

ORDINANCE

AN ORDINANCE AMENDING CHAPTER 3 (“ALCOHOLIC LIQUOR DEALERS”), ARTICLE 1 (“GENERAL PROVISIONS”), SECTION 3-1-1 (“DEFINITIONS”), ARTICLE 4 (“TERM AND CLASSIFICATION”), SECTION 3-4-2 (“CLASSIFICATION AND NUMBER OF LIQUOR LICENSES AND FEES”) AND ARTICLE 8 (“LIST OF LICENSES FOR EACH LICENSE CLASS”), SECTION 3-8-1 (“NUMBER OF LICENSES PERMITTED TO BE ISSUED PER LICENSE CLASS”), AND SECTION 3-8-2 (“LICENSES BY NAME AND ADDRESS PER LICENSE”) OF THE OAK PARK VILLAGE CODE FOR THE ISSUANCE OF A CLASS B-7 RESIDENTIAL CARE FACILITY LIQUOR LICENSE TO AMERICAN HOUSE ILLINOIS, LLC, DBA AMERICAN HOUSE

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, American House Illinois, LLC, DBA American House (“American House”) has applied for a Class B-7 liquor license for the property located at 703 Madison Street, Oak Park, Illinois;

WHEREAS, at its regular meeting of June 25, 2024, the Village’s Local Liquor Control Review Board (“LCRB”) unanimously voted to recommend to the Local Liquor Control Commissioner (“Commissioner”) that that a new Class B-7 Resident Care Facility Liquor License Classification be created and the Commissioner concurs with this recommendation;

WHEREAS, in addition, the LCRB unanimously voted to recommend American House’s application be granted and that a Class B-7 liquor license be issued and the Commissioner concurs with this recommendation;

WHEREAS, in order for the Commissioner to issue the Class B-7 liquor license, the Village Code must be amended to allow for the issuance of the liquor license; and

WHEREAS, the Board of Trustees find that it is in the best interest of the Village to amend the Village Code so that a Class B-7 liquor license may be issued to American House.

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 Provision”), Section 3-1-1 (“Definitions”) of the Oak Park Village Code is amended by adding the underlined language to read as follows:

3-1-1: DEFINITIONS

* * * *

RESIDENTIAL CARE FACILITY: A group care facility licensed by the state for 24-hour medical or non-medical care of persons in need of personal services, supervision, or assistance essential for sustaining the activities of daily living, or for the protection of an individual. For purposes of this chapter, a residential care facility includes an independent living facility, assisted living facility and nursing home.

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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 Village Code are amended by 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.

* * * *

B. Restaurant Liquor Licenses:

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7. Residential Care Facility. A residential care facility with a retail alcoholic liquor sales B-7 liquor license shall be subject to the following requirements:

a. Alcoholic liquor beverages shall be sold and made available only to a facility’s residents or their guests and only for consumption on the licensed premises at tables in dining areas or at a bar in a dining area where food is available and served;

b. The availability of alcoholic liquor beverages shall be subsidiary and incidental to the provision and service of food;

c. A licensee shall comply with Section 3-2-3 (Mandatory Alcohol Awareness Training) of this chapter regarding the required BASSET training of all managers, supervisors, sellers and servers of alcoholic liquors;

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

e. The annual fee for such a liquor license shall be shown as follows:

(1) Not-for-profit establishment, beer and wine only - \$500.00;

(2) Not-for-profit establishment, all alcoholic liquors - \$750.00;

(3) For-profit establishment, beer and wine only;

(A) Facility of less than 50 beds - \$750.00;

(B) Facility of between 51 and 99 beds - \$1,000.00;

(C) Facility of between 100 and 199 beds - \$1,500.00; and

(D) Facility over 200 beds - \$2,000.00.

(4) For-profit establishment, all alcoholic liquors;

(A) Facility of less than 50 beds - \$1,500.00;

(B) Facility of between 51 and 99 beds - \$2,000.00;

(C) Facility of between 100 and 199 beds - \$2,500.00; and

(D) Facility over 200 beds - \$3,000.00.

Section 4. Village Code Amended. Chapter 3 (“Alcoholic Liquor Dealers”), Article 8 (“List of Licenses for Each License Class”), Section 3-8-1 (“Number of Licenses Permitted to Be Issued Per License Class”) and Section 3-8-2 (“Licenses by Name and Address Per License”) of the Oak Park Village Code are amended by adding the underlined language to read as follows:

3-8-1: NUMBER OF LICENSES TO BE ISSUED PER LICENSE CLASS:

* * * *

B-7 No more than one (1) license shall be issued.

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3-8-2: LICENSES BY NAME AND ADDRESS PER LICENSE:

* * * *

CLASS B-7 American House Illinois Liquor, LLC DBA American House 703 Madison Street

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Section 5. License Subject to Remittance of Alcoholic Liquor Purchase at Retail, Privilege Tax. Any liquor license granted American House pursuant to this Ordinance shall strictly be subject to the payment of the Village’s “Alcoholic Liquor Purchase at Retail, Privilege Tax” set forth in Chapter 23A (“Taxes”), Article 2 (“Alcoholic Liquor Purchase at Retail, Privilege Tax”) of the Village Code. Failure to remit payment of the tax shall subject the applicable liquor license to suspension or revocation pursuant to Section 23A-2-10 of the Village Code.

Section 6. 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 7. Effective Date. This Ordinance shall be in full force and effect after its approval, passage and publication as provided by law.

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ADOPTED this 9th day of July, 2024, pursuant to a roll call vote as follows:

Voting	Aye	Nay	Abstain	Absent
President Scaman				
Trustee Buchanan				
Trustee Enyia				
Trustee Parakkat				
Trustee Robinson				
Trustee Straw				
Trustee Wesley				

APPROVED this 9th day of July, 2024.

Vicki Scaman, Village President

ATTEST

Christina M. Waters, Village Clerk

Published in pamphlet form this 9th day of July, 2024.

Christina M. Waters, Village Clerk