

§800 ARCHDIOCESAN FACILITIES, LIQUOR LICENSES, AND GAMBLING

§801 RENTAL OF PARISH FACILITIES TO OUTSIDE INDIVIDUALS AND GROUPS

§801.1. General Policy

801.1. Policy The facilities of the Archdiocese of Chicago may be made available to individuals and groups whose principles and practices are not in conflict with the teachings and practices of the Roman Catholic Church and the policies of the Archdiocese of Chicago.

§801.2. License and Insurance Requirements

801.2.1. Policy If a parish, school or agency rents its gym, hall, or other parish facility to an individual or group for an event, it shall require the individual or group to sign an insurance and hold harmless agreement and shall provide it with a certificate of insurance naming the Catholic Bishop of Chicago, A Corporation Sole and the parish, school or agency as additional insurees.

Procedures

- a) A copy of the hold harmless and insurance agreement which must be signed can be found in the Parish Reference Manual.
- b) The signed agreement and certificate of insurance should be given to the parish before the parish permits the event, for which the individual or group has rented the facility, to go forward.

801.2.2. Policy There shall be minimum acceptable coverage for liability limits from an individual or group renting a parish facility.

Procedures

The minimum acceptable coverage for liability limits from an individual who is renting a parish facility is \$500,000. For a group or organization, the minimum coverage for liability limits is \$1,000,000.

801.2.3. Policy If alcohol is going to be sold or served at the event, the group must obtain a liquor license for the event.

Procedures

- a) Liquor is sold at an event whether through a flat fee at the door to enter the event or on a per drink basis once inside the event.
- b) The Illinois Liquor Control Act prohibits the issuance of a liquor license for the sale of liquor at a location within 100 feet of a church or school, unless the applicant for the license is a church or school. Therefore, parishes should generally be unwilling to rent a parish facility to an individual or group planning to sell liquor, unless they have a liquor license.
- c) If an individual or group is able to obtain a liquor license, the parish should ask to see the liquor license before it permits the event to go forward and make a copy of the license for its files.

801.2.4. Policy If liquor is going to be sold or served at the event, the individual or group shall have the necessary dram shop liability insurance.

Procedures

The certificate of insurance (Policy 801.2.1.) must evidence dram shop insurance coverage.

§801.3. Rental to Student Groups and Gambling

§801.3.1. Rental to Student Groups

Colleges and universities for the most part prohibit the selling and serving of alcohol at student events on campus grounds. Therefore, student groups may attempt to rent parish facilities to host parties at which liquor is served.

801.3.1. Policy A parish shall not rent facilities to college and university student groups which are planning to serve liquor.

§801.3.2. Rental to Groups and Gambling

801.3.2. Policy A parish shall not rent parish property to an individual or group who plans to allow any type of gambling, including bingo, on the property.

§802 LIQUOR LICENSES

The State of Illinois has mandated that anyone who sells or serves liquor in the State of Illinois is required to have a liquor license. Pursuant to the Illinois Liquor Control Act, liquor is sold as long as a parish charges a fee to attend the event, even if it does not charge a fee for each drink once inside the event.

802.1. Policy If a parish, school or agency wishes to sell or serve liquor at an event, it shall obtain a liquor license.

Procedures

- a) **Retailer's Liquor License** If a parish, school or agency wishes to sell liquor at an event which it hosts on a regular basis throughout the year, it should try to obtain a retailer's liquor license. A retailer's liquor license permits the licensee to sell alcohol, liquor, wine, and beer for consumption at the location specified in the license for a period of one year after issuance of the license. If the parish can not obtain a retailer's liquor license, it must obtain a special event liquor license.
- b) Parishes in the City of Chicago cannot obtain a retailer's liquor license because the City will not approve applications for such licenses. These parishes must obtain special event liquor licenses.
- c) **Special Event License** A parish, school or agency must obtain a special event liquor license to purchase and sell beer and wine for consumption at a special event (not an event that occurs annually or periodically every year).
- d) A parish, school or agency may sell liquor other than beer and wine at an event for which a special event liquor license has been issued, if the city or municipality where the parish is located permits such conduct.
- e) In order to obtain a special event or retailer's liquor license from the State of Illinois, a parish must first obtain approval for the sale of liquor from the city or municipality where it is located.
- f) Applications and instructions for a special event or retailer's liquor license can be obtained by calling the Illinois Liquor Control Commission. (Refer to *Legal Aspects of Parish Operations* for more information and sample forms.)
- g) A completed application with the necessary supporting documents, which include the approval or permit from the local municipality and a copy of the Archdiocesan dram shop insurance certificate, must be submitted to the State of Illinois Liquor Control Commission with the appropriate license fee.

§800 *Archdiocesan Facilities*

- h) If a parish sponsors several events throughout the year, it can apply for all of its special event licenses at one time.
- i) Parishes should apply for the liquor licenses they need at least 45-60 days in advance of the event for which they need the license.

802.2. Alcohol shall be served only to people of legal drinking age.

§803 LICENSES FOR OUTDOOR CARNIVALS, FESTIVALS AND OTHER EVENTS

803.1. Policy If a parish, school or agency plans to host an outdoor festival, street fair, or carnival, it must check with its local municipality about the license requirements and if such requirements exist, obtain the necessary license.

Procedure

- a) Applications and instructions can be obtained from the local municipality.
- b) The application process should be started at least two months before the event is to take place.

§804 CHARITABLE GAMES LICENSES

804.1. Policy If a parish, school or agency wishes to host an event at which gambling will be conducted, it shall obtain a charitable games license.

Procedures

- a) Applications and instructions for charitable games licenses and the Charitable Games Act Rules booklet can be obtained by contacting the Illinois Department of Revenue's Office of Bingo and Charitable Games. (Refer to *Legal Aspects of Parish Operations* for more information and sample forms.)
- b) A charitable games license issued to one parish may not be used by another parish.

§805 BINGO LICENSE

805.1. Policy Any parish, school or agency that sponsors bingo games shall obtain a bingo license.

Procedures

- a) An application for a bingo license can be obtained by contacting the Illinois Department of Revenue.
- b) A bingo license does not enable a parish, school or agency possessing the license to conduct other charitable games. Conversely, a charitable games license does not permit a parish, school or agency to conduct bingo games.
- c) A bingo license issued to one parish may not be used by another parish.

§806 RAFFLE LICENSES

806.1. Policy Any parish, school or agency which conducts a raffle shall obtain a raffle license.

Procedures

- a) Raffle licenses are issued by local municipalities.
- b) A parish, school or agency must contact its local municipality to determine if the municipality permits raffles to be conducted. It will then have to follow the municipalities licensing requirements. (Refer to *Legal Aspects of Parish Operations* for more information and sample forms.)

Note

Federal law prohibits the distribution of raffle tickets through the U.S. mail.

§807 PULL TAB LICENSES

807.1. Policy Any parish, school or agency which conducts a pull tab operation shall obtain a pull tab license.

Procedures

- a) Pull tab licenses are issued by the State of Illinois' Department of Revenue. Applications and rule booklets are available from the Department of Revenue. (Refer to *Legal Aspects of Parish Operations* for more information and sample forms.)
- b) If an organization wishes to conduct a pull tab event during a charitable games event for which it has obtained a charitable games license, it need not obtain a separate pull tab license for the pull tab event. However, the rules discussed below regarding the amount of a chance and the maximum prizes to be awarded still apply.
- c) If an organization wishes to conduct a pull tab event during a bingo event for which the organization has obtained a bingo license, the organization must obtain a pull tab license for the pull tab event.
- d) Pull tab events can generally only be held on the premises or at the principal place of business of the organization applying for the license. However, an organization can conduct a pull tab event at another location if the pull tab event is being conducted in conjunction with a bingo event at the other location by the organization or if the Illinois Department of Revenue issues a special permit to the organization to conduct a single pull tab event at another location.
- e) An organization can apply for either a regular or limited pull tab license.
 - 1) A regular license permits the organization to conduct a year-round pull-tab operation.
 - 2) A limited pull tab license allows an organization to conduct up to two pull tab events during the year for a maximum of five consecutive days per event. An organization may not obtain more than two limited pull tab licenses per year.
- f) An organization must set up and maintain a separate checking account for its pull tab operations. All of its gross proceeds from pull tab sales, less cash returned to winners, must be deposited into this account.

- g) Regardless of the type of license obtained, a pull tab license holder may not charge more than \$1.00 for a chance and may not sell more than 4,000 tickets per game. The maximum amount for a single prize in a pull tab activity is \$250.00 and no more than \$2,250 can be awarded to all winners in a single day.
- h) If a parish has a pull tab license, an organization within the parish, for example, a Women's Club, can apply for its own license. To be eligible, however, the organization must have been in existence and operational for at least five years. The five year requirement may be reduced to two years if the local organization is affiliated with a national organization that has been in existence for the past five years.

§808 GAMBLING TAXES

808.1. Policy Parishes, schools and agencies conducting gambling events shall report income and pay taxes on income from these events, to the extent required by law.

Procedures

Refer to the Parish Reference Manual for information on taxes for charitable games, bingo, raffles and pull tab operations. (Refer to *Legal Aspects of Parish Operations* for more information and sample forms.)

§809 SALES TAXES

809.1. Policy If a parish, school or agency sells food and/or liquor at gambling events or other regular events, it shall file sales tax returns and pay sales tax on any profits earned from the sale of food or liquor.

Procedures

- a) A parish must have a Retailers' Occupation Tax registration number for sales tax purposes.
- b) The Illinois Department of Revenue Form NUC-1 must be completed in order to obtain a Retailers' Occupation Tax registration number. (Refer to *Legal Aspects of Parish Operations* for more information and sample forms.)

§810 CHICAGO SOFT DRINK TAX

<p>810.1. <i>Policy</i> Parishes in the City of Chicago shall comply with the Chicago Soft Drink Tax.</p>
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Procedures

- a) The City of Chicago passed an ordinance which requires all organizations or persons engaged in the business of selling soft drinks other than fountain drinks at retail in the City of Chicago to collect a tax on the gross receipts from those sales.

- b) For parishes in Chicago, this means that canned pop sold at bingo, athletic events, carnivals, bazaars, Las Vegas nights or any other similar events is subject to a Soft Drink Tax on the gross receipts.

- c) Contact Financial Operations at the Pastoral Center for more information, and see the Archdiocese of Chicago *Reference Manual*.