

ORDINANCE

**AN ORDINANCE AMENDING CHAPTER 3 ("ALCOHOLIC LIQUOR DEALERS"),
ARTICLE 1 ("GENERAL PROVISIONS"), SECTION 3-1-1 ("DEFINITIONS") AND
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 D-
15 CRAFT BREWERY 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 D-15 Craft Brewery Liquor License classification as more fully set forth herein to allow for the sale of alcoholic liquors 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 D-15 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 1 ("General Provisions"), Section 3-1-1 ("Definitions") of the Oak Park Village Code is amended by deleting the overstricken language and adding the underlined language to read as follows:

3-1-1: DEFINITIONS:

The following words and phrases shall have the meanings, and are hereby defined, as follows:

* * * *

CRAFT BREWERY: An establishment that produces and serves craft beer where beer is manufactured on-site and stored on the licensed premises and sold at retail for both on-premises and off-premises consumption and other alcoholic liquors

sold for on-premises consumption in accordance with the requirements set forth in subsection 3-4-2D15 of this chapter. Beer manufactured on-site may also be sold at wholesale to licensed entities as authorized by the Illinois liquor control act, 235 Illinois Compiled Statutes 5/1-1 et seq., as amended.

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Section 3. 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.

* * * *

15. Craft Brewery Class D-15 Liquor License: A craft brewery Class D-15 liquor license shall authorize a licensee to produce at the licensed premises ~~and store craft beer in quantities not to exceed fifteen thousand (15,000) barrels of beer annually (or 465,000 gallons), the sale of such craft beer for consumption off premises and on site sampling and consumption of such craft beer by persons of at least twenty one (21) years of age. Sale of craft beer manufactured outside the licensed premises at another licensed craft brewery pursuant to 235 Illinois Compiled Statutes 5/6-4(e), as amended, is permitted~~ no more than 155,000 gallons (5,000 barrels) of beer, per year, at the licensed premises (production limit). In addition, licensees shall be: (1)self-distribution eligible; (2) eligible to transfer a portion of the beer manufactured on-site to the premises of a State of Illinois licensed Class 3 brewer wholly owned and operated by the same licensee; (3) permitted to sell on the licensed premises to non-licensees, for on or off premise consumption, beer manufactured by the licensee, a Class 3 State of Illinois approved license holder, and also sell beer manufactured by any other brewer (State of Illinois approved Class 1 brewer, State of Illinois Class 2 brewer or State of Illinois Class 3 brewer); and (4) excluding the provisions in item “3” of this subsection, the licensee shall be permitted to sell on the licensed premises to non-licensees, only for on-premise consumption, alcoholic liquor. Class D-15 licenses shall be issued subject to the following conditions:

a. During authorized hours of business, it shall be unlawful for a Class D-15 licensee to sell craft beer for off premises consumption in less than a package of four (4) 12-ounce to 16-ounce containers, or a single container of between twenty-two (22) ounce and thirty-one (31) ounces. The sale of thirty-two (32)

ounce containers, standard kegs and mini-kegs may also be sold for off-premise consumption

~~b. During authorized hours of business, no more than five (5) craft beer servings shall be served to any customer in one day. A "craft beer serving" shall be defined as one glass containing more than eight (8) ounces and up to sixteen (16) ounces, two (2) half pint glasses containing eight (8) ounces, or one flight consisting of four (4) glasses containing four (4) ounces each. Glassware that is larger than a defined serving size must have a pour line to indicate serving size.~~

e b. It shall be unlawful for the holder of a Class D-15 license to provide a sample of or sell any craft beer before the hours of eleven o'clock (11:00) A.M. or after the hour of twelve o'clock (12:00) midnight.

d c. All applicable taxes including Sales Tax shall be collected and paid on all revenue realized from the retail sale of craft beer.

e d. ~~Class D-15 licensees must have at least one BASSET certified site manager on premises whenever beer is available for on-site consumption. Class D-15 licensees must provide packaged food service whenever beer is available for on-site consumption.~~ The sale of prepackaged food snacks shall be available at all times when alcoholic liquors are available for sale.

f e. Class D-15 licensees must have a valid State of Illinois Class ~~1~~ 3 brewer's liquor license and ~~State of Illinois Class 10 craft brewer's liquor license,~~ or equivalent required State of Illinois liquor licenses and comply with any and all applicable Federal, State, and local laws and regulations, including, but not limited to, procurement of a requisite Federal brewer's notice and any and all other requisite licenses and permits concerning manufacture, packaging, storing, sale, and distribution of alcoholic beverages. A licensee must first obtain a State of Illinois Class 3 brewer's liquor license within three (3) months of obtaining a Class D-15 liquor license. The licensee must maintain the State of Illinois Class 3 brewer's liquor license in order to maintain a Class D-15 liquor license.

g f. Every manager, supervisor, sellers and server of alcoholic liquors ~~employee of a Class D-15 licensee who participates in the production and sale of craft beer~~ must be BASSET trained and certified.

h g. The location of the retail sale and consumption of craft beer shall be limited to the retail portion of the licensed premises, except during supervised tours and private parties located in the manufacturing area.

i h. The portion of the licensed premises dedicated to the retail sale of craft beer shall be segregated from the remainder of the premises.

j i. ~~Not more than~~ At least twenty five percent (25%) of the total gross square footage area of the physical premises shall be designated to the retail sale of craft beer.

k j. A licensee shall maintain accurate records as to the total gallons of beer manufactured on the premises and the total gallons of beer manufactured on the premises and sold for consumption off premises. Licensee shall produce said records to the Village upon request.

k. 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.

l. The annual fee for a Class D-15 license shall be two thousand five hundred fifty dollars (\$2,500.00).

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