

ORDINANCE

**AN ORDINANCE AMENDING CHAPTER 3 (“ALCOHOLIC LIQUOR DEALERS”),
ARTICLE 4 (“TERM AND CLASSIFICATION”), SECTION 3-4-2 (“CLASSIFICATION AND NUMBER OF
LIQUOR LICENSES AND FEES”) OF THE OAK PARK VILLAGE CODE REGARDING THE CLASS C-7
SPECIALITY GOURMET FOODS SHOP LIQUOR LICENSE CLASSIFICATION**

WHEREAS, the Village of Oak Park (“Village”) is a home rule unit of government as provided by the provisions of Article VII, Section 6 of the Illinois Constitution of 1970;

WHEREAS, as a home rule unit of government, the Village is expressly empowered to perform any function pertaining to its government and affairs, including, but not limited to the power to regulate for the protection of the public health, safety, morals and welfare;

WHEREAS, at its August 25, 2022 special meeting, the Village’s Local Liquor Control Review Board voted to recommend that the Village amend the Class C-7 Specialty Gourmet Foods Shop Liquor License classification as more fully set forth herein to remove the restriction prohibiting customer seating and to allow the sale of bottles of wine that are twelve (12) ounces or more and the Local Liquor Control Commissioner agrees with this recommendation; and

WHEREAS, the Board of Trustees agrees with the recommendation of the Local Liquor Control Review Board and finds that it is in the best interests of the Village to amend the Class C-7 liquor license classification.

NOW THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Oak Park, Cook County, Illinois, in the exercise of their home rule powers, as follows:

Section 1. Recitals Incorporated. The above recitals are incorporated herein by reference as though fully set forth.

Section 2. Village Code Amended. Chapter 3 (“Alcoholic Liquor Dealers”), Article 4 (“Term and Classification”), Section 3-4-2 (“Classification and Number of Liquor Licenses and Fees”) of the Oak Park Village Code is amended by deleting the overstricken language and adding the underlined language to read as follows:

3-4-2: CLASSIFICATION AND NUMBER OF LIQUOR LICENSES AND FEES:

The Local Liquor Control Commissioner may only issue liquor licenses in accordance with the classifications set forth hereinbelow and only as specifically authorized in article 8 of this chapter.

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C. Package Liquor Licenses:

1. Package Liquor Class C Licenses: A package liquor Class C license authorizes the sale of alcoholic liquor, beer and wine, in the original package not for consumption on the premises where sold, as hereinafter provided. All package liquor Class C licenses are subject to the following restrictions:

a. Class C liquor licenses are permitted only in a district zoned for business or commercial uses.

b. The sale of packaged liquor is permitted only from seven o'clock (7:00) A.M. to ten o'clock (10:00) P.M., Monday through Sunday.

c. No alcoholic liquor may be sold in containers of less than twenty-four (24) ounces. Class C licensees who are permitted to sell wine are authorized to sell demi or half-bottles of wine no smaller than twelve (12) ounces in size.

d. No exterior signage advertising by brand a specific alcoholic liquor, beer or wine, is permitted.

e. Window signage must conform to the regulations contained in chapter 7, article 7 of this Code.

f. Any delivery of package liquor must be made by agents or employees of the licensee who shall confirm that the recipients are over twenty-one (21) years of age prior to delivering any package liquor to the recipient and shall require signature of the recipient to confirm the same.

g. Prior to issuing or renewing a package liquor Class C license, the Local Liquor Control Commissioner shall cause an inspection of the premises proposed to be licensed to determine if such premises conform to all provisions of the law, including regulations adopted in accordance with this chapter.

h. The Commissioner may inspect licensed premises at any reasonable hour to determine if such premises and the licensee conform to all provisions of the law, including regulations adopted in accordance with this chapter.

i. Failure of the premises, or the licensee, to conform to all provisions of law and the regulations of the Commissioner shall be cause for the Commissioner either to refuse to renew the liquor license on its expiration, or to proceed in accordance with section 3-7-5 of this chapter.

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8. Specialty Gourmet Foods Shop Class C-7 License:

a. The primary business of the licensee must be the sale of gourmet foods, table top gift items, and gift baskets.

b. A class C-7 liquor license authorizes the retail sale of alcoholic liquor in the original package for consumption off premises.

c. The alcoholic liquors authorized for retail sale by the class C-7 liquor license shall only occupy ten percent (10%) of the shelf space of the public portion of the licensed premises.

~~d. Customer seating shall not be provided or permitted.~~

~~e~~ d. The tasting or sampling of alcoholic liquors on the premises shall be permitted if the tasting or sampling is a part of a promotion or a sales device to encourage the sale of alcoholic liquors and no charge of any kind or character is made for such tasting or sampling four (4) times during an applicable license year.

~~f~~ e. A class C-7 liquor licensee shall be permitted to sell for on-site consumption individual servings of wine of no more than six (6) ounces per glass.

f. In addition to the sale of wine for on-site consumption, non-alcoholic beverages must be available for purchase.

g. There shall be no signage outside the licensed premises to indicate the sale of alcoholic liquors and licensees are prohibited from displaying signage visible from outside the licensed premises advertising the sale of alcoholic liquors.

h. All staff must be BASSET trained and certified.

i. Licensees shall be permitted to provide prepackaged snacks as part of any tasting or sampling activities or on-site consumption of wine on the premises.

~~g~~ j. The annual fee for a class C-7 liquor license shall be four hundred dollars (\$400.00).

Section 3. Severability and Repeal of Inconsistent Ordinances. If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this Ordinance. All ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 4. Effective Date. This Ordinance shall be in full force and effect after its approval, passage and publication as provided by law.

ADOPTED this 6th day of September, 2022, pursuant to a roll call vote at follows:

Voting	Aye	Nay	Abstain	Absent
President Scaman				
Trustee Buchanan				
Trustee Enyia				
Trustee Parakkat			x	
Trustee Robinson				
Trustee Taglia				

APPROVED this 6th day of September, 2022.

Vicki Scaman, Village President

ATTEST

Christina M. Waters, Village Clerk

Published in pamphlet form this 6th day of September, 2022.

Christina M. Waters, Village Clerk