

POP-UP LEGISLATION - OVERVIEW

How does it work?



The user and the host will be licensed separately – entrepreneurs will be able to obtain a pop-up user license, which allows them to pop-up in different locations around the city over the course of their license. User and location requirements vary based on activity – see below and back of this flyer for more details.



POP-UP USER LICENSE

- ✓ Not tied to a location – can pop-up in allowed locations over the course of the license*
- ✓ User and location requirements, fees, and terms vary based on activity – General Retail and three tiers of food activity
- ✓ Pop-up restaurants (Tier II or Tier III) must operate out of a pre-licensed location
- ✓ Must keep rigorous records and post license

* Licensed Retail Food Establishments can pop-up in different locations without obtaining a pop-up user license

POP-UP HOST LICENSE

- ✓ Pop-up host license is required to host pop-up restaurants* (Tier II or Tier III user)
- ✓ 1-year license, with specific equipment requirements based on allowed activity
- ✓ Must keep rigorous records and ensure user is following regulations

* Some existing license types, that meet the required health standards, will also be allowed to host pop-up restaurants

ENTREPRENEURS

Pop-up will give Chicagoans the chance to test their concept before committing long-term, or create a business model out of “popping up”

EXISTING RESTAURATEURS

Pop-ups will allow existing retail food licensees to pop-up around the city to test new concepts or showcase their fares in new neighborhoods

Who Benefits?

PROPERTY OWNERS

Pop-ups will give landlords a new option if they are struggling to find a tenant to sign a long-term lease at their location

NEIGHBORHOODS

Pop-ups will bring a decrease in vacancy rates and added vibrancy to our communities through more retail and food options

MISCONCEPTIONS

- × Pop-up restaurants will only be able to pop-up in *pre-licensed locations* that are held to the same *rigorous health standards* as typical retail food establishments.
- × The following activities *will not be allowed* at pop-ups:
 - × Selling of liquor or tobacco
 - × Services
 - × Public place of amusement activity
- × Pop-up restaurants will not be allowed to pop-up in any one location for *more than 90 days per year*.
- × The new pop-up legislation does not apply to *outdoor pop-ups*

POP-UP USER REQUIREMENTS BY TIER

	Tier I ^a	Tier II	Tier III
What Kind of Food Can Be Sold?	* Non-perishable, shelf-stable food that is commercially pre-packaged at a food processing plant	* Pre-Prepared at a Licensed Commissary (i.e. Shared Kitchen) * Minimal Final Prep on-site	* Fully prepared on-site
Is On-site Dining Allowed?	* No	* Yes	* Yes
What Health Requirements must be Met?	* Menu-Based Consultation with CDPH at Small Business Center	* Menu-Based Consultation with CDPH at Small Business Center * Sanitation Manager Certificate * Must indicate where food is prepared	* Menu-Based Consultation with CDPH at Small Business Center * Sanitation Manager Certificate * Location must pass health inspection
Where can they Pop-Up?	* Non-Manufacturing and Non-Residential locations	* Tier II ^b or Tier III ^c Host * Retail Food with a Shared Kitchen Supplemental * Shared Kitchen Operator	* Tier III ^c Host * Retail Food with a Shared Kitchen Supplemental * Shared Kitchen Operator
What Kind of Equipment is Needed?	* None	* Temperature Control Equipment * Hand Sink	* Same Equipment as a Full Restaurant
What are the Fees ^d and Terms?	* 5-days: \$25 * 30-days: \$50 * 90-days: \$75 * 180-days: \$100 * 1-year: \$150	* 5-days: \$50 * 30-days: \$100 * 90-days: \$150 * <i>Cannot operate out of the same location for more than 90 days each year</i>	* 5-days: \$50 * 30-days: \$100 * 90-days: \$150 * <i>Cannot operate out of the same location for more than 90 days each year</i>
What are examples of users?	Christmas Themed Pop-Up		
	User sells Christmas ornaments and Christmas-themed candy items out of the pop-up location.	User prepares Christmas pies, cookies, and (non-alcoholic) eggnog at a shared kitchen and serves it at the pop-up location.	User operates a full Christmas-themed restaurant out of a pop-up location. Full menu of holiday items with food prepared onsite.
	Italian Themed Pop-Up		
	User sells Italian memorabilia out of a pop-up along with Italian candy, chocolate, biscotti, and other Italian-themed, pre-packaged and shelf-stable food items.	User prepares lasagna and salad at a shared kitchen and sells them from pop-up location. Lasagna is kept warm on-site with temperature control equipment and salad dressing can be added on-site.	User operates a full Italian Restaurant out of a pop-up location. Full menu of Italian classics with food prepared on-site.

^a The pop-up – general retail user license has the same requirements as the pop-up Food – Tier I

^b Tier II Host: 1-year license (\$150) to host Tier I or II Pop-Up Users. Location must have temperature control equipment and a hand sink. Host license holder must undergo CDPH Consultation at Small Business Center.

^c Tier III Host: 1-year license (\$330) to host Tier I, II, or III Pop-Up Users. Location must have all the equipment of a full restaurant. Host license holder must undergo CDPH Consultation at Small Business Center and an on-site inspection.

^d Pop-Up User Food Licenses are free for Shared Kitchen Users