secure the available license without City Council review. Clarification language is needed in the City Code that an expired/terminated license is not generally available to any applicant, and a reasonable processing window should be referenced and generally defined to address any license status change. While a matter of practice, the reasonable timeframe should be documented in the City Code to provide ordinance transparency and clarity for applicants and staff timely processing expectations.

Similarly, while transfer of a liquor or massage license is not permitted from one party to another, if a licensed location changes ownership, the license applied to that location should not automatically become generally available. There is a reasonable expectation that the same

location/business may seek to apply for the same license. This is not clear with the current ordinance language.

2. Outdated Application Requirements

The liquor and massage license application submittal requirements in the City Code include outdated State of Illinois requirements that have since been changed (e.g., requiring the applicant to be a citizen). A comparison of the Warrenville City Code application requirements to current State requirements is needed.

3. Requirements that Unduly Impact Business Operations

The Warrenville City Code also includes the requirement that the applicant or manager must be a bona fide resident of DuPage County. This requirement does not reflect the close and convenient access Warrenville enjoys to several surrounding counties. It also puts unintentional burdens on applicants with multiple business locations. Updated language which considers a distance or other measure, more aligned with Comparable Community requirements, is recommended.

Summary

A review and revision to the liquor and massage license requirements, focused on processing and application requirements, is recommended to allow the City to fully utilize the functionality of the new BS&A software and confidently communicate, apply, and enforce lawful requirements. It will take the City Attorney and Community Development staff some time to complete this work. It is anticipated that an ordinance will be ready for City Council review in October. If approved, the changes will be in effect before the first complete massage and liquor license renewal cycles through the BS&A software.

Recommendation

Direct the City Attorney to prepare Ordinances for City Council Consideration in October amending various sections of the Warrenville City Code pertaining to Liquor License and Massage License requirements.